

**HCC NRSWA Consultation Responses – For Consultation Use**

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
Section 15.6.1 j	District Council	<p>Can you confirm whether works being carried by WCC under the Traffic Management Agency Agreement with HCC would be exempt from fees as they are being carried out on behalf of the Highway Authority. Section 15.6.1 j)</p> <p>This would typically include installing new street furniture such as road signs, bollards, etc.</p> <p>Thanks</p>	<p>Works carried out on behalf of HCC are unlikely to attract a charge. Works undertaken by WCC using its own powers are likely to attract a nominal charge to cover operating costs.</p>
	Parish Council	<p>Although this scheme seems to be perfectly viable and has some commendable features it does not address the two main problems we as a Parish Council and our residents experience with road works.</p> <p>First is the lack of coordination. We have been informed that when a road is resurfaced the utilities are not supposed to dig it up for five years except in emergencies. From local experience it is quite clear that this principle is totally ignored by the utility companies.</p> <p>Other countries have far better legislation to enforce the discipline necessary so that new surfaces are not destroyed shortly after they been laid down.</p>	<p>The permit scheme is based on UK legislation and there are existing powers which the County Council exercises to restrict new surfaces being dug up (Although new services or emergency works are exempt from such restrictions). These powers will be unaffected by the permit scheme.</p>
	Parish Council	<p>Secondly although we often receive notification of work on major trunk roads within the County when it comes to being kept informed on work on local roads, provision of such information is often not forthcoming. If a permit system is put in place it should be simple, courteous and helpful to keep the local parish council informed.</p>	<p>Information about all works that the County Council is aware of can be found on roadworks.org. It is hoped that the permit scheme will help improve liaison for the most disruptive types of work.</p>
1.4.1	HCC	1.4.1' South East' what?	South East permit scheme (SEPS)
1.5.5	HCC	1.5.5 'The HCPS will also apply to works undertaken by	Correct. At the time of writing there is no charge for permits for

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		Hampshire County Council as the Highway or Traffic Authority. ‘ but 5.6.1 j) states it wont be charged not true parity? Not that I am complaining	HCC works. Though this may change.
Para 1.4.1	HCC	A couple of points for clarity: <ul style="list-style-type: none"> <li>Para 1.4.1 – Should it say best practice in West Sussex, South East and Kent permit schemes?</li> </ul>	No as it is referring to the schemes, not the regions.
Para 1.5.6	HCC	<ul style="list-style-type: none"> <li>Para 1.5.6 – Should there be a full stop after HCPS?</li> </ul>	Correct. This has been amended.
1.3	DfT	1.3 Your scheme is not based on Part 3 of TMA and the related regulations it is enabled by same.	Agreed. This has been amended.
3.6.3	DfT	3.6.3 You may not be charging a fee for a permit but you might want to make it clear that you can still apply conditions to the permit.	Agreed. We will make this clear.
3.6.3	DfT	3.6.3 You refer to EToN across the document but you might want to future proof it by saying “by the current electronic means” or similar to reflect the development of Street Manager.	Very good advice. We will review the document and amend references to EToN.
16.2.1	DfT	16.2.1 It is <b>not the HAUC Permit Conditions 2017</b> . From March 2015 they are in a statutory guidance document which authorities must have regard to so it is this reference you need to use.	Agreed and changed accordingly.
17.3.1	DfT	17.3.1 There is no inspection process for permits or use of permit conditions. You can of course inspect them but you need to make it clear that there is no fee or statutory process here.	Agreed and changed accordingly.
	DfT	Generally I am not feeling it for how your scheme will be evaluated in accordance with regulation 16 A of the amendment regulations 20125. Clear / separate bit of	Agreed. The objectives have been updated and additional KPI's incorporated. Following on from the first year of assessment additional documentation may be produced to provide more

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		the report maybe or linked to KPIs. How will you show utilities the flip side to the benefits of the permit scheme that you are in fact adding value to a permit application they are paying for?	details of improving the assessment process.
	Parish Council	At the CPC meeting held on Monday 2 July 2018, your consultation was briefly discussed and agreed by councillors that your proposal is a reasonable step to try and co-ordinate road and street works.	N/A
	Government Department	Thank you for consulting us on the above application. We have no objection to the proposal as submitted.	N/A
	Parish Council	Thank you for inviting us to comment on the above consultation. The Parish Council has considered the documents and has no comment.	N/A
	Parish Council	<p>I write further to your e-mail below regarding the new consultation as named above.</p> <p>This consultation was referred to the council's Planning &amp; Transportation Committee who met on Wednesday, 4<sup>th</sup> July and the comments below are recorded in the Minutes of that meeting:</p> <p style="text-align: center;"><b>Councillors agreed that its response to the consultation was that they supported Hampshire County Council's proposal to exercise its powers to introduce a system of permits and road works.</b></p> <p>I should be grateful if you would kindly enter these</p>	N/A

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		<p>comments as the formal response from us.</p> <p>Kind regards, Pat</p>	
	Utility Company	<p>Please find below our comments on the points laid out in the Consultation Document:-</p> <p><u>General</u></p> <p>We do not believe that a Permit Scheme will reduce the number of roadworks that take place. All works carried out on behalf of SW are essential, and must be carried out whether a Permit or Noticing regime is in place (i.e. safety, leakage repairs, new connections, asset repairs etc).</p>	<p>The DfT Advice for Highway Authorities developing permit schemes indicates that such schemes may reduce street works by 5%. The County Council believes that the actual number 'may' not be reduced (although there may be some reduction owing to more use of first time permanent works or shared works). However, there is highly likely to be a reduction in the disruption from street and road works owing to the County Council taking a more proactive stance on coordination. Accordingly we will consider amending any references to a 5% reduction in the number of street works.</p>
1.4.2	Utility Company	<p><u>Consultation Document</u></p> <p>1.4.2 - We strongly support the approach of Hampshire CC adopting a partial scheme as opposed to a full scheme.</p>	N/A
2.7.3	Utility Company	2.7.3 - No Cost Benefit Analysis has been released as part of the Consultation, should this not be provided?	This has been subsequently provided to those who have requested it.
3.3	Utility Company	3.3 - Should the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 be referred to here as well as the HAUC(England) guidance, as the statutory guidance is higher up the hierarchy, with the HAUC(England) document supporting the statutory guidance?	Guidance from the DfT suggests that the HAUC document takes priority for this reference.
5.2	Utility Company	5.2 - Should a note about EToN being superseded by Street Manager be added to future proof the Permit	Agreed. Reference to EToN has been removed throughout the document and replaced with reference to a National agreed

