

# FORMAL SCHEME CONSULTATION REPORT

Title: **SPS Consultation Report**  
Project: Proposed Southampton City Council Permit Scheme (SPS)  
Date: 16<sup>th</sup> June 2014  
Author: Jason Setford-Smith, Scheme Consultant

To: Mark Robinson, BBLP

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## 1 INTRODUCTION

The formal consultation regarding the proposed Southampton Permit Scheme (SPS) ran for a period of eight (8) weeks beginning on the 17<sup>th</sup> April 2014. The deadline for receipt of responses was no later than 5pm on 12<sup>th</sup> June 2014.

It was stated in the consultation covering letter that 'all responses received by the 12<sup>th</sup> June 2014 will be taken into consideration and, if Southampton City Council consider it to be appropriate, amendments will be made to the draft Permit Scheme.

The draft Scheme Document and accompanying covering letter was issued to ?? key stakeholder organisations and individuals, including local neighbouring Highway Authorities, Utilities, road user representative groups, current IT suppliers and non-government organisations. The list is provided within this document. Some organisations had a number of consultees within them and if known those individuals were contacted directly.

A total of 344 individual comments on the proposed Permit Scheme were received by the deadline.

Additional comments from EToN developers and legal representatives have been added to the comment list so there is transparency regarding all changes to the scheme document.

1 response was received after the deadline but this had been requested and approved before the deadline as the reason was acceptable.

A list of comments received and response or amendments are provided in this document.

## 2 LIST OF CONSULTEES WHO RESPONDED BY THE DEADLINE

1. Southern Gas Network (SGN)
2. Southern Water
3. South East Joint Utilities (SEJUG)
4. Balfour Beatty (BB)
5. Scottish and Southern Energy (SSE)
6. Virgin Media (VM)
7. Openreach (O)

## 3 CONSULTEES WHO RESPONDED AFTER THE DEADLINE

1. National Joint Utilities Group (NJUG)

<b>Internal Contacts</b>	
Head of Legal (Highways)	<a href="mailto:Richard.Ivory@southampton.gov.uk">Richard.Ivory@southampton.gov.uk</a>
Head of Environmental Health	<a href="mailto:mitch.sanders@southampton.gov.uk">mitch.sanders@southampton.gov.uk</a>
Head of Planning (or equal individual)	<a href="mailto:paul.nichols@southampton.gov.uk">paul.nichols@southampton.gov.uk</a>

<b>Bus Operators</b>	
BlueStar	<a href="mailto:richard.gagg@bluestarbus.co.uk">richard.gagg@bluestarbus.co.uk</a>
FirstBus	<a href="mailto:Orbay.Keskin@FirstGroup.com">Orbay.Keskin@FirstGroup.com</a>
VelvetBus	<a href="mailto:mikey@velvetbus.co.uk">mikey@velvetbus.co.uk</a>
Wilts & Dorset	<a href="mailto:ian.taylor@wdbus.co.uk">ian.taylor@wdbus.co.uk</a>
XelaBus	<a href="mailto:gareth@xelabus.info">gareth@xelabus.info</a>

<b>Central Government</b>	
Department for Transport	<a href="mailto:barbara.king@dft.gsi.gov.uk">barbara.king@dft.gsi.gov.uk</a>
Highways Agency – Dave Clark	<a href="mailto:dave.clark@highways.gsi.gov.uk">dave.clark@highways.gsi.gov.uk</a>
Environment Agency	<a href="mailto:enquiries@environment-agency.gov.uk">enquiries@environment-agency.gov.uk</a>

<b>Emergency Services</b>	
Fire and Rescue Service	<a href="mailto:roads@hantsfire.gov.uk">roads@hantsfire.gov.uk</a>
Police	<a href="mailto:traffic.management@hampshire.pnn.police.uk">traffic.management@hampshire.pnn.police.uk</a>
Ambulance Service	<a href="mailto:John.dyer@scas.nhs.uk">John.dyer@scas.nhs.uk</a>
Coast Guard	<a href="mailto:SAR.Response@mcga.gov.uk">SAR.Response@mcga.gov.uk</a>
Hospitals	<a href="mailto:David.griffiths@uhs.nhs.uk">David.griffiths@uhs.nhs.uk</a>

<b>IT and Systems Suppliers</b>	
Pitney Bowes CONFIRM	<a href="mailto:Alex.mathieson@bp.com">Alex.mathieson@bp.com</a>

<b>Passenger Transport</b>	
Network Rail	<a href="mailto:Robert.Hudleston@networkrail.co.uk">Robert.Hudleston@networkrail.co.uk</a>
Passenger Focus	<a href="mailto:info@passengerfocus.org.uk">info@passengerfocus.org.uk</a>

<b>Representative and Interest Groups</b>	
Automobile Association	<a href="mailto:Customer.Services@theAA.com">Customer.Services@theAA.com</a>
British Motorcyclists Federation (BMF) South – David Howe	<a href="mailto:dgphowe@btinternet.com">dgphowe@btinternet.com</a>
British Cycling	<a href="mailto:info@britishcycling.org.uk">info@britishcycling.org.uk</a>
Freight Transport Association	<a href="mailto:sdarrington@fta.co.uk">sdarrington@fta.co.uk</a>
Guide Dogs Association for the Blind	<a href="mailto:guidedogs@guidedogs.org.uk">guidedogs@guidedogs.org.uk</a>
Joint Authorities Group	<a href="mailto:manager@jaguk.org">manager@jaguk.org</a>
Road Safety Partnership	<a href="mailto:saferroads@hampshire.pnn.police.uk">saferroads@hampshire.pnn.police.uk</a>

Chamber of Commerce	<a href="mailto:city.plan@southampton.gov.uk">city.plan@southampton.gov.uk</a>
Wheelchair User Group	<a href="mailto:geoff.bubbles@talktalk.net">geoff.bubbles@talktalk.net</a>
Road Haulage Association	<a href="mailto:l.white@rha.uk.net">l.white@rha.uk.net</a>
Royal Automobile Club	<a href="mailto:secretary@royalautomobileclub.co.uk">secretary@royalautomobileclub.co.uk</a>
Royal Association for Deaf People (RAD)	<a href="mailto:info@royaldeaf.org.uk">info@royaldeaf.org.uk</a>
Royal Blind Society	<a href="mailto:derekrbs@aol.com">derekrbs@aol.com</a>
Taxi/Black Cab/Mini Cab Owners	<a href="mailto:info@southamptontaxis.org">info@southamptontaxis.org</a>

### Surrounding Local Authorities

Hampshire County Council	<a href="mailto:lan.ackerman@hants.gov.uk">lan.ackerman@hants.gov.uk</a>
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### Utility Companies

British Telecom PLC	<a href="mailto:dave.patrick@openreach.co.uk">dave.patrick@openreach.co.uk</a>
Southern Water	<a href="mailto:Roy.clarke@southernwater.co.uk">Roy.clarke@southernwater.co.uk</a>
Southern Gas Networks	<a href="mailto:Trevor.hoath@sgn.co.uk">Trevor.hoath@sgn.co.uk</a>
SSE DataCom	<a href="mailto:Mario@marjen.co.uk">Mario@marjen.co.uk</a>
Scottish and Southern Energy	<a href="mailto:Donna.cooper@sse.com">Donna.cooper@sse.com</a>
Southern Electric Contracting	<a href="mailto:Timothy.dix@ssecontracting.com">Timothy.dix@ssecontracting.com</a>
Mansell working on behalf of Orange Cable and Wireless	<a href="mailto:ebudden@balfourbeatty.co.uk">ebudden@balfourbeatty.co.uk</a> Cable & Wireless Worldwide, Unit M, Atlas business Park, Wythenshawe, Manchester, M22 5RR
Klas Groundworks	<a href="mailto:Charlotte.rew@ssedatcom.com">Charlotte.rew@ssedatcom.com</a>
CMU-GTC Direct	28 Sturmi Way, Village Farm Industrial Estate, Pyle CF33 6NU
02	Nokia Siemens Networks, Lancaster Way, Ermine Business Park, Huntingdon, Cambridge, PE29 6YJ
Infocus Public Networks District 2	9 Parish Close, Bishops Itchington, Warwickshire, CV47 2YR
T-Mobile	Everything Everywhere Ltd, C/O Ericsson Ltd, NRSWA Dept, Hemel One Boundary Way, Hemel Hempstead, HP2 7YU
AWH Utility Services	<a href="mailto:info@awh-utilityservices.ltd.uk">info@awh-utilityservices.ltd.uk</a>
Redcentric	<a href="mailto:Michael.brown@redcentricplc.com">Michael.brown@redcentricplc.com</a>
BskyB Telecom Services	<a href="mailto:nrswa@sns.bskyb.com">nrswa@sns.bskyb.com</a>
Cable and Wireless	<a href="mailto:osm.enquiries@atkinsglobal.com">osm.enquiries@atkinsglobal.com</a>
National Grid (GAS Distribution)	<a href="mailto:plantprotection@uk.ngrid.com">plantprotection@uk.ngrid.com</a> <a href="mailto:paul.z.gerrard@uk.ngrid.com">paul.z.gerrard@uk.ngrid.com</a>
Verizon Business	<a href="mailto:osp-team@uk.verizonbusiness.com">osp-team@uk.verizonbusiness.com</a>
Virgin Media	<a href="mailto:paul.hobbs@virginmedia.co.uk">paul.hobbs@virginmedia.co.uk</a>
National Joint Utilities Group	<a href="mailto:info@njug.org.uk">info@njug.org.uk</a>

### S50 Contacts

Note: The Section 50 applicants over the last 12 month period have been listed.

Dragon Infrastructure Solutions Ltd	<a href="mailto:bworster@dragonis.net">bworster@dragonis.net</a>
Schofield Groundworks Ltd	<a href="mailto:schofieldgl@btinternet.com">schofieldgl@btinternet.com</a>
C & L Management Ltd	<a href="mailto:clive@candlmanagement.co.uk">clive@candlmanagement.co.uk</a>
Express Pipe Laying & Repairs Ltd	<a href="mailto:Carol.lepley@expresspipe.co.uk">Carol.lepley@expresspipe.co.uk</a>
Reds Builders Ltd	<a href="mailto:paul@reds-builders.co.uk">paul@reds-builders.co.uk</a>
KO Plant Groundworks Ltd	<a href="mailto:ian@koplantgroundwaorks.co.uk">ian@koplantgroundwaorks.co.uk</a>
Blanchard Wells Ltd	<a href="mailto:duncanbell@blanchardwells.co.uk">duncanbell@blanchardwells.co.uk</a>
Wilding Butler Construction Ltd	<a href="mailto:Simon.gray@wildingbutler.co.uk">Simon.gray@wildingbutler.co.uk</a>
Aeropark Developments Ltd	<a href="mailto:shillier@aeroparkltd.co.uk">shillier@aeroparkltd.co.uk</a>
PT Contractors Ltd	<a href="mailto:pst@ptcontractors.co.uk">pst@ptcontractors.co.uk</a>
DF Groundworks Ltd	<a href="mailto:info@dfgw.co.uk">info@dfgw.co.uk</a>
Gracelands Ltd	<a href="mailto:Andrew@gracelandsltd.com">Andrew@gracelandsltd.com</a>
Millwood Groundworks Ltd	<a href="mailto:millwoodgroundworks@hotmail.co.uk">millwoodgroundworks@hotmail.co.uk</a>
Peartree Civil Engineering Ltd	<a href="mailto:Peartree.civils@yahoo.com">Peartree.civils@yahoo.com</a>
Mansell Construction	<a href="mailto:jkitt@mansell.plc.uk">jkitt@mansell.plc.uk</a>
Morland Utilities Ltd	<a href="mailto:Hayley.holland@morland-utilities.co.uk">Hayley.holland@morland-utilities.co.uk</a>

#### 4 GENERAL COMMENTS

Org	Suggested amendment / clarification / comment / question	Response / action / recommendation
SW	Will SCC be having a trail before Permit Fees are introduced? Suggest this be 3 months as a minimum to allow the Scheme to bed in.	Yes, there will be a trail period to test systems etc. This is expected to last for 1 month.
SEJUG	SEJUG would like stakeholder engagement from now until the Scheme has operated for at least one year.	There will be numerous meetings leading up to the implementation of the Scheme.
BB	Balfour Beatty would also like to participate in any future consultations or workshops prior to implementation and final design of this scheme. We have had a wealth of experience in the setting out of schemes and have successfully implemented all the current schemes within our business. Recently we participated in the early design workshops of the East of England, Lancashire and Knowsley Schemes which ensured that all aspects of the practical application of the schemes were looked at thus making implementation easier for all concerned.	There will be numerous meetings leading up to the implementation of the Scheme.
O	<p>We strongly believe that the Scheme should be focused only on the busiest streets (strategically significant streets) as this will enable both the Council and works promoters to focus on working together to plan those works which are likely to cause the most disruption, rather than a blanket approach.</p> <p>However if the council still chooses to apply permits to 100% of streets, Openreach urges Southampton City Council to grant permits for category 3 and 4 roads by default (unless the Permit Authority is aware of special circumstances) and for those permits to be at zero fee levels.</p> <p>We wish to point out that it is expected that conditions allowable in permit schemes should only refer to the sector agreed conditions as agreed by HAUC</p>	<p>Comments are noted</p> <p>Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard</p>