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		Scheme?	electronic / technical system.
6.4	Utility Company	6.4 - Suggest further clarification is provided around the 'issuing of another Permit' . As per the HAUC (England) Guidance, should the process not be that the Permit Application is submitted containing the dates the promoter proposes to work (including comments to back this up) or a permit variation should be submitted requesting the new dates?	Agreed. This has been explained in the section describing early starts.
8.1, 9.2, 9.3	Utility Company	8.1, 9.2, 9.3 - As per 5.2 above.	Agreed. Reference to EToN has been removed throughout the document and replaced with reference to a National agreed electronic / technical system.
10.3	Utility Company	10.3 - What is the process for including 10.3 (i), (iv), (vi) within the permit application, as this is currently outside of the scope of EToN? Further clarification required. Will this be by EToN comment, followed by a separate process?	Agreed. This section has been amended.
12.4 & 12.5.1 (b)	Utility Company	<p>12.4 &amp; 12.5.1 (b) – Refusal of Application – We have concerns that refusal of a permit could result in a contravention of our statutory rights, and could result in failure to comply with other legislation (the Water Industry Act etc). For non major activities on minor roads, We suggest 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. We fear that there is a risk that a permit could be refused for a non-valid reason, &amp; would also like to stress that duration of works should not be challenged unnecessarily.</p> <p>We would also like confirmation that Immediate Works Permits will not be refused &amp; that any required changes will be in line with 5.3 of the HAUC(England) guidance - permit should be granted followed by an Authority Imposed Variation.</p>	Agreed. This has ben clarified.

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13.6	Utility Company	13.6 – We strongly disagree with this, as this contravenes 8.2 of the HAUC (England) Guidance, which clearly states that the promoter will only have to apply for a permit variation for the first excavation in each further 50 metre band away from the original hole in the same street, i.e. 50-100 metres, 100-150 metres etc. It does not state that variations will be required for ‘any further excavations’. Other Permit Schemes (KCC, SEPS) in our Area of Operation are in line with 8.2 of the Permits Guidance - If excavationary works take place at a location (e.g. Leakage) and the leak is found at another location, a permit is still required for the 1 <sup>st</sup> location as excavation has taken place, and for any further excavations on the same street within 50 metres of the original hole, we telephone the Permit Authority with the new location. No permit variation will be needed and no permit charge will apply, as long as additional excavations are within a 50M band. We should only apply for a permit variation only for the first excavation in each further 50 metre band away from the original hole in the same street. Southern Water believes it would be reasonable (and in compliance with the Guidance) for this to be applied to the Hampshire CC Permit scheme.	Agreed. Section removed. HAUC guidance will apply.
15.6.1 (g)	Utility Company	15.6.1 (g) - suggest this be reworded slightly to give complete clarity, so that the document clearly states that any coring activities not exceeding 150mm diameter would not be subjected to a fee, unless one or more of rules 2 – 6 stipulated under 1.2 of the HAUC (England) Guidance makes the coring activity a registerable activity.	Agreed. Section clarified.
16.2.1 & 2	Utility Company	16.2.1 & 2 - as per comment for 3.3 above regarding DfT Statutory Guidance.	As above for HCC’s response. This section is referring to the conditions which are included in the HAUC document.

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16.4.1	Utility Company	16.4.1 – Our ETON system (EXOR) cannot send a Permit Modification request on an immediate works so we will not be able to comply with this. Also, this is in contravention with 5.3 of the HAUC (England) guidance, which states that 'PMR's should not be used to respond to an immediate permit'.	Agreed. Section has been updated.
16.7	Utility Company	16.7 - Suggest this section be removed & replaced with a reference back to the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 & HAUC (England) Permit Guidance document, as this is covered by both documents & further duplication is not required.	Agreed. This has been removed.
16.8.1	Utility Company	16.8.1 – We see the granting of a variation but not the extension of the reasonable period as revenue raising. Why would the reasonable period not be extended in line with the variation extension?	Section has been clarified.
16.9	Utility Company	16.9 - Suggest this section be removed & replaced with a reference back to the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 & HAUC (England) Permit Guidance document, as this is covered by both documents & further duplication is not required.	Agreed. This has been removed
16.9.7	Utility Company	16.9.7 specifically – If the Safety at Streetworks CoP stipulates a one metre minimum of footway, then the Permit condition should relate to one metre, not anything greater. As per DfT requirements “no conditions should be introduced that already exist in other legislation and NO condition can exceed legislation”. We have concerns that conditions ‘may be applied’ that are not in line with the ‘Statutory Guidance for Highway Authority Permit Schemes – Permit Scheme Conditions March 2015’. Will Hampshire CC be reviewing s16.9 of the draft Permits Scheme document in line with the Statutory Guidance?	This section has been removed.
16.10,	Utility	16.10, 16.11, 16.2, 16.13, 16.14 - Suggest these	Agreed. These sections have either been removed or remain but