	England.	conditions, including referencing.
NJUG	<p>Rather than implementing a permit scheme, NJUG believes that the greatest reduction in disruption can best be achieved by:</p> <ul style="list-style-type: none"> <li>• Everyone working together to achieve better co-ordination, co-operation, communication and compliance.</li> <li>• More effective and consistent use of the existing Noticing regime, enhanced in 2008 – and.</li> <li>• To deliver a further step-change in occupation of the carriageway will require greater use of innovative technologies and ways of working.</li> </ul> <p>NJUG therefore welcomes the opportunity to comment on the Southampton City draft Permit Scheme, but has a number of concerns as follows:</p>	Comments are noted
NJUG	<p>In the South East area there are currently a number of permit schemes in operation and at consultation. Many of the schemes in the South East are independent of each other, as well as different to schemes in the surrounding HAUC areas. This is presenting a level of inconsistency across the region, especially in the case of schemes in close geographical proximity where the same operational staff will be active in multiple permit scheme areas, and where this may lead to the potential for inadvertent error.</p>	<p>Comments are noted</p> <p>Southampton and Brighton have worked together so there is consistent approach by both South East City Councils.</p>
NJUG	<p>NJUG has concerns over the scope of the scheme, with permits required for all works on all streets. NJUG requests that the permit scheme is targeted on Traffic-Sensitive streets only and ‘noticing’ retained on other streets. However if the council still chooses to apply permits to 100% of streets, which is contrary to advice from Ministers, NJUG urges Southampton City Council to grant permits for category 3 and 4 roads by default (unless the Permit Authority is aware of special circumstances) and for those permits to be at zero fee level.</p>	<p>Comments are noted</p> <p>The Permit fees reflect the additional costs incurred by Southampton City Council in administering Utilities’ Permits.</p>
NJUG	<p>NJUG notes that the permit fees are structured at the maximum possible level allowed in the 2013 DfT Additional Advice note on Permits. When the Traffic Management Act 2004 was progressing through Parliament, the Government</p>	<p>The Permit fees reflect the additional costs incurred by Southampton City Council in</p>

	<p>gave a commitment in the Lords that permit fees should be set at a level which reflects only the additional costs incurred by a local authority in administering utilities' permits i.e. the fees should be based on the reasonable and efficient costs of Southampton City Council managing, reviewing and granting utilities' permits, and not cover any of the costs incurred from administering the council's own works.</p> <p>NJUG is therefore surprised that Southampton's proposed permit fees are all at the maximum levels, and asks for sight of the detailed breakdown of the anticipated costs which make up these fees, particularly as surrounding authorities' permit fees are not at these levels.</p>	administering Utilities' Permits.
NJUG	<p>We note that John Harvey (Southampton City Council) (SCC) has confirmed that, "it is currently the intention of Southampton City Council to use the HAUC Permit Advice Note No. 2013/01; Guidance Note for the use of National Model Condition Text". NJUG welcomes this confirmation of the intention to use the national conditions, but wishes to emphasise that DfT has indicated that all future schemes should use only the HAUC England Permit Conditions. We therefore request that the scheme is amended accordingly.</p>	<p>Comments are noted</p> <p>Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing.</p>

## 1 SCHEME DOCUMENT COMMENTS

Org	Document Section	Suggested amendment / clarification / comment / question	Response / reply / recommendation
<b>Section 1 &amp; 2: Foreword and Introduction</b>			
Legal		<p><i>Contents</i></p> <p><i>This is too long. Either reduce considerably or convert to index</i></p>	<p>Agreed.</p> <p>Contents reduced to 1 level.</p>
Legal	1	<i>FOREWORD</i>	Agreed

		<i>Not relevant to SI (presume this will not be included)</i>	Removed from application version.
Legal	2.1.1	<i>Scheme (not Schemes)</i>	Correct, the typo will be corrected.
Legal	2.1.4	<i>To our .....(incomplete sentence)</i> <i>This represents a big challenge (remove this sentence)</i>	A typo that will be corrected. Agreed, deleted
Legal	2.3.5	<i>Delete as not applicable</i>	Text to be changed to DfT supplied text.
EToN	2.5.2	<i>Even Organisers that are now classed as promoters will have to electronically comply with the EToN Technical specification. How is this to be achieved?</i>	'as well as other instigators of possible congestion issues such as Event Organisers.' REMOVED
Legal	2.5.2	<i>This definition does not match para 6 to 8 of the guidance. It should not be used</i>	Text to be changed to DfT supplied text.
EToN	2.6.1	<i>This appears to conflict with section 2.7.1. One states it will provide and alternative, the other states it will operate alongside the noticing system.</i>	'sections of' added
SGN	2.6.3	This does not fit with the DfT letter dated 18/12/14, which states - "no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation"	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing.
SW	2.6.3	SW would like to see what standard conditions will be imposed. Are these the conditions stated in 13.2 of the document or do these relate to the HAUC(UK) document? Consultation will be required on any proposed conditions. As per DfT letter of 18/12/14 - "no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation"	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing.
SEJUG	2.6.3	Regarding any conditions that will be imposed, SEJUG would like to draw SCC's attention to the DfT letter dated 18/12/14,	Southampton City Council will adopt solely the nationally agreed conditions text developed and



		which states - “no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation”	approved by HAUC (England) as our standard conditions, including referencing.
VM	2.6.3	Virgin Media would like to make reference to the DfT advice (letter date 17th March 2014) indicating that only the sector agreed condition matrix (HAUC Advice Note) will be acceptable.	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing.
NJUG	2.6.3	Regarding any conditions that will be imposed, NJUG would like to draw SCC's attention to the DfT letter dated 18/12/14, which states - “no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation”. As above, the Southampton Permit Scheme needs to use only the HAUC England Permit Conditions.	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing.
SW	2.6.6	Although Southampton CC has decided to adopt a Permit Scheme on all roads, not all of these roads should be chargeable (i.e. non traffic sensitive Cat 3 & 4 roads)	The Permit fees reflect the additional costs incurred by Southampton City Council in administering Utilities' Permits.
BB	2.6.6	Balfour Beatty is disappointed that the Southampton City Council Permit Scheme will apply to all of the roads under its control.  Whilst we acknowledge that the DfT's January 2013 Traffic Management Act 2004 (Part 3 - permit schemes) –  Additional Advice Note - for developing and operating future Permit Schemes allows Councils to apply permits to all roads, but we would like to emphasise that the same document also explicitly encourages local authorities to focus on only the busiest (strategically significant) streets of its network. Other	The Permit fees reflect the additional costs incurred by Southampton City Council in administering Utilities' Permits.

		<p>Authorities such as Northamptonshire have decided to follow this more cost effective approach to implementing a permit scheme. In our experience it is schemes such as Northampton which have proven the more successful in achieving their objectives while also driving better co-ordination and reducing disruption.</p> <p>In our experience the administering of a permit scheme for 100% of the network creates an administrative burden for both the Permit Authority and all works promoters and we argue that this will not be sufficiently balanced by improvements (directly attributable to the existence of a permit scheme) in reducing disruption or more effective network management.</p> <p>We continue to believe that the provisions within the current Noticing regime, combined with self regulatory measures as outlined in our executive summary can deliver the same results as a permit scheme, but at a much reduced cost to the local authority and utilities.</p> <p>We are currently involved in a number of projects under the Highway Maintenance Efficiency Programme which are building platforms for better co-ordination and co-operation with improved communication. Indeed in North East Lincolnshire a Charter has been drawn up by all utility companies the Highway Authority and contractors which will cement this strategy without the need to move to a permit scheme.</p> <p>Local authorities also have a range of measures with which to manage utility street works, including S74 overstay charges, which even before the last increase were resulting in 99% of all works being completed within the agreed timescales; fixed</p>	
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		<p>penalties; S58 - restricting works after major road resurfacing works; and under Noticing an authority can still dictate when works take place. Our strong preference is therefore for authorities and utilities to work together to more effectively co-ordinate and share best practice to encourage improvements in other aspects such as notice quality and on site compliance and quality. Balfour Beatty is focusing its efforts on front end planning of works and ensuring where appropriate all stakeholders including the customer, client and Highway Authority are engaged as early as possible even at design stage so when it comes to undertaking the physical works everyone understands what is happening and why and for how long. This has required a step change in parts of our business but we would prefer to change within than have change forced upon us in the guise of these permit schemes. Bristol City Council's new Code of Conduct is an excellent example on how to reduce congestion within the current NRSWA framework without introducing a financially burdensome permit scheme for both the authority and the utilities.</p> <p>The above said Balfour Beatty would, if the council still chooses to apply permits to 100% of streets, like to see Southampton grant permits for category 3 and 4 roads by default (unless the Permit Authority is aware of special circumstances), and for those permits to be at zero fee levels.</p>	
VM	2.6.6	<p>Virgin Media are disappointed that SCC Permit Scheme and associated fees 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 SCC grant permits for category 3 and 4 roads by default and for those</p>	<p>The Permit fees reflect the additional costs incurred by Southampton City Council in administering Utilities' Permits.</p>

		permits to be at zero fee levels.	
O	2.6.6	Openreach is disappointed that Southampton City Council Permit Scheme will apply to all of the roads under its control.  We accept that Southampton City Council is committed to implementing a scheme. However, we ask that Southampton City Council consider applying its permit scheme to 'Strategically Significant Streets' only, If this is not possible, permits for category 3 and 4 non T/S roads should be granted by default (i.e. 'deemed' unless the Permit Authority is aware of special circumstances) and zero fee levels.	The Permit fees reflect the additional costs incurred by Southampton City Council in administering Utilities' Permits.
EToN	2.7.1	<i>Item 5. What is the meaning or definition of main roads and minor roads when they appear to have been covered in item 3 and 4 of this section.</i>	The distinction between main roads and minor roads where such distinctions are relevant  REMOVED
Legal	2.7.1	<i>Suggest that definitions need to be brought together into one place in the document. They are currently fragmented</i>	The document style is designed to make reading as easy as possible.
EToN	2.8.1	<i>Refers you back to section 4.34 below but this section does not exist.</i>	See section <b>Error! Reference source not found.</b> 4 below REMOVED
EToN	2.8.2	<i>Refers to Section 58, why is Section 58a omitted.</i>	Agreed, 58a added.
EToN	2.8.3	<i>The Highway Authority Promoter will follow similar procedures, what are the definition of similar procedures, are they not the same for the specified timing and duration of works. Surly they should be defined.</i>	Similar REMOVED
<b>Section 3: Objectives of the Permit Scheme</b>			
EtoN	3.1.1	<i>All activities on highways can reduce the width. Does the use of</i>	Text changed

		<i>the word can mean are allowed to or have the potential to.</i>	
Legal	3.1.1	<p><i>OBJECTIVES OF THE SOUTHAMPTON PERMIT SCHEME</i></p> <p><i>This seems to duplicate the foreword. Do we need it?</i></p> <p><i>Should be moved and incorporated in foreword</i></p>	Foreword has been removed so this text has value.
VM	3.1.3	<p>Virgin Media agrees with the key factors highlighted. On the point about better planning, scheduling and management of activities to minimise disruption to any road user or pavement user. Virgin Media agrees in an overall drive to further improve the timing and duration of works to minimise disruption, where safe and practical to do so. But Virgin Media already promotes improvements to timing and duration of works and there are many examples of innovation in working practices that have resulted in reduced occupation of the highway – advanced planning; use of minimum-dig technology; shared or sequential occupation of the carriageway etc. However, in seeking to reduce durations, utilities are best placed to estimate how long works will take, but should agree those times and be willing to justify them to Southampton City Council when requested.</p>	Comments noted
SGN	3.1.5	<p>The B&amp;HCC Permit Scheme will not reduce congestion on the road network. Where is the evidence? A permit scheme does not have the benefit to produce a safer environment. (Section 65 NRSWA)?</p>	The objective is to reduce disruption to the network as congestion is a natural result of traffic volumes.
SEJUG	3.1.5	<p>SEJUG disputes that a Permit Scheme will reduce congestion on the road network. Was this proven to be the case in the CBA? How will this be quantified? How will a safer environment be promoted (as a Permit Scheme does not relate to Section 65 NRSWA)?</p>	The objective is to reduce disruption to the network as congestion is a natural result of traffic volumes.