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16.11, 16.12, 16.13, 16.14	Company	sections be removed & replaced with a reference back to the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 & HAUC (England) Permit Guidance document, as this is covered by both documents & further duplication is not required.	slightly reworded.
Chapter 20	Utility Company	Chapter 20 -suggest this is removed fully & reference made to the Co-ordination CoP as this is covered in that document. No need for duplication.	Agreed. Most of this has been removed. Some small elements remain where the County Council wishes to emphasise an issue that is specifically related to the schemes objectives.
24.5.5	Utility Company	24.5.5 - We cannot comply with this as our Finance standard turnaround times are at least 45 days.	28 days is what the HAUC guidance doc recommends. HCC will work with all SU's to determine reasonable payment timescales.
Appendix A	Utility Company	Appendix A - Permit Fees – As previously mentioned, SW applauds Hampshire CC in Zero rates Permit fees for Non TS Cat 3 & 4 Streets (which the DfT should ensure all HA's follow this good practice). However, we would like to request that Hampshire CC consider reducing Permit fees on Standard Activities from £75 on non TS streets & if required increasing fees for major works? Could Hampshire CC also confirm that there will be zero charges for minor /immediate works carried out on Cat 3 & 4 streets that are TS but works are carried out during non TS times?	This has been clarified in the document.
	Utility Company	<u>General Comments</u>  Will Hants CC be having a trail before Permit Fees are introduced? Suggest at least 1 month minimum, with 2 months preferable to allow the Scheme to bed in.	Yes, this has been included in the document.
	Parish Council	The parish council met last night and agreed that it supported your proposals.	N/A



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	Environment Agency	Thank you for consulting with us on your Scheme. The Scheme falls outside our remit so we are unable to comment.	N/A
	Parish Council	<p><b><u>Response to HCC Consultation on Permit Scheme for Roads</u></b></p> <p>1. CVPC welcomes the underlying objective of a permit scheme, but has significant reservations about the apparent complexity of its planned implementation.</p>	Permit Schemes were introduced by Part 3 of the 2004 Traffic Management Act as amended by the Deregulation Act 2015. The structure of schemes is described by the 2007 Traffic Management Permit Scheme (England) Regulations as amended in 2015.
	Parish Council	2. The overall impression is of a convoluted, wordy, excessively-long document that fails to match the exhortation to permit applicants at para 9.4 for simple use of English.	In developing the HCC permit scheme, statutory guidance has been followed, but the final permit scheme will be streamlined to make it clear and concise, referencing already published guidance where ever possible.
	Parish Council	3. There is much use of unfamiliar abbreviations. A glossary would be a useful addition.	The permit scheme documentation invokes and describes a number of regulations and consequently the terminology is necessarily technical. Consideration will be given to producing a compendium document specifically for a non-technical audience to assist in interpreting the meaning.
	Parish Council	4. There are many references to legislation without quoting any detail with the result that many aspects require extensive external research. Related links would assist.	It is intended that the permit scheme will refer to other published guidance and statutory instruments with the aim of producing a concise document and avoiding duplication where ever possible. An added benefit is that the changes to these reference documents can be made without requiring the permit scheme itself to be revised. The main audience for the permit scheme is works promoters who will be familiar with these, but there may be scope within a compendium document for a non-technical audience to provide the requested links and/or further information.
	Parish Council	5. An application checklist could be another useful contribution to simplifying use of the system.	Works promoters are expected to be familiar with how to apply for a permit. The HCC street works team will be able to advise individuals and organisations undertaking works for whom a

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			<p>permit application process is unfamiliar. Guidance can be provided on-line in the form of FAQs and examples.</p>
	Parish Council	<p>6. There seem to be inconsistencies with regard to emergency road works. (paras 6.5, 16.4) when judged against para 18.5 which includes no caveats when stating that “It is a criminal offence for a Statutory Undertaker or someone acting on its behalf to undertake works without a permit. “</p>	<p>The permit scheme recognises that emergency works must be undertaken to make safe. Subsequently a permit must be applied for. In a number of cases this will apply to work undertaken after the defect has been made safe. The street works team may from time to time be required to make a judgement regarding whether works undertaken are emergency works.</p> <p>6.5 Valid Immediate works can commence with a subsequent permit application, as defined within the Permit Scheme.</p> <p>16.4.1 Activities that are necessary for emergency or urgent reasons, (i.e. immediate activities), can commence and continue for an initial stage without requiring a permit to be obtained first.</p> <p>18.5.1. It is a criminal offence for a Statutory Undertaker or someone acting on its behalf to undertake works without a permit.</p>
	Parish Council	<p>7. What justification is there for declaring that weekends and public holidays are non-working days? One of the major dissatisfactions with road works is extended periods when no work seems to be taking place whilst the obstruction remains. The scheme should encourage 7-day working whenever practical.</p>	<p>Working days are defined in the relevant statutory Codes of Practice as being Monday to Friday 08:00 to 16:30 (excluding bank holidays). See Section 8. 3. 4 of the Code of Practice for the Coordination of Street Works and Works for Road Purposes. If this definition changes then the permit scheme will adopt the legislated changes.</p> <p>Conditions may be applied to individual works to direct specific requirements. Lane rental proposals may provide further opportunities to encourage construction plans that minimise duration on high impact roads.</p>

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	Parish Council	8. Para 3.7 should specify a proactive role for HCC in facilitating forward planning and minimising excessive traffic disruption caused in combination with other works in the area.	This is part of the street works service. Forward planning notices are used to coordinate other works to avoid, as far as is possible, clashes that might lead to avoidable disruption.
	Parish Council	9. Given that East Sussex have put their Street Gazetteer on line, does HCC plan to do the same? If not, why not? (para 5.4)	Hampshire's Street Gazetteer can be found online at <a href="http://roadworks.org">roadworks.org</a>
	Parish Council	10. It is not clear if the scheme will be self-funding and what extra staff and facilities will be required to administer the scheme. Given current constraints on budgets, the scheme should be completely self-funding, including covering all setup costs.	It is intended that the scheme will be self-funding in respect of utility works. The costs of the permit application for HCC works will be the responsibility of the authority.
	Parish Council	11. What is the justification for waiving fees for collaborative works (3.6l.3) and how will this affect the financial viability of the scheme? Minimum proportions of the elements of the collaborative working need to be specified to forestall potential abuse of the concession.	One objective of the permit scheme is to reduce the number of road works by encouraging collaboration. Permits fees will only be waived where there is genuine collaboration i.e., where there is evidence of works promoters working together to minimise disruption.
	Parish Council	12. Inclusion of streets subsequently to be maintained publically should specify inclusion 'when', not 'if they qualify'. (para 5.3)	Not all such streets will be adopted, therefore HCC feels it more 'realistic' to state "if" rather than "when".
	Parish Council	13. Overrun charging is hidden in external references, but which reference is not clear when merely stating 'Section 74', for example. (para 17.2)	S74 refers to S74 of the New Roads and Street Works Act 1991 whereby overrun charges can be applied. Practitioners are aware of this legislation. However, this point will be clarified in the permit scheme document.
	Parish Council	I would like to respond to the consultation on permits for road works by asking whether a system could be introduced to inform Parish Clerks when works will take place in their parishes please. At least then we could alert our Business Association and other organisations and residents who might be affected.	As part of the permit scheme roll – out we are reviewing our methods of communications with Parish and District Councils with a view to improving information exchange.

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	HCC	<p>Thanks for the chance to comment. I have only three:</p> <ol style="list-style-type: none"> <li>1. Tree works are often carried out in response to an emergency. I could not find any reference to emergency works – it might be useful to state somewhere that emergency works are outside the scope of the permit scheme if this is the case.</li> </ol>	<p>Emergency works = Immediate works. These instances are covered in the documents.</p>
	HCC	<ol style="list-style-type: none"> <li>2. Para 7 in the contents is listed at ‘Types of Permit’ where I expected to find some helpful definitions. I think the contents table needs an update as para 7 is ‘Registerable activities – Specified works (still no definitions!) This just refers back to the legal instruments which to be honest is frustrating if you’re trying to find out if you need a permit or not.</li> </ol>	<p>HCC will provide training to internal Promoters to help with these definitions.</p>
	HCC	<ol style="list-style-type: none"> <li>3. Personally, and this may not be the right place, I’d find it helpful to have a ‘When do I need a permit?’ type definitions as this is the first question that I’d need to answer before getting into the detail. This may be dealt with somewhere else, but I would find a definition of the major, minor, standard works useful.</li> </ol> <p>Otherwise it looks clear and reasonable, I like the share space = no fee. Thanks,</p>	<p>HCC will provide training to internal Promoters to help with these definitions.</p> <p>The collaboration discount has been clarified to a 50% reduction in Permit fee.</p>
	Parish	<p>Thank you for informing the Parish Council of this</p>	<p>As part of the permit scheme roll – out we are reviewing our</p>

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	Council	<p>proposal. We are very pleased to note that parish councils will be informed and consulted. It seemed a little muddling just when the parish council would be informed of the roadworks and by whom, however we would like to strongly request that the PC is involved at the very early stage and <b>before</b> permission is granted.</p> <p>Obviously the PC recognises that roadworks are necessary but many of its roads are in fact single track lanes. It would therefore be helpful to everyone if the PC was consulted prior to granting consent so that it could raise possible issues and also contribute solutions based on its local knowledge.</p> <p>(The last time this occurred I had to object at a late stage because the alternative routes were either through a ford, which can be impassable and has claimed lives, or on a track which is legally only a public footpath and which was impassable except by off-road vehicles. There was therefore potentially no access for either emergency vehicles or residents with non-4x4 vehicles.)</p>	<p>methods of communications with Parish and District Councils with a view to improving information exchange.</p> <p>The County Council will try to take on board all relevant concerns, but conditions are limited by National legislation and there are strict and tight timescales to respond to a permit application. This may limit what concerns / solutions can be acted on.</p>
	Parish Council	<p>Thank you for giving us the opportunity to comment on this consultation.</p> <p>As long as any proposed permit scheme ensures that all parties are adequately and accurately notified of road and street works - and that those works are expedited with the minimum of disruption then the parish council supports the nationally agreed conditions as laid out in your email.</p>	<p>The intent of the scheme is to minimise avoidable disruption to traffic wherever possible.</p> <p>As part of the permit scheme roll – out we are reviewing our methods of communications with Parish and District Councils with a view to improving information exchange.</p>
	Parish	My council has requested I respond to the above	Quality of reinstatements is outside the remit of the permit

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	Council	<p>consultation with the following points:            What concerns the Parish Council most about work on the street and pavement is the quality of the re-instatement once the work is complete. It is not clear whether the permit scheme applies to pavements/footways, but there are places in the village where the hatch-potch of repairs has left the surface of the road or the pavement in a far worse condition than originally. This creates the environment for potholes in the road and, on the pavement depressions are often left so that water does not flow away leaving lots of puddles. The result of poor workmanship when re-instating, which has lead to potholes, then creates concerted criticism of HCC and their contractors in the approach to repairing. This is accentuated when the contractors instructed to carry out repairs on potholes leave clearly visible potholes nearby because they have not been marked up for repair. There does not seem to be anything in this document about the standard of work and HCC's powers to ensure re-instatement is to a high quality.</p>	<p>scheme. However, existing legislation compels all utility companies to undertake their reinstatements in accordance with National Specifications. Where failures of compliance are noted then the utility company has to return and rectify any problems at their cost.</p>
	Parish Council	<p>The Parish Council are also concerned that the charging mechanism will have unintended consequences such as utilities not carrying out or delaying essential repairs.</p>	<p>Charges are necessary to operate the service. The charges reflect the costs to the County Council to operate the scheme and are in line with Nationally set charge maximums. Experience from other Authorities that have been running permit schemes for many years indicate that utility companies do not delay necessary repairs as they have a statutory duty to maintain their assets.</p>
	Utility Company	<p>Our comments following review of the proposed Hampshire Council Permit Scheme (HCPS)            We have carefully reviewed the proposed HCPS and hereby provide the following in response.            All our works are essential for the operation of the water supply network, with demand driven by customers, so</p>	<p>The DfT Advice for Highway Authorities developing permit schemes indicates that such schemes may reduce street works by 5%. The County Council believes that the actual number 'may' not be reduced (although there may be some reduction owing to more use of first time permanent works or shared works). However, there is highly likely to be a reduction in the</p>