VM	3.1.5	Virgin Media disagrees that a Permit Scheme will ultimately reduce congestion on the road network.  How will a safer environment be promoted (as a Permit Scheme does not relate to Section 65 NRSWA)?	The objective is to reduce disruption to the network as congestion is a natural result of traffic volumes.
NJUG	3.1.5	NJUG supports the objectives of the scheme, but remains unconvinced that that Permit Schemes will necessarily deliver additional reductions in congestion on the road network, which proactive co-ordination and co-operation with advanced planning of works can and does deliver at much less cost.. We also question how it is proposed that the permit scheme will promote a safer environment (considering Permit Schemes do not directly relate to Section 65 of NRSWA).	The objective is to reduce disruption to the network as congestion is a natural result of traffic volumes.
BB	3.1.5 + 3.1.6	We welcome the principles behind the performance improvements to be derived from the implementation of the scheme however there are three questions we would pose in regard to these measures:-  1. What historical statistical data is available on each of these measures in order to present a base line to demonstrate improvement once the scheme has been implemented?  2. If no historical data is available to base line current and past performance how will Southampton be able to demonstrate that the scheme is successful in achieving these improvements?  3. How will each of these improvements be measured and what will be the source of the data?	Improvement comes from the management of applications as they arrive.  The scheme introduces the requirement for specific KPIs that monitor the effectiveness of the scheme in operation.
<b>Section 4: Scope of the Permit Scheme</b>			
Legal	4.2 + 4.2.1	<i>DEFINITION OF THE TERM "STREET"</i>	The document style is designed to make reading as easy as possible.

		<i>Should be moved to definitions section</i>	
EToN	4.2.1	<i>You state in section 2.5 “For consistency, the generic term ‘activities’ has been used rather than “works” to reflect the fact that the Scheme may eventually cover more than street and road works in subsequent Regulations. These are the specified works as set out in the Regulations. Then in 4.2.1 state that (activities being the specified works as set out in the Regulations).</i>	(activities being the specified works as set out in the Regulations). REMOVED
VM	4.3.1	Virgin Media are disappointed that Southampton City 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 Southampton City Council grant permits for category 3 and 4 roads by default and for those permits to be at zero fee levels.	Noted
EToN	4.4 to 4.7	<i>This makes no provision of activities proposed on Private and Provisional streets. See permits code of practice 3.2, 7.2.1, 4.2.3</i>	Private street reference included.
Legal	4.6	<i>NON MAINTAINABLE HIGHWAYS</i> <i>Not needed as 4.4.1 and 4.5.1 say the same thing</i>	4.6 DELETED
<b>Section 5: Activities Covered by the Scheme</b>			
BB	5.1.2	To meet the definition of a registerable activity under NRSWA, we suggest this should be termed streets at trafficsensitive times as streets can only become traffic-sensitive at certain times as defined by regulation.  Omission of this renders the proposed scheme outside of the scope of the Permits Code of Practice. We would also suggest	Already included

		that this section is renumbered to reflect the layout of from 7.3.4 of the Co-ordination of Street Works Code of Practice.	
SSE	5.1.2	All activities involving opening of the carriageway... of a traffic sensitive street. To meet the definition of a registerable activity under NRSWA, this should be termed traffic-sensitive streets at traffic-sensitive times. Omission of this renders the proposed scheme outside of the scope of the Permits CoP. Propose that 1 to 6 be removed and replaced with a –f from 7.3.4 of the Co-ordination of Streetworks CoP.	Already included
EToN	5.1.2 E	<i>The “Require a temporary traffic regulation order or notice, or the suspension of pedestrian facilities” has been taken from the permits code of practice but we notice that the word crossing has been omitted. Is this done to ensure that permits are required even for footway works, the permits code of practice only includes pedestrian crossing facilities.</i>	Crossing added to document
<b>Section 6: Exempt Activities</b>			
O	6.2.1	Openreach wishes to point out that there is no provision in EToN 6 for the recording of inspection units for pole testing, therefore reference ‘for the purpose of reinstatement inspections’, requires deletion.	Pole testing involving excavation requires registration and therefore needs a permit; as would be the case with other excavations, when one or more of rules 2 – 6 above apply. However, in all circumstances the work must be registered using section 70 (3) under NRSWA for the purpose of reinstatement inspections within 10 days of completion. DELETED
O	6.2.1	Under.2 Pole Testing it states that all works must be registered for inspections but with the changes to the EToN tech spec, which is a SI in its self, 5.2.8 there is no inspection unit applied therefore I suggest that the word inspections be replaced with	Pole testing involving excavation requires registration and therefore needs a permit; as would be the case with other excavations, when one or more of rules 2 – 6 above apply. However,



		“recording”.	in all circumstances the work must be registered using section 70 (3) under NRSWA for the purpose of reinstatement inspections within 10 days of completion. DELETED
EToN	6.2.1 (2)	<p><i>“Pole testing involving excavation requires registration and therefore needs a permit; as would be the case with other excavations, when one or more of rules 2 – 6 above apply. However, in all circumstances the work must be registered using section 70 (3) under NRSWA for the purpose of reinstatement inspections within 10 days of completion.”</i></p> <p><i>If this has been taken from the permit codes of practice then it appears you have removed the word only from “only requires registration” and you state that rules 2 – 6 apply. Rules 2 – 6 are not in your document and if you are referring back the code of practice then you have used different terminology.</i></p>	Pole testing involving excavation requires registration and therefore needs a permit; as would be the case with other excavations, when one or more of rules 2 – 6 above apply. However, in all circumstances the work must be registered using section 70 (3) under NRSWA for the purpose of reinstatement inspections within 10 days of completion. DELETED
EToN	6.2.1 (2)	<i>Although you have removed the word only from this paragraph and removed the pole testing reference from 5.1.2A, we assume this is because you require permits for all pole testing, we are not convinced this will be legally enforceable as the permits code of practice overrides your permit scheme document.</i>	Pole testing involving excavation requires registration and therefore needs a permit; as would be the case with other excavations, when one or more of rules 2 – 6 above apply. However, in all circumstances the work must be registered using section 70 (3) under NRSWA for the purpose of reinstatement inspections within 10 days of completion. DELETED
SW	6.2.2	suggest this be extended to <u>‘lifting</u> and replacing manhole or chamber covers....’	This has been considered and rejected
VM	6.2.2	Virgin Media would like to add lifting chamber lids at non traffic sensitive streets, where we are not encroaching the	This has been considered and rejected

		carriageway, to enable cable pulling as this does not involve breaking up the street.	
EToN	6.2.2	<i>Replacing manhole or chamber covers - that do not involve breaking up the street. Do you need to consider Traffic Sensitivity?</i>	This comment has been considered
BB	6.3.1	This paragraph contradicts the requirements set out in Para 6.3.3 , 9.5.4 and 9.5.5 and does not make provision for the sending of permit applications outside of normal working hours nor does it set out how Milton Keynes will provide response to such applications other than the [promoter leaving messages. The Permit Code of Practice states “Where immediate activities are identified and undertaken outside the normal working day the application should be made within two hours of the start of the next working day, i.e. by 10:00, except where the authority has indicated that it can receive and respond to such communications outside normal working hours.” This needs to be reflected in this paragraph either by inclusion or reference 6.3.3.	We assume you mean Southampton and not Milton Keynes.  The text is correct and complies with the requirements.
BB	6.3.2	This paragraph uses terminology which is not common or defined within the scheme namely “Mandatory” or “Immediate” conditions. This required either clarification or reference to established terminology.	6.3.2 DELETED
O	6.3.2	Delete  This requires rewording to reflect the HAUC England ‘sector agreed conditions’	Agreed, text deleted.
<b>Section 7: Permits - General</b>			
SGN	7.1.2	Southampton can only be informed if it is known the work cannot progress. There will be times when arrival on site will	No section 7.1.2

		demonstrate work no being able to progress.	
EToN	7.3.1	<i>Only one application per street, the wording seems to imply only one application is only allowed on one street, not an application must only be for one street.</i>	Agreed, text changed
Legal	7.3.4	<i>For consistency with NRSWA, a street will correspond to a USN This is not needed</i>	For consistency with NRSWA, a street will correspond to a USRN. DELETED
O	7.4	Openreach suggests 'Multiple Stage Activities' be renamed 'Multiple Phase Activities' for consistency with the EToN Technical Specification & Co-ordination of Street works Code of Practice	Section reworded
SGN	7.4	Suggest 'Multiple Stage Activities' be renamed 'Multiple Phase Activities' for consistency with the ETON Technical specification & Co-ordination of Streetworks CoP. Practitioners are familiar with the term 'phase', not 'stage'.	Section reworded
SEJUG	7.4	Suggest 'Multiple Stage Activities' be renamed 'Multiple Phase Activities' for consistency with the ETON Technical specification & Co-ordination of Streetworks CoP. Practitioners are familiar with the term 'phase', not 'stage'.	Section reworded
BB	7.4	We suggest 'Multiple Stage Activities' be renamed 'Multiple Phase Activities' for consistency with the EToN Technical Specification & Co-ordination of Street works Code of Practice. Practitioners are familiar with the term 'phase', not 'stage'.	Section reworded
SSE	7.4	Suggest 'Multiple Stage Activities' be renamed 'Multiple Phase Activities' for consistency with the ETON Technical specification & Co-ordination of Streetworks CoP. Practitioners are familiar with the term 'phase', not 'stage'.	Section reworded
VM	7.4	Virgin Media suggest 'Multiple Stage Activities' be renamed	Section reworded

		'Multiple Phase Activities' for consistency with the ETON Technical specification & Co-ordination of Street works, CoP. Practitioners are familiar with the term 'phase', not 'stage'.	
NJUG	7.4	NJUG suggests that 'Multiple Stage Activities' be renamed 'Multiple Phase Activities' for consistency with the ETON Technical specification & Co-ordination of Street works Code of Practice (CoP). Practitioners are familiar with the term 'phase', not 'stage'.	Section reworded
NJUG	7.4.2 + 7.4.3	<i>You refer to the "EToN activity reference number", the correct terminology is "Works Reference"</i>	7.4.2 DELETED
EToN	7.4.4	<i>Should this not read encouraged instead of required as you do not always know that the works will be carried out in phases.</i>	7.4.2 DELETED
Legal	7.5.2	<i>This paragraph needs rewriting.</i>	Agreed, reworded.
EToN	7.5.2 + 7.5.4	<i>These appear to contradict each other as unconnected activities are treated differently</i>	Single street added for clarification.
SEJUG	7.5.3	SEJUG do not agree with this statement. If, for example, a cover and frame renewal could be carried out 50m either side of the proposed works then this should be allowable under 1 permit. 7.5.3 & 7.5.4 do not equate with each other as 7.5.4 says additional work may be carried out whereas 7.5.3 does not.	DfT advice received so text remains.
BB	7.5.3	We disagree with this principle as it actually conflicts with all of the key objectives of the scheme as outlined in 3.1.5. It makes absolute sense for a utility to undertake as much work as possible within the scope of a single permit application even if that work is not directly associated with the original application details. For example under a major works permit with a TTRO it	DfT advice received so text remains

		would be absolutely counter productive if additional works not connected with the original works schedule were not carried out these could include apparatus repairs, service connections, meter installations etc. Surely the objective of a permit scheme is to minimise disruption not to generate revenue from additional permit fees.	
SSE	7.5.3	We do not agree with this statement. If, for example, a cover and frame renewal could be carried out 50m either side of the proposed works then this should be allowable under 1 permit. 7.5.3 & 7.5.4 do not equate with each other as 7.5.4 says additional work may be carried out whereas 7.5.3 does not.	DfT advice received so text remains
VM	7.5.3	Please confirm what Southampton CC consider to be unconnected activities?	7.5.3 DELETED
O	7.5.3	Openreach believes it would be better to undertake as much activity as reasonably possible whilst occupying the street. A frame and cover renewal could be carried out 50m either side of the proposed works then this should be allowable under a single permit.	DfT advice received so text remains
NJUG	7.5.3	NJUG suggests that as drafted this paragraph does not incentivise the most efficient way of working to minimise disruption. If, for example, a cover and frame renewal could be carried out 50m either side of the proposed works then this should be allowable under 1 permit as this will negate a return visit to undertake the separate works. NJUG strongly suggests that Southampton City Council should aim to incentivise as many works as possible that can be safely and practically undertaken at the same time, in order to minimise road occupation and consequent disruption.	DfT advice received so text remains

NJUG	7.5.3 + 7.5.4	These paragraphs do not demonstrate an equitable approach as 7.5.4 encourages states additional works to be carried out under a single permit whereas 7.5.3 does not.	7.5.3 deleted
VM	7.5.4	A permit isn't always required at the customer connection stage of a job; Virgin Media suggests revising the paragraph to read 'If the installation of customer connections is undertaken at a later date then the Promoter shall apply for a separate Permit if required i.e. if registerable activity'	Reworded
SGN	7.6.3	The statement suggests it is an authority imposing a variation and therefore no charge.	A Permit fee may be charged for the new Permit depending on circumstances.
SEJUG	7.6.3	SEJUG does not agree that a Permit fee should be charged in this case. This is an Authority imposed variation and therefore at no charge.	A Permit fee may be charged for the new Permit depending on circumstances.
BB	7.6.3	This is an Authority-imposed variation and therefore should not have either a permit variation fee or a fee for any subsequent permit that may be required to complete the original works.	A Permit fee may be charged for the new Permit depending on circumstances.
SSE	7.6.3	A Permit fee should be charged in this case. This is an Authority imposed variation and therefore at no charge.	Agreed  A Permit fee may be charged for the new Permit depending on circumstances.
VM	7.6.3	Virgin Media does not agree that a Permit fee should be charged in this case. This is an Authority imposed variation and therefore at no charge.	A Permit fee may be charged for the new Permit depending on circumstances.
O	7.6.3	We do not agree that a permit fee should be charged in this case. This is an Authority imposed variation and therefore should be at no charge.	A Permit fee may be charged for the new Permit depending on circumstances.