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		we are of the view that the permit scheme will not reduce the number of works to be undertaken on the Hampshire Network.	disruption from street and road works owing to the County Council taking a more proactive stance on coordination. Accordingly we will consider amending any references to a 5% reduction in the number of street works.
	Utility Company	<input type="checkbox"/> We would support a partial Permit Scheme rather than the full scheme.	This scheme is a 'full scheme' ie it requires permits for all registerable works. But charges are not made for works that have minimal impact on traffic.
	Utility Company	<input type="checkbox"/> Please could you explain the mechanism to be used to charge for works undertaken outside of Traffic Sensitive times?	Discounts will be applied to all works carried out O/S of TS times. This working restriction would need to be indicated on the permit application.
	Utility Company	<input type="checkbox"/> We would be in support of the introduction of no cost on minor/immediate works on road categories 3 & 4.	N/A
2.5.2	Utility Company	<input type="checkbox"/> <b>2.5.2</b> To protect the right of the public to use the highway in a lawful manner. Please can you explain what 'lawful manner' refers to?	The public have a right to pass and re-pass on a public highway (Highways Act 1980)
2.7.3	Utility Company	<input type="checkbox"/> <b>2.7.3</b> We request that the cost benefit analysis document be provided by Hampshire CC.	This has been supplied following this request.
3.5.4	Utility Company	<input type="checkbox"/> <b>3.5.4</b> We request further information as to how we are to manage 'noise'	This would be using processes already in place within the industry. The County Council and local Environmental Health officers can provide site by site advice.
3.5.6	Utility Company	<input type="checkbox"/> <b>3.5.6</b> More advanced notice is not always possible	Agreed.
3.5.7	Utility Company	<input type="checkbox"/> <b>3.5.7</b> We suggest this to be in the PERMIT CONDITIONS section instead?	Agreed. This section has been amended.
3.6.1	Utility Company	<input type="checkbox"/> <b>3.6.1</b> We also believe in collaborative working, which is a shared responsibility. Hampshire County Council also have a duty to coordinate these activities. We	Agreed. This section has been amended.

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		suggest this be made clear in this section.	
3.6.3	Utility Company	<input type="checkbox"/> <b>3.6.3</b> We will need some confirmation that both parties will not be charged for working collaboratively.	The process for collaborative working has been revised.
6.4	Utility Company	<input type="checkbox"/> <b>6.4</b> We request further clarification please? As the variation costs us extra in fees, this should be in alignment with the HAUC guidance document which states that the dates submitted should be the preferred date.	This has been clarified.
10.7	Utility Company	<input type="checkbox"/> <b>10.7</b> Our EToN has limited free text, so this will not always be possible. Also, we do not know what issues we will come up against before we dig.	Agreed that this will not always be possible, but the scheme does not state that this is essential.
10.9	Utility Company	<input type="checkbox"/> <b>10.9</b> We suggest that this section be removed.	Agreed. This section has been removed.
10.10	Utility Company	<input type="checkbox"/> <b>10.10</b> This should be in alignment with the HAUC guidance document. We would appreciate a discussion rather than an outright refusal.	Agreed. This section has been amended.
10.12.6	Utility Company	<input type="checkbox"/> <b>10.12.6</b> We request advice on what the process is.	This section has been removed.
11.10.3	Utility Company	<input type="checkbox"/> <b>11.10.3</b> This is not mandatory.	Agreed. This section has been amended.
12.4.1	Utility Company	<input type="checkbox"/> <b>12.4.1</b> Certain types of works can be undertaken under powers granted by the Water Industries Act. We suggest that HCC use the response codes as per the HAUC guidance document. Reasons for refusal must be listed. Refusals are not allowed for immediate works as per the HAUC guidance.	Agreed. This section has been amended.



Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
14.2	Utility Company	<input type="checkbox"/> <b>14.2</b> HAUC guidance document states we can let a permit lapse rather than cancel.	Agreed. This section has been amended.
15.6.1	Utility Company	<input type="checkbox"/> <b>15.6.1</b> We request clarification for this section.	This section has been clarified. HCC can also discuss this with SEW outside of the consultation process.
20 & 22	Utility Company	<input type="checkbox"/> <b>Sections 20 &amp; 22</b> We suggest removing these sections.	Most of these sections have been removed. Some elements remain where the County Council wishes to emphasise issues relevant to the HCPS.
24.5.2	Utility Company	<input type="checkbox"/> <b>24.5.2</b> Time-frame required. 28 days in arrears or as agreed.	This section has been clarified.
Appendix A	Utility Company	<input type="checkbox"/> <b>Appendix A</b> – We request clarification of the permit reduction section.	The permit discounts have been clarified throughout the document. However, the County Council can discuss the process for discounts with SEW outside of the consultation.
	Utility Company	<p>Please find below our comments on the points laid out in the Consultation Document:-</p> <p><u>General</u></p> <ul style="list-style-type: none"> <li>We do not believe that a Permit Scheme will reduce the number of streetworks that take place as all Utility works carried are essential (for example customer connections have to be carried out).</li> </ul>	The DfT Advice for Highway Authorities developing permit schemes indicates that such schemes may reduce street works by 5%. The County Council believes that the actual number 'may' not be reduced (although there may be some reduction owing to more use of first time permanent works or shared works). However, there is highly likely to be a reduction in the disruption from street and road works owing to the County Council taking a more proactive stance on coordination. Accordingly we will consider amending any references to a 5% reduction in the number of street works.
	Utility Company	<ul style="list-style-type: none"> <li>Our members cannot find any reference within the document to the National Permit response codes.</li> </ul>	This has been rectified.
	Utility Company	<ul style="list-style-type: none"> <li>Our members would like to know what mechanism Hampshire CC will use to identify non payment of permit (i.e. works on non TS streets) or will this be down to the Utility to identify?</li> </ul>	This has been clarified in the document. Further clarification can be provided with each Promoter or at Hants HAUC.
1.4.2	Utility	Consultation Document	N/A