NJUG	7.6.3	NJUG does not agree that a permit fee should be charged when works are interrupted and the authority requests them to temporarily reinstate the works and then return to effect a permanent reinstatement at a later date. This is an Authority imposed variation which will incur additional costs for the utility / contractor, and should not incur an additional permit fee, similar to other permit schemes. NJUG believes that charging permit fees for these types of circumstances will damage co-operation between the council and statutory undertakers.	A Permit fee may be charged for the new Permit depending on circumstances.
O	7.7.2	Openreach requires clarity on why the status of the adjacent authority makes a difference?  Also if the works were placed on a web site it would be easy to check if a notice is served.	The Permit Authority potentially has more opportunity and resources to coordinate the activity.
VM	7.7.2	Virgin Media agrees in an overall drive to further improve the timing and duration of works to minimise disruption, where safe and practical to do so.  Virgin Media already promotes improvements to timing and duration of works and there are many examples of innovation in working practices that have resulted in reduced occupation of the highway – advanced planning; use of minimum-dig technology; shared or sequential occupation of the carriageway etc. However, in seeking to reduce durations, utilities are best placed to estimate how long works will take.	Comments noted
EToN	7.8.2	<i>The EToN technical specification states that this a mandatory field on a new activity therefore all promoters will need to provide this but it should be zero for secondary promoters</i>	Comments noted
EToN	7.8.3	<i>How does the primary promoter provide this information, is this</i>	Via a text comment and discussion

		<i>via a comment. It may need some more clarification.</i>	
O	7.8.4	This is not always known as a secondary promoter may be identified following the submission. This implies that if it is not known and confirmed then it can't happen	Collaborative working can only be applied for when the utilities have been identified.
BB	7.8.6	This section intimates that collaborative working solely involves the sharing of the same excavation, this should not be restricted in this manner as effective collaborative working should actually be the collaboration between promoters to conduct the maximum amount of works within a geographical area in this case a street at the same time thus reducing disruption this may not necessarily mean occupying the same trench just the same or extended works area. In these situations an individual permit would be required to register the separate activities but discounts on fees should be given to both/all parties as an incentive.	The Primary Promoter will excavate the trench and install its own apparatus with the Secondary Promoter(s) installing their apparatus in the same trench. DELETED
EToN	7.8.7	<i>The Primary Promoter will backfill and reinstate the trench unless it has previously been agreed with the Permit Authority and the Secondary Promoter(s) that the Secondary Promoter(s) will carry out the reinstatement. In which case, the responsibility for the reinstatement will rest with the Promoter who undertook this work.</i>  <i>This is not EToN compliant as the technical specification states that the secondary promoter will use an excavation type of 12 which are not able to send registration notices.</i>	The Primary Promoter will backfill and reinstate the trench unless it has previously been agreed with the Permit Authority and the Secondary Promoter(s) that the Secondary Promoter(s) will carry out the reinstatement. In which case, the responsibility for the reinstatement will rest with the Promoter who undertook this work.  DELETED
EToN	7.9.1	<i>EToN reference number is a Works Reference Number</i>	Agreed, text changed
EToN	7.10.1	<i>This does not make sense. What are you trying to achieve.</i>	7.10 DELETED



EToN	7.10.2	<i>This does not make sense. What are you trying to achieve.</i>	7.10 DELETED
EToN	7.11	<i>The permits code of practice and the regulations explicitly provide a flexible starting window for activities on category 3 and 4 non traffic sensitive streets. You seem to have removed this and we would say this is therefore not compliant. Refer to 10.13.2 of the permits code of practice.</i>	Permits code of practice text added.
VM	7.11.1	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.	Permits code of practice text added.
SW	7.11.2	Southern Water will not be able to comply with the 1 <sup>st</sup> sentence of this paragraph. Due to a variety of reasons SW Contractors (Clancy Docwra etc) will not find out until the day the permit is due to start that works cannot commence (e.g. parked car over area of proposed works). It will therefore make it impossible to achieve this. Suggest this be removed (as happened under SEPS consultation).	Permits code of practice text added.
SEJUG	7.11.2	SEJUG does not agree with the 1 <sup>st</sup> sentence of this paragraph, and strongly suggest the 1 <sup>st</sup> sentence be removed. Due to a variety of reasons promoters will not find out until the day the permit is due to start that works cannot commence (e.g. parked car over area of proposed works, staff sickness etc).	Permits code of practice text added.
BB	7.11.2	Balfour Beatty would suggest a minor change to the first sentence of this paragraph to "If the activity cannot commence on the proposed start date, the Promoter should where possible inform the Permit Authority by telephone no later than the preceding day." This minor change allows for those unforeseen circumstances which sometimes arise where it is found that	Permits code of practice text added.

		works cannot commence on the day the permit is due to start (e.g. parked car over area of proposed works, staff sickness or major emergency requiring a significant diversion of resources such as the recent floods etc.)	
VM	7.11.2	Due to a variety of reasons promoters will not find out until the day the permit is due to start that works cannot commence (e.g. parked car over area of proposed works, staff sickness etc.)	Permits code of practice text added.
O	7.11.2	We believe that unforeseen circumstances sometimes arise where works cannot commence, which promoters may not find out until the day the permit is due to start (e.g. parked car over area of proposed works, or other immediate works).  Please consider deleting the first paragraph.	Permits code of practice text added.
NJUG	7.11.2	NJUG does not agree with the first sentence of this paragraph and recommends that it should be removed. Due to a variety of reasons promoters will often not find out until the day the permit is due to start that works cannot commence (e.g. parked car over area of proposed works, staff sickness etc). Clearly, NJUG encourages all its members to inform authorities as soon as there is any change to works start dates etc. but often this is not practical, despite suitable planning and communication of works.	Permits code of practice text added.
EToN	7.11.2	<i>The correct terminology for a start of works notice is an actual start.</i>	Permits code of practice text added.
Legal	7.11.2	<i>no later than the preceding day</i>  <i>Need to specify what time. Is 23:59hrs acceptable, or office hours</i>	Permits code of practice text added.
SGN	7.11.4	This contradicts 7.11.1 – is it an offence or a s74 overrun for the	Permits code of practice text added.

		promoter to work once the permit has ceased to be valid?	
SEJUG	7.11.4	This contradicts 7.11.1 – is it an offence or a s74 overrun for the promoter to work once the permit has ceased to be valid?	Permits code of practice text added.
BB	7.11.4	This paragraph seems to conflict with 7.11.1 and we would therefore ask for additional clarification as to whether in such circumstances it is considered an offence warranting a fixed penalty or a S74 overrun for the promoter to work once the permit has ceased to be valid. There has been some precedent (London Borough of Enfield .v. Virgin Media) recently set for such matters where it was deemed that a FPN for working without a permit could not be applied if a permit was in place at the time works started and lapsed.	Permits code of practice text added.
SSE	7.11.4	This contradicts 7.11.1 – is it an offence or a s74 overrun for the promoter to work once the permit has ceased to be valid?	Permits code of practice text added.
VM	7.11.4	Virgin Media states that his contradicts 7.11.1 – is it an offence or an s74 overrun for the promoter to work once the permit has ceased to be valid?	Permits code of practice text added.
NJUG	7.11.4	If a variation is approved it is assumed that a revised duration estimate under section 74 will also be approved to avoid unreasonable charges being applied for an agreed duration extension.	Permits code of practice text added.
Legal	7.11.4	<i>Section 74</i> <i>add of the NRSWA</i>	Permits code of practice text added.
SEJUG	7.12	SEJUG suggests that a paragraph be included to encourage early starts.	It is up to the Promoter to apply if need be.
NJUG	7.12	NJUG suggests that early starts are to be encouraged, rather	It is up to the Promoter to apply if need be.

		than tolerated or even penalised by the payment of a variation fee.	
EToN	7.12.1	<i>Does this section mean that you can't apply for an early start on a permit application, you must apply for the permit then submit a Variation Application.</i>	Yes
O	7.12.2	If applied for after the permit application and the co-ordination takes place before then the early start reference would be included in the application and no variation fee due.	An early start follows a Permit application. It is a variation of that Permit so attracts a fee.
BB	7.12.4	We suggest a minor change to the wording of this section to "Requests for early starts may or may not be agreed by the Permit Authority at their discretion but would not be unreasonable refused providing the Promoter can satisfy the Permit Authority as to the necessity for any proposed early start." 10.15 of the Permit Code of Practice states that such permission should not be unreasonable refused. This should be incorporated under this section.	This is already in the text.
O	7.12.4	To encourage communication and dialogue openreach suggests the inclusion of "but would not be withheld unreasonably" within the paragraph.	This is already in the text.
EToN	7.14.1	<i>2.5.1 states that you will refer to activities but this section refers to "Specified works in a specified street"</i>	Agreed, activities used. 'specified works in a specified street' DELETED
Legal	7.14.2	<i>Impose</i> <i>Should read issue</i>	Agreed
<b>Section 8: Permits - Types</b>			
SGN	8.2.2	A PAA should only be required for major works.	Correct

SEJUG	8.2.2	This implies that a PAA is for all works. Suggest clarification that a PAA is for major works only.	This is the case.
SSE	8.2.2	This implies that a PAA is for all works. Suggest clarification that a PAA is for major works only.	'Major activities' added
O	8.2.2	Provisional Advance Authorisation (PAA) is required for major works only; this paragraph implies that it is required for all works.  Openreach seeks clarity on this.	'Major activities' added
NJUG	8.2.2	With the use of the term "activities" instead of "work", some NJUG colleagues are confused that the PAA requirement applies to all works. NJUG suggest that the whole permit scheme is amended to use the recognised terms i.e. "major works", which will remove this confusion.	Text changed from significant to Major
EToN	8.2.4	<i>This is not EToN compliant, a permit application must always be proceeded by a PAA.</i>	8.2.4 DELETED
EToN	8.2.7	<i>I can find no mention of when you pay for a PAA, on application of the PAA or on permit application.</i>	Granting a PAA text added
BB	8.2.9	We suggest that this paragraph be clarified as to what eventuality could result in any potential permit refusal. We would also like clarification of what happens to any fee paid for a PAA which is later refused as we would expect a full refund of any fees if a permit was refused by the permit authority after a legitimate and correct PAA was served.	The fee for the PAA reflects the time spent discussing and agreeing the PAA.
O	8.2.10	ASD data should be used as a tool as this is too ambiguous, would like to see a sentence relating to interested parties as per the NSG.	This is only on request.

SEJUG	8.3.1	Remove the word 'final'. These will not be final details, as final details will not be received until s70 Registration details are received.	The word final has been changed to complete. 'of the' has been added
BB	8.3.1	Balfour Beatty are puzzled by the inclusion of the word "final" in this paragraph as final details are not submitted until the registration stage of the works and are not part of a permit application.	The word final has been changed to complete. 'of the' has been added
O	8.3.1	The initial permit contains information that is the best available at the time, the final details are only known at registration. Suggest delete "final" as it is confusing.	The word final has been changed to complete. 'of the' has been added
NJUG	8.3.1	NJUG suggests that the word "final" be removed. Final details will not be received until Section 70 Registration details are received.	The word final has been changed to complete. 'of the' has been added
SEJUG	8.3.4	SEJUG would like clarification if this statement is ASD related?	This is only on request and not ASD related.
O	8.3.4	ASD data should be used as a tool as this is too ambiguous, would like to see a sentence relating to interested parties as per the NSG. See 10.8	This is only on request and not ASD related.
NJUG	8.3.4	NJUG would appreciate clarification on this point. It is assumed that this refers to the need to have a permit application on site / available for viewing upon request or is it Associated Street Data (ASD) related?	This is only on request and not ASD related.
<b>Section 9: Permits - Classes</b>			
O	9.2.1	Openreach suggests rewording this so that major activities are those which:  a) are part of a scheme which is planned or known about at least 6 months in advance of the proposed start date, but only	The text reflects the desire to have a charging structure that allows for charges to be based on duration.  See - Traffic Management Act 2004 (part 3 -

		<p>includes activities on the affected streets and locations within that scheme that have been identified at least 6 months advance stage as likely to require permits; or</p> <p>b) require a Temporary Traffic Regulation Order ( i.e. not a temporary traffic notice) under the Roads Traffic Act 1984 for any activity, other than immediate works, that take place in traffic sensitive streets at traffic sensitive times; and</p> <p>c) have a duration of 11 days or more, other than immediate activities.</p>	<p>permit schemes)</p> <p>ADDITIONAL ADVICE NOTE - for developing and operating future Permit Schemes, January 2013. Section 23</p>
SGN	9.2.2	This paragraph does not make sense. Major Activities that do not require a TTRO and are works between 4 to 10 days are not major activities – they are standard activities.	The text reflects the desire to have a charging structure that allows for charges to be based on duration.
SW	9.2.2	Major Activities that do not require a TTRO and are works between 4 to 10 days are not major activities – they are standard activities. Up to 3 days are also not major activities, they are minor activities. This requires amendment and clarification so that is in line with NRSWA legislation.	The text reflects the desire to have a charging structure that allows for charges to be based on duration.
SEJUG	9.2.2	SEJUG suggests this be removed and does not understand the logic of this paragraph. For example, Major Activities that do not require a TTRO and are works between 4 to 10 days are not major activities – they are standard activities.	The text reflects the desire to have a charging structure that allows for charges to be based on duration.
BB	9.2.2	This paragraph is incorrect and unnecessary 9.2.1 defines major works (except where the duration of 10 or more days has been omitted). Additionally, ‘major activities’ that do not require a TTRO fall outside of a strategic programme and take between 4 to 10 days are not major activities – they are standard activities.	The text reflects the desire to have a charging structure that allows for charges to be based on duration.
SSE	9.2.2	Major Activities that do not require a TTRO and are works	Agreed, if they are not known about at least 6

		between 4 to 10 days are not major activities – they are standard activities.	months in advance of the proposed start date.
O	9.2.2	This implies that only major are defined by duration whereas all activities are, suggest delete "Major", or add 'for charging purposes.	The text reflects the desire to have a charging structure that allows for charges to be based on duration.
NJUG	9.2.2	NJUG questions the accuracy of these distinctions and suggests that they be removed. For example, Major Activities that do not require Temporary Traffic Regulation Orders (TTROs) and are works between 4 to 10 days are not major activities – they are standard activities.	Agreed, if they are not known about at least 6 months in advance of the proposed start date.
SW	9.2.5, 9.3.3, 9.4.3	Will there be a list of separate Standard (not Model) conditions for consultation, and if so, will these be the HAUC(UK) conditions, or are these referring to conditions throughout the body of the consultation document?	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
EToN	9.3.1	<i>Standard Activities are those activities, other than immediate, minor or major activities. There is no need for minor you can't have a minor with a duration of &gt; 3 days</i>	other than immediate, minor or major activities, deleted



EToN	9.4.1	<i>Minor Activities are those activities, other than immediate, standard or major activities, Standard can't be 3 days or less</i>	other than immediate, standard or major activities deleted
SGN	9.5.2	To notify the Permit Authority on every occasion is too onerous and not valid. Will there be a 24 hour out of hours contact service waiting for this information. That will be many jobs from all undertakers with no benefit.	Text added 'immediately if identified on the NSG'.
SW	9.5.2	This should not be the case for all immediate activities – this should be linked to SCC's supersensitive streets that are particularly susceptible to disruption only. These should be flagged up as such on the NSG. Southern Water will not be able to comply with this on every street in SCC's Network.	Text added 'immediately if identified on the NSG '
SEJUG	9.5.2	This should not be the case for all immediate activities – there is a mechanism already in place on the NSG where only supersensitive streets are flagged up for this purposes. Therefore this should be linked only to SCC's supersensitive streets that are particularly susceptible to disruption only. These should be flagged up as such on the NSG. SEJUG believes this to be unmanageable & unworkable for every street in SCC's Network and strongly disagrees to this proposal.	Text added 'immediately if identified on the NSG
BB	9.5.2	This requirement is impractical if applied to every street in Southampton's Network. This should not be the case for all immediate activities with excavation in the Highway as there is a mechanism already in place on the National Streets Gazetteer (NSG) where only supersensitive streets are flagged up for this purposes. Therefore we strongly suggest this requirement should be linked only to Southampton's supersensitive streets that are particularly susceptible to disruption. If this requirement is to remain we would insist on speaking to an actual person	Text added 'immediately if identified on the NSG

		rather than a machine to confirm that our activity has been properly recorded therefore provision would have to be made for 24hour coverage.	
SSE	9.5.2	This should not be the case for all immediate activities – there is a mechanism already in place on the NSG where only sensitive streets are flagged up for this purpose, the schemes proposal will be unmanageable & unworkable for every street for both undertaker and authority.	Text added 'immediately if identified on the NSG
VM	9.5.2	Virgin Media believe that this is covered under 9.5.4, permit application to be submitted within 2 hours of activity starting.	9.5.4 relates to the application and not the requirement for a phone call.
O	9.5.2	To apply this to all streets is unreasonable and resource hungry on both sides and should be linked to the Early Notification of Immediate Activities tab on the NSG for strategic routes.  Openreach would welcome more detail on  a) how the permit authority proposes this to work on a practical level and  b) where the contact number of the permit authority will be provided  We also suggest that that there is a need for an auditable process to ensure compliance with the scheme.	Text added 'immediately if identified on the NSG
NJUG	9.5.2	NJUG stresses that this should not be the case for all immediate activities – there is a mechanism already in place on the National Street Gazetteer (NSG) where only street vulnerable to traffic disruption streets are flagged up for this purpose. Therefore this should be linked only to SCC's streets that are vulnerable to traffic disruption. These should be flagged up as such on the NSG.	Text added 'immediately if identified on the NSG

		It is important to stress that in the case of immediate works the first priority upon arriving on site is to make the situation safe to protect life and surrounding property, and then to seek to restore customers' services asap. As per the March 2008 Permits Code of Practice Section 9 Paragraph 2.4, utilities / contractors have a statutory obligation to inform an authority of immediate works within two hours of them commencing which will suffice for the majority of streets. As currently drafted this paragraph demands more of works promoters than the existing legislative code of practice, and NJUG therefore strongly requests that this section is amended to reflect the statutory requirements whilst encouraging early dialogue by works promoters to alert the authority as soon as practicably possible where traffic may be affected.	
O	9.5.3	Could clarity be given to this section, what is a 'link'?	9.5.3 DELETED
SW	9.5.5	Southern Water do not agree to this and believe it to be impracticable to leave a message for all out of hour immediate works. Surely this is the function is fulfilled via the ETON Permit application? This would put Southern Water at risk of breaching its statutory duties under the Water Industry Act.	9.5.5 DELETED
SEJUG	9.5.5	SEJUG do not agree to this and believe it to be impracticable and is not a requirement under the Permits CoP.	9.5.5 DELETED
VM	9.5.5	Virgin Media do not believe this is a requirement under the Permits CoP, please clarify?	9.5.5 DELETED
O	9.5.5	This should be linked to the Early Notification of Immediate Activities tab on the NSG for strategic routes.  Openreach would welcome more detail on	9.5.5 DELETED

		<p>a) how the permit authority proposes this to work on a practical Section deleted level and</p> <p>b) where the contact number of the permit authority will be provided during out of hours working?</p> <p>We also suggest that that there is a need for an auditable process to ensure compliance with the scheme.</p>	
NJUG	9.5.5	<p>NJUG would like to highlight that this is not a requirement under the Permits Code of Practice (CoP) and whilst on traffic-sensitive streets we would support the authority encouraging utilities ring and leave a message where practical, NJUG believes that this requirement would be impractical and would not deliver any benefits in terms of reduce disruption, unless they were able to contact a council officer on their mobile. We therefore suggest it is removed.</p>	9.5.5 DELETED
O	9.5.6	<p>The burden of proof wording should reflect the Permits COP definition in 9.2.4.</p>	<p>Agreed. 'Failure to do so may constitute an offence and result in the Permit Authority taking action against the Promoter' DELETED</p>
<b>Section 10: Permit Applications</b>			
Legal	10.1.1	<i>Where is Table 1?</i>	Section 10.10 added to text
Legal	10.1.7	<i>Delete, not needed</i>	DELETED
Legal	10.1.7	<p><i>Should be moved to definitions section</i></p> <p><i>Why the move to working days?</i></p>	DELETED
EToN	10.1.6	<i>Should read Permit Application Modification Request not modification to an application</i>	Change made
BB	10.1.6	We strongly suggest this should paragraph should encompass	Already amended

		the new ETON 6 Permit rules which will be in place on 1st April 2014, and allow for a Permit modification request, thereby negating the need to refuse a Permit application. We would also suggest an additional comment stating that the permit would not be unreasonably refused be added.	
SSE	10.1.6	This should encompass new ETON 6 and allow for a Permit modification request, thereby negating the need to refuse a Permit application.	Already amended
O	10.1.6	Openreach advises the scheme should encompass new ETON 6 Permit rules and allow for a Permit Application Modification Request, thereby negating the need to refuse a Permit application. We also suggest that an additional comment stating that the permit would not be unreasonably refused is also required here.	Already amended
Legal	10.2.1	<i>a paper application will be acceptable</i> <i>Obtained from where and submitted to who?</i> <i>Consider separating the electronic system from the paper alternative in the document</i>	Obtained from the Council and returned by the Promoter.
BB	10.3	If the Highway Authority system fails, then it is the Highway Authority's responsibility to put faxed information on ETON not the promoter.	The Promoter must input this information.
SGN	10.3.1	SGN does not agree. If the Highway Authority system fails, then it is Highway Authority responsibility to put faxed information on ETON.	The Promoter must input this information.
SEJUG	10.3.1	3 <sup>rd</sup> bullet point should be removed. If the Highway Authority system fails, then it is Highway Authority responsibility to put faxed information on ETON.	The Promoter must input this information.

O	10.3.1	<p>Bullet point 3</p> <p>This would depend on the failure and the action taken by the permit authority, if the authority chooses to apply a charge for the paper permits then the entering of the permit onto the register is included in the price.</p>	The Promoter must input this information.
NJUG	10.3.1	NJUG suggests that the 3 <sup>rd</sup> bullet point should be amended to say that it is the responsibility of the systems owner that failed to input the data onto EtoN.	The Promoter must input this information.
Legal	10.3.1	<p><i>Final bullet point needs to be rewritten (eg)</i></p> <p><i>Where applications are sent by first class post, they will be deemed to be delivered the second working day after posting.</i></p> <p><i>(second class is four working days)</i></p> <p><i>Also add that proof of posting is not proof of receipt, consider recorded delivery</i></p>	<p>'First class' deleted</p> <p>'A delivery mechanism that includes a delivery receipt is recommended ' added</p>
SEJUG	10.3.2	Does this point comply with the ETON Technical Specification?	'to the contact number provided on the relevant section of <a href="http://www.southampton.gov.uk">www.southampton.gov.uk</a> ' deleted
SSE	10.3.2	Does this point comply with the ETON Technical Specification?	'to the contact number provided on the relevant section of <a href="http://www.southampton.gov.uk">www.southampton.gov.uk</a> ' deleted
NJUG	10.3.2	NJUG would appreciate clarification on whether this point complies with the ETON Technical Specification?	'to the contact number provided on the relevant section of <a href="http://www.southampton.gov.uk">www.southampton.gov.uk</a> ' deleted
EToN	10.3.3	<i>This is not clear where or how this number is transmitted from the promoter. Is it a works comment?</i>	Via works comment
Legal	10.3.3	<p><i>The officer</i></p> <p><i>Who is this? Are they in the definitions</i></p>	Officer changed to 'Permit Authority'

Legal	10.5	<i>USE OF PLAIN ENGLISH</i> <i>Delete – see 12.2</i>	DELETED
O	10.5.1	Please see 9.5.3, is this an example of 'plain English'?	Agreed, 9.5.3 DELETED
Eton	10.5.1	Should read works promoter not Permit authority	Text changed to reflect the requirement.
O	10.6 + 10.7	Duplication of 4.2.1	Agreed, DELETED
Legal	10.6 + 10.7	<i>Delete these as information is covered elsewhere</i>	Agreed, DELETED
O	10.8	This is an expansion of 8.3.4 and could be referred to in the that section.	Text changed to reflect the requirement.
EToN	10.8	<i>There is nothing in the EToN technical specification that allows the permit authority to forward applications on to other interested parties Promoters only have knowledge that an interested party requires information if the ASD (or using the AOI but this has not been referenced in your specification).</i>  <i>This should also include the additional notifications as EToN is already designed to send other notifications such as works stop.</i>	This is a manual process.
Legal	10.8.1	<i>interested parties</i> <i>Are these defined in the document?</i>	Yes, there are listed in the NSG.
EToN	10.8.1 + 10.8.2	<i>Should read Permit Application Modification Request not modification to an application</i>	Text changed
Eton	10.10.2 + 10.10.3	Permit Variation Request should read Modified Application	Text changed to reflect the requirement.