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
	Company	1.4.2 - Our members support the approach of Hampshire CC adopting a partial scheme as opposed to a full scheme, with the introduction of zero costs on immediate and minor works on non Traffic Sensitive Category 3 & 4 streets.	
1.5.6	Utility Company	1.5.6 Our members believe that Hampshire highways works should be collated also to demonstrate parity.	Agreed. This has been clarified in the document.
2.5.2	Utility Company	2.5.2 'To protect the right of the public to use the highway in a lawful manner' - Our members would like to ask how this will be achieved?	This refers to the rights of the public to 'pass and re pass' as described in the Highways Act 1980.
2.6.4	Utility Company	2.6.4 We believe that the strategic aims are not really applicable to the scheme document.	The strategic aims give a background to the County Councils scheme objectives.
2.7.1	Utility Company	2.7.1 We would like to ask if there is any data to confirm that reduced carbon will be a likely benefit of the HCPS?	This is being reviewed.
2.7.3	Utility Company	2.7.3 - No Cost Benefit Analysis has been released as part of the Consultation. Our members believe that it is a legal requirement to produce one on the introduction of a Permit Scheme.	A CBS has been released to those who have requested it.
3.3	Utility Company	3.3 - We believe that the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 be referred to here as well as the HAUC(England) guidance, as the statutory guidance is higher up the hierarchy, with the HAUC(England) document supporting the statutory guidance.	Both have been added to the document.
3.5.4	Utility Company	3.5.4 Our members would like further clarification on the 'effective management of noise'.	There is good practice within the industry, for example, using noise barriers, doing the loudest elements of work prior to 23:00

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			etc. Advice can be provided on a case by case basis by County Council staff and Environmental Health officers.
3.5.5	Utility Company	3.5.5 Our members believe that Hampshire Permit Scheme should be coordinating in general, with promoters contacting 3rd parties for major works (only if applicable). changes to works proposals should not be based on opinions of local councillors.	Often local councillors know their patch well and can offer valid suggestions to reduce complaints. Actual coordination will still be handled between the Promoter and county Council officers.
3.5.6	Utility Company	3.5.6 This should be not be 'must' as statutory notice periods will apply. Our suggests this paragraph be removed from the scheme document.	Agreed. This has been clarified.
3.5.7	Utility Company	3.5.7 As this is a standard DfT Permit condition this should be removed from the Scheme document.	Agreed, this has been amended.
3.6.1	Utility Company	3.6.1 We believe collaborative working to be a shared responsibility with the Authority.	Agreed. This section has been amended.
3.6.3	Utility Company	3.6.3 We would like further clarification on this & how will this be monitored? Does neither promoter pay the Permit fee & is there a need to change works type and will variation costs apply?	The discount process for collaborative works has been revised and clarified.
5.2	Utility Company	5.2 - Should a note about EToN being superseded by Street Manager be added to future proof the Permit Scheme? We suggest adding 'nationally defined electronic system'.	This has been amended throughout the document.
6.4	Utility Company	6.4 - Suggest further clarification is provided around the 'issuing of another Permit' . As per the HAUC (England) Guidance, (S7, P26) should the process not be that the Permit Application is submitted containing the dates the promoter proposes to work (including comments to back this up) or a permit variation should be submitted	This has been clarified.

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		requesting the new dates?	
6.5	Utility Company	6.5 - We suggest deletion of 'subsequent' as an immediate permit is retrospective as per appropriate timescales.	The document has been amended to take this into account.
7.8.3	Utility Company	7.8.3 - PAA submitted and granted - We suggest it is not required to resubmit for change as can be amended on the PA for minor changes.	This section has been amended.
8	Utility Company	8 - As above, future proof the scheme & remove references to Eton.	Agreed. This has been amended throughout the document.
8.2	Utility Company	8.2 - Promoters can only comply with this if added on gazetteer - there is no process to inform other utilities' & HAs etc otherwise. This should be down to the permit co-ordinator to advise & inform.	Agreed. This section has been amended.
9.2 & 9.3	Utility Company	9.2 & 3 - As above, future proof the scheme & remove references to Eton.	Agreed. This has been amended throughout the document.
10.3	Utility Company	10.3 - What is the process for including 10.3 (i), (iv), (vi) within the permit application, as this is currently outside of the scope of EToN so unable to include in the PA. Further clarification required. Will this be by EToN comment, followed by a separate process? Suggest Removing MUST as not enforceable - Applications for PTS are not mandatory within the ETS & some promoters are unable to send or add attachments.	This section has been clarified.
10.3 (iv)	Utility Company	10.3.(iv) How can promoters apply on the permit for a bus stop suspension?	This section has been clarified.

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10.3 (iii)	Utility Company	10.3.(iii) unable to apply on permit	This section has been clarified.
10.7	Utility Company	10.7 EToN comments box has limited free text , and often unable to clarify until excavation.	Noted.
10.9	Utility Company	10.9 Suggest this paragraph be removed.	Agreed. This section has been removed.
10.10.1	Utility Company	10.10 - 1 - This should not be the case for immediate works, as refusal of immediate works permits contradicts the HAUC(England) Permit guidance.	Agreed. This section has been amended.
10.10.2	Utility Company	10.10 - 2 - This will be a modified PA as opposed to a new PA as per HAUC(England) guidance. Any refusals should be discussed prior to refusal.	Agreed. This section has been amended.
10.12.3	Utility Company	10.12.3 - We would like to know where is this should be displayed?	Agreed. This section has been clarified.
10.12.6	Utility Company	10.12.6 - We would like to request the process for this?	This has been clarified elsewhere in the document.
11.7.2	Utility Company	11.7.2 - We suggest reference to early start guidance in the HAUC(England) Guidance.	Agreed. This section has been amended.
11.8.1	Utility Company	11.8.1 - We suggest that allowances need to be made where urgent issues arise and that any requests should not be dismissed without due consideration.	Agreed. This section has been amended.
11.9.2	Utility Company	11.9.2 - As per response to 11.7.2 - refer to early start guidance as there is no format grant.	Noted. But the County Council does not feel that this needs to be changed.
11.10.3	Utility Company	11.10.3 - We would like to see the (non mandatory) process defined.	Agreed. This section has been clarified.
12.4	Utility	12.4 - Refusal of permits not allowed under 5.3 HAUC	Agreed. This section has been amended.

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	Company	(England) Guidance, for immediate works - permit should be granted followed by an Authority Imposed Variation. We also suggest using the appropriate response codes & under 12.4.1 cross referencing the reasons for refusal.	
12.5	Utility Company	12.5 - Should the grounds for refusal be as per the HAUC (England) guidance?	Agreed. This section has been amended.
13.2	Utility Company	13.2 - Minor changes should be on the PA as opposed to the PAA.	Agreed. This section has been amended.
13.4	Utility Company	13.4 - We would like due consideration for exceptional circumstances such as out of hours working.	Agreed. But this can be determined at a local level or at Hants HAUC.
13.6	Utility Company	13.6 – We do not agree with this, as this contravenes 8.2 of the HAUC (England) Guidance, which clearly states that the promoter will only have to apply for a permit variation for the first excavation in each further 50 metre band away from the original hole in the same street, i.e. 50-100 metres, 100-150 metres etc. It does not state that variations will be required for ‘any further excavations’.	Agreed. This section has been removed.
14.2	Utility Company	14.2 - A permit can legally be allowed to lapse (although cancellation is best practice). As per 11.4 of the HAUC (England) guidance, a Permit Fee can be refunded due to special circumstance (e.g. unable to work as parking bay suspensions not processed., illegally parked cars etc).	Agreed. This section has been amended.
15.1	Utility Company	15.1 d) - AIV is not subject to charge.	Agreed. This section has been amended.
15.6.1	Utility	15.6.1 g) - We suggest clarification to ensure the	Agreed. This section has been clarified.

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	Company	meaning is understood, needs to meet criteria under 1.2 of HAUC guidance & the definition of a registerable activity.	
15.7.1	Utility Company	15.7.1 - We would like clarification of the discount levels e.g. 30% on collaboration discount	The sections describing discounted permit fees have been clarified.
15.8.1	Utility Company	15.8.1 - CBA required to prove costs of the scheme.	The CBA has been subsequently provided to those who have requested it.
16.2.1 & 16.2.2	Utility Company	16.2.1 & 2 - as per comment for 3.3 above regarding DfT Statutory Guidance.	Agreed. This has been amended.
16.2.3	Utility Company	16.2.3 - Remove references to Eton	This has been rectified throughout the document.
16.4.1	Utility Company	16.4.1 – Some EToN are unable to send a Permit Modification request on an immediate works so would not be able to comply with this. Also, this is in contravention with 5.3 of the HAUC (England) guidance, which states that 'PMR's should not be used to respond to an immediate permit'.	Agreed. This section has been amended.
16.4.5	Utility Company	16.4.5 - Suggest removal of this paragraph as not required - unable to enforce conditions on immediate works, as unknown.	Agreed. This section has been removed.
16.5.1	Utility Company	16.5.1 - We suggest that no clarification on interpretation is required, as DfT Statutory Guidance and HAUC (England) Guidance already covers this.	Noted. The section remains but has been clarified.
16.10.3	Utility Company	16.10.3 - We suggest this should not be on every permit & should apply for site specific reasons only.	Agreed. This section has been removed.
16.7, 16.8,	Utility	16.7, 16.8, 16.9. 16.10, 16.11, 16.2, 16.13, 16.14 -	Agreed. Many of these sections have been removed. A few

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
16.9, 16.10, 16.11, 16.12, 16.13, 16.14	Company	Suggest these sections be removed & replaced with a reference back to the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 & HAUC (England) Permit Guidance document, as this is covered by both documents & further duplication is not required.	remain where the County Council considers it appropriate to emphasise an issue that is especially pertinent to the objectives of the HCPS.
18.1	Utility Company	18.1 - As per Permit Regulations, this is only for breaches of regulations 19 & 20.	Agreed. This section has been amended.
18.2	Utility Company	18.2 - We suggest changing the 'may' to 'should' contact the Statutory undertaker.	Agreed. This section has been amended.
18.5.2	Utility Company	18.5.2 - How will Hampshire CC demonstrate the monitoring of the performance of Highway Authority promoters to demonstrate parity?	The County Council will measure the performance of its own promoters. This section has been amended accordingly
18.6.2	Utility Company	18.6.2 - Remove Eton references	References to EToN have been removed throughout the document.
18.6.3	Utility Company	18.6.3 - Can Hampshire CC clarify relevance in this section to the Permit Scheme?	This section has been removed.
18.7.4	Utility Company	18.7.4 - We would like reasonableness and in public interest being taken into account.	Agreed. This section has been amended.
18.8.1,2,3,4	Utility Company	18.8.1, 2, 3, 4 - We do not believe that there is an FPN Scheme as such, this is a process under permit scheme - suggest changing scheme to sanction.	Agreed. This has been amended.
19.3.1	Utility Company	19.3.1 - three stages mentioned actually list four stages in the document.	This section has been amended.
20	Utility Company	Chapter 20 -suggest this is removed fully & reference made to the Co-ordination CoP as this is covered in that document. No need for duplication.	Agreed. Much of this section has been removed. A few remain where the County Council considers it appropriate to emphasise an issue that is especially pertinent to the objectives of the HCPS.



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22	Utility Company	22 - We suggest removal and reference to Co-ordination Code of Practice.	Agreed. Much of this section has been removed. A few remain where the County Council considers it appropriate to emphasise an issue that is especially pertinent to the objectives of the HCPS.
23	Utility Company	23 - We would like to ask if there will be a grace period for FPN's being served? SEJUG suggests 2 months from start of scheme at least.	A 'bedding in' period of 1 month has been included in the HCPS.
24.5.5	Utility Company	24.5.5 - Clarification required - draft usually a month in arrears 11.9 HAUC guidance refers to monthly invoices.	Agreed. This has been clarified.
Appendix A	Utility Company	Appendix A - SEJUG suggests that Permit fee reductions are included in a specific chapter of Scheme. Where TS works are carried out outside of TS times on category 3 & 4 street , should this not be Free of charge as opposed to not just 30% discount? How is the discount to be applied on what basis on permit application? We suggest Standard activity at £75 is too high, can these costs not be offset against Major works on Cat 3 & 4 streets?	The fee table has been clarified. Fees have deliberately been removed from the main body of the scheme document to facilitate ease of amendment. £75 for standard works on Cat 3 & 4 roads is comparable to the disruption for major works lasting between 4-10 days on a similar road. The County Council considers this to be appropriate. Though this will be open for review.
Appendix C	Utility Company	Appendix C - We suggest removing as a standard condition. As per DFT statutory guidance conditions cannot exist outside of this guidance, therefore no new conditions can be created. DFT Statutory conditions must be used only.	Agreed. These have been removed.
	Utility Company	<u>General Comments</u>  Will Hants CC be having a trail before Permit Fees are introduced? Suggest at least 1 month minimum, with 2 months preferable to allow the Scheme to bed in.	A 'bedding in' period of 1 month has been included in the HCPS. In addition the County Council will be operating NCT's with notices prior to the commencement of the scheme.
	Utility	<b>Introduction</b>	N/A