SGN	10.11	The refusal of a permit, could result in a contravention of Utility statutory duties, and could result in failure to comply with other legislation. To be amended to encompass ETON 6 Permit Modification requests.	Modification requests is included.
SW	10.11	Refusal of Application - Southern Water has concerns that refusal of a permit, could result in a contravention of Southern Water's statutory rights, and could result in failure to comply with other legislation (the Water Industry Act etc). For non major activities on minor roads, Southern Water suggests the permit be deemed to be accepted in all cases, so that it mirrors as closely as possible the works being dealt with under the noticing regime. Southern Water fears that there is a danger a permit could be refused for a non-valid reason.	Noted This is a first principle of coordination.
SEJUG	10.11	Refusal of Application – SEJUG has concerns that refusal of a permit could result in a contravention of Utility statutory duties, and could result in failure to comply with other legislation.	Noted This is a first principle of coordination.
SSE	10.11	Refusal of Application – refusal of a permit, could result in a contravention of statutory duties, and could result in failure to comply with other legislation, section be amended to encompass ETON 6 Permit Modification requests.	Noted This is a first principle of coordination.
O	10.11	Openreach has concerns that the refusal of a permit, could result in a contravention of utility statutory duties, and could also result in failure to comply with other regulated requirements. Additionally Openreach advises the scheme should encompass new ETON 6 Permit rules and allow for a Permit Application Modification Request, thereby negating the need to refuse a Permit application.  We also suggest that an additional comment stating that the	Noted This is a first principle of coordination.



		permit would not be unreasonably refused is also required here.	
NJUG	10.11	NJUG has concerns that the refusal of a permit could result in a contravention of Utilities' statutory duties, and could result in failure to comply with other legislation. Specifically in respect of retrospective permits for immediate works, NJUG is concerned that its members may have to work without a permit for safety or operational reasons, in the event it was not granted. NJUG suggests these paragraphs are amended to reflect that granting of a permit by the authority should not be unreasonably withheld, and the deeming of a permit application as "not acceptable" should be avoided wherever possible through constructive dialogue to resolve issues to make the permit application acceptable wherever possible, and in the event of a permit application being refused it should be justifiable; reasonable; and by exception.	Noted  This is a first principle of coordination.
EToN	10.12.1	<i>This should read that a section 58 or 58A is in force.</i>	Agreed. Text changed (Now section 10.9 due to earlier deletions)
EToN	10.12.1	<i>Promoter must make an application for the Permit Authority's consent specifying the grounds on which the consent is sought. How is this to be carried out, there is no functionality within EToN to request consent.</i>	Via discussion and meetings.
SGN	10.13.6	There will be instances where a fee will not be payable. Suggest the 'will' be changed to 'may'.	The text is correct. (Now section 10.10 due to earlier deletions)
SEJUG	10.13.6	There will be instances where a fee will not be payable. Suggest the 'will' be changed to 'may'.	The text is correct.
VM	10.13.6	Virgin Media believe there will be instances where a fee will not be payable. Suggest the 'will' be changed to 'may'.	The text is correct.

NJUG	10.13.6	NJUG suggests there may be instances where a fee will not be payable, and we would urge Southampton City Council to operate a reasonable approach to errors, and suggest that the word 'will' be changed to 'may'.	The text is correct.
<b>Section 11: Information Required in a Permit Application</b>			
SGN	11.1.1	This is a burden to industry. Some of these areas should only apply to major works.	Promoters <b>may</b> be required to supply the following information
SW	11.1.1	Not all of these points are applicable for every permit – for example, illustration should apply only to Major activities, or for works on the Network where it has been flagged up as being particularly susceptible to disruption.	Promoters <b>may</b> be required to supply the following information
SEJUG	11.1.1	Not all of these points are applicable for every permit – for example, illustration should apply only to Major activities, or for works on the Network where it has been flagged up as being particularly susceptible to disruption. 'Must' supply is too onerous for every activity and is therefore a burden to industry.	Promoters <b>may</b> be required to supply the following information
SSE	11.1.1	Not all of these points are applicable for every permit – for example, illustration should apply only to Major activities, or for works on the Network where it has been flagged up as being particularly susceptible to disruption. 'Must' supply is too onerous for every activity and is therefore a burden to industry.	Promoters <b>may</b> be required to supply the following information
VM	11.1.1	Virgin Media state that not all of these points are applicable for every permit – for example, illustration should apply only to Major activities, or for works on the Network where it has been flagged up as being particularly susceptible to disruption. 'Must' supply is too onerous for every activity and is therefore a burden to industry.	Promoters <b>may</b> be required to supply the following information

NJUG	11.1.1	NJUG wishes to highlight that not all of these points are applicable for every permit – for example, illustration should apply only to Major Activities (“Works”), or for works on the Network where it has been flagged up as being particularly susceptible to disruption. ‘Must’ supply is too onerous for every activity and is therefore a burden to industry and NJUG recommends the adding of “as applicable”.	Noted  Promoters <b>may</b> be required to supply the following information
EToN	11.1.1	<i>Technique to be used for underground activities, what exactly is meant by this.</i>  <i>In what way with the additional information required will be send though e.g. depth and reinstatement type.</i>	Changed to belowground.  Via additional text.
SGN	11.2	There is no requirement for supplying out of hours contact & secondary promoter in ETON.	Permit applications must include the contact details, if different from the normal contact number.
SW	11.2	There is no requirement in the ETON Tech Spec for supplying out of hours contact & secondary promoter contact details in ETON. This is above current legal requirements. Southern Water can only comply with the ETON Tech Spec.	Permit applications must include the contact details, if different from the normal contact number.
SEJUG	11.2	There is no requirement for supplying out of hours contact & secondary promoter in ETON. SEJUG promoters can only comply with the ETON Technical specification.	Permit applications must include the contact details, if different from the normal contact number.
SSE	11.2	There is no requirement for supplying out of hours contact & secondary promoter in ETON.	Permit applications must include the contact details, if different from the normal contact number.
VM	11.2	There is no requirement for supplying out of hours contact & secondary promoter in EToN. Virgin Media can only comply with	Permit applications must include the contact details, if different from the normal contact

		the EToN Technical specification.	number.
EToN	11.2.1	<i>How is this information going to be transmitted?</i>	Via additional text
EToN	11.2.2	<i>How is this information going to be transmitted?</i>	Via additional text
O	11.2.1 + 11.2.2	Openreach would like clarity on what is expected in this section	Permit applications must include the contact details, if different from the normal contact number.
<b>Section 12: USRN</b>			
Legal	12.1.1	<i>Delete these as information is covered elsewhere</i>	Agreed. Text modified
EToN	12.1.1	A single Street can't have more than one USRN, I know what you are trying to say here but the wording is incorrect.	'single' DELETED
O	12.2.2	This is not always available at the application stage, please insert "where known"	Application should only be made when the other organisations are known.
EToN	12.2.2	<i>How is this information going to be transmitted?</i>	Via additional text.
SGN	12.3.4	Works Activity Footprint (WAF) is not required. This underwent consultation in early 2011 and was not agreed by HAUC(UK) to be a requirement.	Wording was changed so requirement is 'if required'
SW	12.3.4	This is over and above current legislative requirement. Southern Water suggest this be removed.	Wording was changed so requirement is 'if required'
SEJUG	12.3.4	Works Activity Footprint (WAF) is not required. This underwent consultation in early 2011 and was not agreed by HAUC(UK) to be a requirement. SEJUG does not agree therefore to supply this information.	Wording was changed so requirement is 'if required'
BB	12.3.4	The Works Activity Footprint (WAF) is not a requirement under regulation or the Code of Practice. This underwent consultation in early 2011 and was not agreed by HAUC(UK) to be a	Wording was changed so requirement is 'if required'

		requirement. BB does not therefore agree it is a requirement to supply this information and suggests this paragraph is removed	
SSE	12.3.4	Works Activity Footprint (WAF) is not required. This underwent consultation in early 2011 and was not agreed by HAUC(UK) to be a requirement.	Wording was changed so requirement is 'if required'
VM	12.3.4	The Works Activity Footprint (WAF) is not required. This underwent consultation in early 2011 and was not agreed by HAUC (UK) to be a requirement. Virgin Media does not agree therefore to supply this information.	Wording was changed so requirement is 'if required'
O	12.3.4	We would like to highlight that Works Activity Footprint (WAF) is not required.	Wording was changed so requirement is 'if required'
NJUG	12.3.4	NJUG wishes to highlight that the Works Activity Footprint (WAF) proposal underwent consultation in early 2011 and was not agreed by HAUC(UK) to be a requirement.	Wording was changed so requirement is 'if required'
SEJUG	12.5	'Must' should be removed. SEJUG would like justification as to why an Illustration 'must' be sent with PAA & major permit applications.	The text is correct and remains
O	12.5.1	<p>Openreach questions whether it is reasonable or practicable for an illustration to accompany every PAA &amp; major works application, as it will place a large administrative burden on works promoters and could have CDM implications if the Permit Authority requires any changes.</p> <p>Suggest removal of the word 'must' and insert 'on strategic significant streets'.</p> <p>Additionally, following the introduction of PMR's would this not be subject to that process? a PAA allows enough time to request an illustration where the level of information is not</p>	<p>PAA &amp; major works must be accompanied with an illustration so effective coordination can be performed.</p> <p>'should' DELETED</p>

		sufficient,	
BB	12.5.1 + 12.5.2	The provision of documents with an application was unavailable through ETON until Eton 6 came on line in April 2014. It may also be impractical to provide illustrations on some work types where the full scope is unknown until work commences. Therefore all drawing illustrations should be accepted on face value and validated when works commence, permits should not be unreasonably refused for absence of illustrations where the works description adequately outlines the works or where there is lack of clarity from the permit authority on the technical nature of any illustration.	PAA & major works must be accompanied with an illustration so effective coordination can be performed.  It is understood that illustrations will be based on the best information available at the time of application.
O	12.5.2	As per 12.5.1.  Also how can we submit an illustration to a permit that the PA may consider necessary?  How will this requirement be known to us?	It is understood that illustrations will be based on the best information available at the time of application.
VM	12.5.2	Virgin Media believe that 'Must' should be removed, as we would like justification as to why an Illustration 'must' be sent with standard & minor permit applications	It is understood that illustrations will be based on the best information available at the time of application.
SGN	12.6.1	Cannot be 'must' as Technique may not be known in every instance.	It is understood that technique will be based on the best information available at the time of application.  <b>This information should be provided in the 'Works Description' Section until there is an appropriate field within ETON. DELETED</b>
SW	12.6.1	Technique may not be known in every instance up front – suggest 'where known' be added.	It is understood that technique will be based on the best information available at the time of application.

SEJUG	12.6.1	'Must' should be removed. Technique may not be known in every instance up front – suggest 'where known' also be added.	It is understood that technique will be based on the best information available at the time of application.
VM	12.6.1	Virgin Media believe 'Must' should be removed. Technique may not be known in every instance up front. Virgin Media would like to suggest 'where known' also be added.	It is understood that technique will be based on the best information available at the time of application.
O	12.6.1	We suggest that the word 'must' should be removed, or replaced by "proposed" as the technique may not be known in every instance before works commence.	It is understood that technique will be based on the best information available at the time of application.
NJUG	12.6.1	NJUG suggests that 'Must' should be removed. The technique for undertaking works may not be known in every instance up front, and therefore NJUG suggests at the very least 'where known' be added.	It is understood that technique will be based on the best information available at the time of application.
EToN	12.6.1	<i>With this information in the works description this will be made available to members of the public, is this going to be an issue. Charge category within EToN 6 would cover these codes anyway.</i>	No issue with the public knowing this.
BB	12.7.1	This provision does make sense however it has not been made clear if any payment for a TTRO application made at the time of the PAA would be refunded if the permit application is later refused as per the provision set out in 8.2.8 of the draft scheme.	There is no refund of costs incurred as this is undertaken by separate Council departments using their processes.
O	12.8	This is a designated EToN field.	'This information should be provided in the 'Works Description' section until there is an appropriate field within EToN'. DELETED
SEJUG	12.8.1	SEJUG believes the field already exists within ETON.	'This information should be provided in the 'Works Description' section until there is an appropriate field within EToN'. DELETED

SSE	12.8.1	field already exists within ETON.	'This information should be provided in the 'Works Description' section until there is an appropriate field within EToN'. DELETED
VM	12.8.1	This field already exists within ETON.	'This information should be provided in the 'Works Description' section until there is an appropriate field within EToN'. DELETED
NJUG	12.8.1	NJUG believes the field already exists within ETON.	'This information should be provided in the 'Works Description' section until there is an appropriate field within EToN'. DELETED
EToN	12.9.1	<i>How is this going to be enforced, where is it going to be entered on the New Activity.</i>	Section 12.9.1 'Permit applications must indicate wherever possible, whether the proposed activity is intended to be completed with interim or permanent reinstatement or a mixture of both' added This is a requirement of the DfT
O	12.9.2	Openreach would like clarity where this would be expected to input this as it seems to us that an awful lot on information is to be put into a small space. This is only a requirement at R/S stage.	DELETED
O	12.10.1	should include "as amended" as the 2004 regulations will be updated at some time and this would then be pegged to old regulations.	DELETED
EToN	12.10.1	<i>These regulations have been superseded.</i>	DELETED
<b>Section 13: Permit Conditions</b>			
Legal	13.1 to 13.2.5	<i>Delete these and replace with simple reference to standard permit conditions</i>	Agreed
BB	13.1.4	This paragraph uses terminology which is not common or defined within the scheme namely "Mandatory" or "Immediate"	DELETED Southampton City Council will adopt solely the



		<p>conditions. This required either clarification or reference to established terminology. These conditions must be included in the consultation process and must follow the guidance issued by HUAC (UK) and the recent official letter Robert Goodwill MP which states “no condition should include matters already covered in legislation and cannot exceed legislation.”</p>	<p>nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.</p>
VM	13.1.4	<p>Virgin Media would like to make reference to the DfT advice (letter date 17th March 2014) indicating that only the sector agreed condition matrix (HAUC Advice Note) will be acceptable.</p>	<p>Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.</p>
O	13.1.4	<p>These are known as Standard conditions and are not required to be put on the application.</p>	<p>Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard</p>

			conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
SEJUG	13.1.14	As stated above, any conditions that will be imposed, SEJUG would like to draw SCC's attention to the DfT letter dated 18/12/14, which states - "no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation"	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
SSE	13.1.14	DfT letter dated 18/12/14, which states - "no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation"	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change

			and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
NJUG	13.1.14	As stated above, regarding the imposition of conditions, NJUG would like to draw SCC's attention to the DfT letter dated 18/12/14, which states - "no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation".	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
O	13.2.4	Openreach seeks clarity on why this is a standard condition, please expand on this aspect, above others, has been picked out as a condition?  Does EToN tech spec allow this?  It appears to us that this is required to accommodate ELGIN.	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC

			(England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
SSE	13.2.4	Extending potential FPN's to breaches of Section 65 of NRSWA is outside the scope of a Permit Scheme, and therefore contravenes existing NRSWA / TMA legislation. Minimum widths stipulated in the Safety at Streetworks CoP (2013) should apply, as an 'absolute minimum width of 1.3m' contravenes s65 NRSWA. DfT letter dated 18/12/14 reinforces this.	DELETED
O	13.2.5	This would be a HA request at the validation stage and not a condition applicable to all applications	DELETED
SGN	13.2.5	Pedestrian Ramps in yellow – as this is now a legal requirement of s65 NRSWA (as per the Safety at Streetworks CoP (2013) and is not required as a condition.	Agreed
SEJUG	13.2.5	SEJUG has concerns regarding supplying this additional information. It is not within scope of the ETON Technical Specification, and text field of the Permit application is limited by ETON to 500 characters only. In addition, this should not apply to every works, and should be works specific.	DELETED
SSE	13.2.5	Pedestrian Ramps in yellow – as this is now a legal requirement of s65 NRSWA (as per the Safety at Streetworks CoP (2013) then why is this stipulates as a condition of the Permit Scheme? This should be removed.	Agreed section DELETED

VM	13.2.5	Virgin Media are concerned regarding supplying this additional information. It is not within scope of the EToN Technical Specification, and text field of the Permit application is limited by EToN to 500 characters only. In addition, this should not apply to every works, and should be works specific.	DELETED
NJUG	13.2.5	NJUG has concerns regarding supplying this additional information. It is not within scope of the ETON Technical Specification, and text field of the Permit application is limited by ETON to 500 characters only. In addition, this should not apply to every works, and should be works-specific.	DELETED
SSE	13.2.6 + 13.2.7	It is not within scope of the ETON Technical Specification, and text field of the Permit application is limited by ETON to 500 characters only. In addition, 13.2.7 should not apply to every works, and should be works specific.	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
SW	13.3.1	When will this be available? This should be subject to consultation also. Nothing listed under 'current consultations' (as of 23/4/14) on the SCC website. Or does this refer to the HAUC(UK) Model condition document?	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change

			and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
SEJUG	13.3.1	SEJUG suggests this would sit better under 13.1 as opposed to 13.3	Deleted
BB	13.3.1	These conditions must be included in the consultation process and must follow the guidance issued by HUAC (UK) and the recent official letter Robert Goodwill MP which states “no condition should include matters already covered in legislation and cannot exceed legislation.” There is no such document available on the website or as part of this consultation.	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
O	13.3.1	This would be the ‘sector agreed conditions’ agreed by HAUC England	Southampton City Council will adopt solely the nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions, including referencing. We recognise

			that these conditions may be subject to change and may develop over time. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme. Any changes will have been consulted on and agreed by the sector and we will not undertake further consultation on those agreed changes, but will inform stakeholders of their implementation date for use within our permit scheme.
NJUG	13.3.1	NJUG suggests this would sit better under 13.1 as opposed to 13.3.	DELETED
O	13.3.2	Should refer to SEHAUC	13.3.2 DELETED
SGN	13.4.1	– too onerous on all immediate works in and out of hours.	'If identified in the NSG' text added
SEJUG	13.4.1	As previously stated, SEJUG members do not agree to this and cannot comply with this. Contact by phone for immediate works should relate to specified traffic sensitive streets indicated on the ASD only.	'If identified in the NSG' text added
SSE	13.4.1	This relates to contact by phone for immediate works on specified traffic sensitive streets indicated on the ASD, which contradicts 9.5.2 (which suggests promoters contact B&HCC by phone for all immediate activities). We agree with 13.4.1 but not 9.5.2. 9.5.2 should be removed or reflect what is stated in 13.4.1.	'If identified in the NSG' text added
VM	13.4.1	Virgin Media do not agree to this and cannot comply with this on every permit. Contact by phone for immediate works should relate to specified traffic sensitive streets indicated on the ASD	'If identified in the NSG' text added

		only.	
O	13.4.1	<p>This should be linked to the Early Notification of Immediate Activities tab on the NSG for strategic routes.</p> <p>Openreach would welcome more detail on</p> <p>a) how the permit authority proposes this to work on a practical level and</p> <p>b) where the contact number of the permit authority will be provided during out of hours working?</p> <p>We also suggest that that there is a need for an auditable process to ensure compliance with the scheme.</p>	'If identified in the NSG' text added
O	13.4.2	This is a requirement under the act and therefore not needed as a condition.	Text will remain for clarification
Legal	13.5	<p><i>BREACHING OF CONDITIONS</i></p> <p><i>Should read</i></p> <p><i>BREACH OF CONDITIONS</i></p>	Agreed
Legal	13.5.1	<i>There are no timescales indicated. What are they?</i>	Noted, times scales are dependent on nature of the breach and nature of the works.
Legal	13.5.2	<p><i>There are no timescales indicated. What are they?</i></p> <p><i>Why not insert 18.3.1 and 18.3.2 after this paragraph?</i></p>	Noted, times scales are dependent on nature of the breach and nature of the works.
<b>Section 14: Granting of Permits</b>			
Legal	14.1.1	Where is Table 1?	'Section 10' Text added
Legal	14.3 to 5	<p><i>INCLUSION OF CONDITIONS</i></p> <p><i>PERMIT UNIQUE REFERENCE NUMBER</i></p> <p><i>AMENDMENT TO ORIGINAL APPLICATION</i></p>	Agreed, sections DELETED



		These are not required - delete	
O	14.5.1	Openreach suggest that if this section is to include details relating to granting and refusals, it needs to be expanded to include modifications as we feel that the relation between modification requests and deemed needs to be expanded.	DELETED
O	14.6.1	Openreach requests that the Scheme should provide provision for 'sector agreed refusal codes' as approved by HAUC England	Agreed, text added
Legal	14.7.2	<i>It may be that the work has to stop</i>  <i>To read</i>  <i>the Permit Authority may direct the work to stop</i>	Agreed, text changed
<b>Section 15: Review, Variation and Revocation of Permits and Permit Conditions</b>			
SSE	15.3.1	There is no requirement to do this under ETON. We will comply with ETON and send Permit variations. Messaging of Permit KPI's should be achieved in this way by having to ask permission for variations 1st.	A PAA is not a permit but a provisional authorization.
SEJUG	15.3.2	SEJUG requires further clarification on this point.	After a PAA has been granted but there is no corresponding Major Permit granted and there is a need to make a change to the proposed activity that warrants a revised PAA or Major Permit, contact must be made and a revised / new PAA or Permit application must be made depending on the circumstances and timings.
O	15.3.2	Further explanation required as to the extent of the changes as some of the information is by its nature flexible.	After a PAA has been granted but there is no corresponding Major Permit granted and there is a need to make a change to the proposed activity that warrants a revised PAA or Major Permit, contact must be made and a revised / new PAA or Permit application must be made depending on

			the circumstances and timings.
SSE	15.3.2 + 15.3.3	Permit Authority invoked variations are free of charge. This should be stated in these paragraphs.	This is not relevant to this section. See Appendix B
SEJUG	15.4.2	Permit Authority invoked variations are free of charge. This should be stated in these paragraphs.	This is not relevant to this section. Section reworded for clarity. See Appendix B
VM	15.4.2	Virgin Media believes that the following should be stated in the paragraph - Permit Authority imposed variations are free of charge.	This is not relevant to this section. Section reworded for clarity. See Appendix B
NJUG	15.4.2	NJUG wishes to highlight that Permit Authority invoked variations should be free of charge, and we suggest this should be stated in these paragraphs.	This is not relevant to this section. Section reworded for clarity. See Appendix B
O	15.5.1	If there is a permit to vary how can we be working without a permit?	Agreed 'without a Permit or' DELETED
SSE	15.7.2	this contradicts 15.3.1.	The text is correct.
SGN	15.8.2	the system should be used to request variations. Will endeavour could be compromise.	Text changed
BB	15.8.2	Can Southampton please declare where the legal foundation for the use of the word "shall" in the context of this requirement derives from? There is no such requirement in the Code of Practice or Eton Technical specification. Other versions of this scheme used elsewhere read "15.7.2 if a variation is to be made, it is highly recommended the Promoter telephones the Permit Authority to discuss prior to submitting a variation. Which is a sensible and permitted inclusion? As this revised paragraph cannot be enforced we suggest it is reverted to the previous statement.	Text changed to 'is encouraged'

O	15.8.2	Openreach already comply with ETON by sending permit variations, and there is no requirement under ETON to telephone first to determine if the Authority is prepared to grant a variation.  We ask this to be amended to be aligned with ETON specification	Text changed
SSE	15.9.1	There is no requirement to do this under ETON. We will comply with ETON and send Permit variations.	DELETED
EToN	15.9.2 (v)	<i>How is the call recorded? What is the electronic means in which you notify the Permit Authority.</i>	DELETED
EToN	15.9.2	<i>Submitting a Variation should read submitting a Duration Variation Application</i>	Change made
SGN	15.10.2	To telephone every 50 metres. What is benefit and too onerous.	Text changed for clarity
O	15.10.(v)	Openreach accepts that this can be by text or by ETON by 10 the next day?	DELETED
SW	15.11.1	Not all of these points are applicable for every permit variation – for example, illustration should apply only to Major activities, or for works on the Network where it has been flagged up as being particularly susceptible to disruption.	The information required is as applicable to the variation reason.
SEJUG	15.11.1	Not all of these points are applicable for every permit variation – for example, illustration should apply only to Major activities, or for works on the Network where it has been flagged up as being particularly susceptible to disruption. SEJUG do not agree with this paragraph – Information required for variation applications are detailed in the ETON Technical specification, which SEJUG members will comply with. This paragraph should be removed.	The information required is as applicable to the variation reason.

O	15.11.1	Openreach wishes to highlight that not all of these bullet points are applicable for every permit variation. Information required for variation applications are detailed in the EToN Technical Specification, which openreach will comply with.  Suggest 'must' be replaced with 'may'	The information required is as applicable to the variation reason.
NJUG	15.11.1	NJUG wishes to point out that not all of these points are applicable for every permit variation – for example, illustration should apply only to Major activities, where applicable, or for works on the Network where it has been flagged up as being particularly susceptible to disruption. NJUG does not agree with this paragraph, as information required for variation applications are detailed in the EToN Technical specification, which NJUG members will comply with. NJUG therefore requests that this paragraph is removed.	The information required is as applicable to the variation reason.
Legal	15.14	<i>WAIVING OF FEES</i>  <i>Delete this as not necessary</i>	Agreed, DELETED
<b>Section 16: Cancellation of a Permit</b>			
Legal	16.2	<i>CONTINUING TO WORK FOLLOWING THE CANCELLATION OF A PERMIT</i>  <i>Delete as not necessary</i>	Agreed, DELETED
<b>Section 17: Fees</b>			
EToN	17.2.3	How will these works be identified?	By the information recorded on EToN. Via coordination dialogue and see section 7.8.
BB	17.3.1	BB welcomes this initiative but would encourage a greater scale of discount for working outside of TS times possibly up to 50% as this really incentivises the avoidance of those peak times for	30% is deemed reasonable.

		works. Other wise the cost of conducting the works outweighs the benefit of any small reduction thus leading to no change in working practices.	
VM	17.5.1	What happens to revenue generated from permit fees if they exceed the allowable cost of the scheme?	New section added stating 'As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.'
Legal	17.5.1	<i>Do we need to reference how the fees can be amended?</i>	New section added stating 'As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.'
Legal	17.5.2	<i>Should we add paragraphs under here regarding how we will use the fee income?</i>	New section added stating 'As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating

			the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.'
<b>Section 18: Sanctions</b>			
Legal	18.3.1 + 18.3.2	<i>Move to 13.6.2</i>	Agreed, moved
<b>Section 19: Dispute Resolution</b>			
Legal	<b>19</b>	<i>DISPUTE RESOLUTION</i> <i>It is understood that there are three stages:- Informal / Formal / Adjudication</i> <i>Use of correct language is essential</i>	Text updated
Legal	<b>19.1.1 to 19.1.4</b>	<i>Replace these paragraphs with simpler statement eg</i> <i>We welcome the opportunity to resolve disputes informally before referring to the formal appeals procedure. If not resolved informally within 14 days, the matter will be referred to the formal appeals procedure</i>	Text updated
Legal	<b>19.3</b>	<i>APPEALS PROCEDURE</i> <i>Isn't this</i> <i>DISPUTE RESOLUTION</i>	Text updated
Legal	<b>19.3.2</b>	<i>Within a reasonable period of time This should be specific</i> <i>Southampton City Council will accept..... This should be both</i>	Text updated

		<i>parties</i>	
Legal	<b>19.3.3</b>	<i>Should read If Southampton City Council or the promoters....</i>	Text updated
Legal	<b>19.3.5</b>	<i>Should read Is referred to HAUC (UK) by either party</i>	Text updated
Legal	<b>19.4</b>	<i>ADJUDICATION Should be INDEPENDENT ADJUDICATION</i>	Text updated
Legal	<b>19.4.2</b>	<i>Should read will only be used by Southampton City Council and the Promoter(s) if they agree..... First bullet point should read The decision of the adjudicator will be deemed to be final...</i>	Text updated
SSE	<b>19.5.1</b>	This should not be included in the Permit scheme as this is part of Primary legislation, and is out of scope of the Permit Scheme.	Text updated
<b>Section 20: Registers (no responses received)</b>			
<b>Section 21: Transitional Arrangements</b>			
EToN	21	<i>We think that this needs to refer to Phase.</i>	Title changed
EToN	21.1.6	<i>Should read Phase not activity. As it will become a permit once a phase has been finished not the activity</i>	Change made
EToN	21.1.6	<i>What is other activity.</i>	'other' DELETED

<b>Section 22: Permit Scheme Monitoring</b>			
Legal	<b>22.1</b>	<i>Delete not needed</i>	Agreed, DELETED
O	22.1.1	Should refer to HAUC	DELETED
Legal	22.2.1	<i>Should read</i> <i>Parity of treatment will be measured.....</i>	Agreed, text changed
O	22.3	KPI #1 should include deemed permits, this will show parity in approval and may identify resource inadequacy	These are mandatory KPIs and the text is provided by the DfT
O	22.5.1	We suggest that whilst the Co-ordination meetings are provided with the KPI data, the attendees at these meetings are only there to discuss individual works.  More meaningful dialogue can take place at local and regional HAUCs, who can focus on areas for improvement and sharing good practice where results are good. Attendance from Utilities should be at a level of management capable of achieving step change in Policy and Strategy within its business.  We do not support the sharing of this information outside the HAUC community on the Authority's website at this stage.	Relevant performance levels will be considered during coordination meetings such as duration conditions being breached.  Noted  No, this is important information.
<b>Section 23: APPENDIX A: Glossary of terms used in the Permit Scheme</b>			
O	Major Activities	Openreach suggests that major activities are:  a) are part of a scheme which is planned or known about at least 6 months in advance of the proposed start date, but only includes activities on all the affected streets and locations within that scheme that have been identified at that least 6 months advance stage as likely to require permits; or  b) require a Temporary Traffic Regulation Order ( ie not a	The text is correct



		temporary traffic notice) under the Roads Traffic Act 1984 for any activity, other than immediate works, that take place in traffic sensitive streets at traffic sensitive times; or  c) have a duration of 11 days or more, other than immediate activities	
O	Remedial Works	Remedial works are those required to put right defects identified in accordance with the provisions of the Code of Practice for Inspections and regulations, including defects identified by the undertaker during the course of their undertakings.	The text is correct
Legal		<i>This is really the definition of terms (not a glossary) used in the document and should all be consolidated here.</i>  <i>At present many are missing and some contradict (days and working days for example)</i>	Changed
<b>Section 24: APPENDIX B - Policy Statement - Circumstances In Which the Permit Authority Will Review, Vary Or Revoke</b>			
Legal		<i>Delete this, not required</i>  <i>The document can be beefed up instead</i>	This text has been incorporated in to section 15
<b>Section 25: APPENDIX C - Policy Statement - Employment of Sanctions</b>			
Legal		<i>Delete this, not required</i>  <i>The document can be beefed up instead</i>	Appendix C DELETED
<b>Section 26: APPENDIX D - Fixed Penalty Notices (no responses received)</b>			
Legal		<i>Not needed. Information is in FPNs</i>	DELETED
<b>Section 27: APPENDIX E – Permit Fees</b>			

Legal	27	<p><i>May require information regarding process to change fees in the future.</i></p> <p><i>Change to SI with full consultation (at present)</i></p> <p><i>In future ?????</i></p>	<p>As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.</p>
SGN	27.1	<p>Permit Fees – This is fundamentally against the spirit of permit schemes. Permit Fees should not be charged for works carried out on minor roads (Cat 3 &amp; 4 Roads that are non traffic sensitive). There is no incentive in this scheme to work outside of traffic sensitive times at all. This proposal also contradicts current DfT Permit Guidance which states that Permit Schemes be targeted to Major and Traffic sensitive streets at traffic sensitive times.</p>	<p>Southampton City Council will offer lower fees, or a discount to scheme standard fees, applied to all works taking place on traffic-sensitive streets where those works take place wholly outside of traffic sensitive times.</p> <p>The fees for Permits for category 3 and 4 roads reflect the additional cost of increased coordination and has been identified when completing the DfT fees matrix.</p>
SW	27.1	<p>Permit Fees – Southern Water does not agree that Permit Fees should be charged for works carried out on minor roads (Cat 3 &amp; 4 Roads that are non traffic sensitive. This contradicts current DfT Permit Guidance where fees should be focused on busier streets, and is nothing more than a stealth tax on the Utility Industry. Works should not affect congestion at all on these roads, so no permit fee should be chargeable for any works on these parts of the Network. In addition, Southern Water suggests that a more reasonable approach would be for 'Where Standard, Minor and Immediate Activities are carried out on</p>	<p>Southampton City Council will offer lower fees, or a discount to scheme standard fees, applied to all works taking place on traffic-sensitive streets where those works take place wholly outside of traffic sensitive times.</p> <p>The fees for Permits for category 3 and 4 roads reflect the additional cost of increased coordination and has been identified when</p>

		Minor Roads, including Traffic Sensitive Streets outside of traffic sensitive times, no fee will be payable for the Permit application'. SCC's proposed approach will result in a larger increase in Customer Bills as all efficient permit costs will be passed back to customers (as deemed by OFWAT as an allowable cost).	completing the DfT fees matrix.
SEJUG	27.1	<p>Permit Fees – SEJUG members believe that the scheme should be focused on strategically significant streets, which will enable Southampton City Council &amp; SEJUG members to focus on works which will cause the most disruption. SEJUG does not agree to a blanket approach covering all works and all roads, and does not agree that Permit Fees should be charged for works carried out on minor roads (Cat 3 &amp; 4 Roads that are non traffic sensitive). There is only a small incentive in this scheme for SEJUG members to work outside of traffic sensitive times. This proposal also contradicts current DfT Permit Guidance (Jan 2013) which states that Permit Schemes be targeted to Strategically Significant Streets and Major and Traffic sensitive streets at traffic sensitive times. SEJUG believes that Southampton CC should grant permit for non traffic sensitive category 3 and 4 roads by default and those permits to be at zero fee levels (i.e. this should be 100% reduction).</p> <p>DfT's Guidance encourages Permit Authorities to focus fees on only the busier streets, and SEJUG suggests that further focus will incentivise reduced disruption on busier streets and at traffic sensitive times. As of 2015, a Permit Authority will mandatorily need to offer a discount for works carried out on traffic sensitive streets outside traffic-sensitive times (see attached letter from the Department of Transport to Highways Authorities dated 17th</p>	<p>Southampton City Council will offer lower fees, or a discount to scheme standard fees, applied to all works taking place on traffic-sensitive streets where those works take place wholly outside of traffic sensitive times.</p> <p>The fees for Permits for category 3 and 4 roads reflect the additional cost of increased coordination and has been identified when completing the DfT fees matrix.</p>

		March 2014).	
SSE	27.1	<p>Permit Fees – Permit Fees should not be charged for works carried out on minor roads (Cat 3 &amp; 4 Roads that are non traffic sensitive). There is no incentive in this scheme for us to work outside of traffic sensitive times at all. This proposal also contradicts current DfT Permit Guidance which states that Permit Schemes be targeted to Major and Traffic sensitive streets at traffic sensitive times.</p>	<p>The fees for Permits for category 3 and 4 roads reflect the additional cost of increased coordination and has been identified when completing the DfT fees matrix.</p>
VM	27.1	<p>Virgin Media are disappointed that SCC Permit Scheme and associated fees 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 SCC grant permits for category 3 and 4 roads by default and for those permits to be at zero fee levels.</p> <p>There is no incentive in this scheme for Virgin Media to work outside of traffic sensitive times.</p>	<p>The fees for Permits for category 3 and 4 roads reflect the additional cost of increased coordination and has been identified when completing the DfT fees matrix.</p>
NJUG	27.1	<p>Permit Fees – NJUG members believe that the scheme should be focused on strategically significant streets, which will enable Southampton City Council &amp; NJUG members to focus on works which will cause the most disruption. NJUG does not agree with a blanket approach covering all works and all roads, and does not agree that Permit Fees should be charged for works carried out on minor roads (Cat 3 &amp; 4 Roads that are non-traffic sensitive).</p> <p>There is only a small incentive in this scheme for NJUG members to work outside of traffic sensitive times yet the costs of doing so are considerable.</p> <p>This proposal also contradicts current the DfT Additional Advice</p>	<p>The fees for Permits for category 3 and 4 roads reflect the additional cost of increased coordination and has been identified when completing the DfT fees matrix.</p>

		<p>Note for permit Schemes (January 2013), which recommends that Permit Schemes are targeted to Strategically Significant Streets and Major and Traffic sensitive streets at traffic-sensitive times. If the Council persists in applying permits to all streets, NJUG believes that Southampton City Council should grant permits for non-traffic sensitive category 3 and 4 roads by default and those permits should be at zero fee levels.</p> <p>The DfT's January 2013 Guidance encourages Permit Authorities to focus fees on only the busier streets, and NJUG suggests that further focus will incentivise reduced disruption on busier streets and at traffic sensitive times. As of 2015, a Permit Authority will mandatorily need to offer a discount for works carried out on traffic sensitive streets outside traffic-sensitive times.</p>	
<b>Section 28: APPENDIX F – Contact Details</b>			
Legal	28	<p><i>This information should not be here</i></p> <p><i>If necessary this should be earlier in the document</i></p>	<p>Agreed, text is within document</p> <p>DELETED</p>

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