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
	Company	<p>We welcome the opportunity to comment on the proposed permit scheme by Hampshire County Council</p> <p><b>Key Points regarding the Permit Scheme Consultation</b></p> <p>As you are aware all new permit schemes now have to follow the January 2013 DfT Additional Advice Note for developing and operating Permit Schemes focusing only on the busiest streets (strategically significant streets). Permit authorities must also encourage works promoters to work wholly outside of traffic-sensitive times by offering discounted fees. By following DfT advice both the Council and works promoters will be able to focus on working together to plan those works likely to cause the most disruption, rather than a blanket approach including streets that are not traffic-sensitive.</p> <p>.</p>	
	Utility Company	<p><b>Comments relating to Sections of the proposed Scheme</b></p> <p>1.4.2 We acknowledge that Hampshire County Council have assessed two options, 1. Permit fees on all roads, 2. Partial scheme with permit charges significantly reduced or discounted, and that Hampshire County Council has chosen the second option as their preferred scheme, which is consistent with DfT guidance.</p>	N/A
	Utility Company	<p>1.5.2 We acknowledge that Hampshire County Council will comply with 2015 Regulations and will review feedback prior to the closing date of the Consultation</p>	N/A
	Utility	2.5.1, 2.7.1	Noted. However the County Council still feels that a permit

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	Company	<p>&amp; 3 We note that Hampshire County Council believes that the scheme will improve the ability to minimise disruption from street and road works, however, we believe that this could be equally achieved through the mandatory NRSWA co-ordination and co-operation requirements at much less cost to works promoters and their customers, without the need for a Permit Scheme.</p> <p>We already promote 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.</p>	scheme could further improve coordination.
	Utility Company	3.6.3 We acknowledge that no permit fee will be charged where works are carried out with collaborative working involving one or more Promoter and/or trench/ works area sharing.	This has actually been clarified in the document. A discount will now apply to all collaborative works.
	Utility Company	16.2.1 We acknowledge and are encouraged that Hampshire County Council will only be using the national standardised conditions as agreed by HAUC (England 2017)	N/A
	Utility Company	Appendix A We acknowledge that Hampshire County Council will apply a reduction of 30% where works take place outside of traffic sensitive times.	N/A
	Utility Company	Other We would like Hampshire County Council to hold an Operational meeting with all Utilities to review and discuss the document before final draft is finalised	This is a good idea. The County Council will try to facilitate such a meeting.
	HCC		Agreed. The document has been pared down as much as

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
		<p>Please see below our formal response to this consultation.</p> <p>We agree to the proposals in principle, provided the below are taken into consideration:</p> <ul style="list-style-type: none"> <li>□ The document provided to the consultee is a lengthy document. A shortened summary note with flow charts, highlighting the responsibilities of clients shall be provided to STG</li> </ul>	<p>possible.</p> <p>The Streetworks team will work with all Promoters to assist in the understanding of the HCPS.</p>
	HCC	In the Client role, STG will have the ability to view the details of permits.	Yes, STG will still have the ability to view the details of permits.
	HCC	In case fixed penalties are introduced where Hampshire County Council (HCC) is the works promoter, guidance shall be provided in advance	The Streetworks team will be happy to work with all HCC works promoters to improve and enhance existing 'penalty' clauses in contracts to reflect similar penalties applied to utility companies.
	HCC	The permit references shall correspond to the job numbers for each scheme	This would be a decision for HCC as the works promoter
	HCC	Clear guidance should be provided as how to employ Statutory Undertakers where HCC are the works promoter.	Where utility companies are employed by the County Council to undertake 'Works for Road purposes' then the County Council is the Works Promoter. Where utility companies are exercising their own statutory duties to undertake works then they are the Works Promoter.
	HCC	Guidance should also be provided where Statutory Undertakers' works overrun or they fail to comply with the programme of works	This is outside the scope of the permit scheme.
	Utility Company	We do not agree a permit scheme will reduce the volume of works taking place as regardless of whether a HA operates a permit scheme or a noticing scheme we have a programme of proactive works and have to respond to reactive works.	The DfT Advice for Highway Authorities developing permit schemes indicates that such schemes may reduce street works by 5%. The County Council believes that the actual number 'may' not be reduced (although there may be some reduction owing to more use of first time permanent works or shared works). However, there is highly likely to be a reduction in the

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
			disruption from street and road works owing to the County Council taking a more proactive stance on coordination. Accordingly we will consider amending any references to a 5% reduction in the number of street works.
1.4.2	Utility Company	1.4.2 We support this idea of adopting a partial scheme and likes this common sense approach	N/A
1.5.6	Utility Company	1.5.6 If Hants have a supplier or contractor submitting permits why would they not be charged?	Essentially charging internally would mean transferring budget from one part of the County to another. This would not be an effective use of public funds.
2.5.2	Utility Company	2.5.2 I don't know how a permit scheme enforces lawfulness any more than the NRSWA. Whether this be a noticing HA or a permit HA	N/A
2.7.1	Utility Company	2.7.1 I would be interested to see data of what the air quality is in Hants currently and where they expect it to be post-permit scheme going live	The County Council is considering how such data could be gathered.
3.5.5	Utility Company	3.5.5 We do not support this, this is part of the service that should be covered by the HA. It is not for the works promoter to be contacting district and parish councils. Promoters pay a permit fee for the HA to manage this co-ordination. We absolutely do not support this	Many projects that cause significant disruption benefit greatly from stakeholder liaison by the Promoter.
3.5.6	Utility Company	3.5.6 We work to the NRSWA lead times; immediate, minor, standard and major. Hants can't enforce this.	N/A
3.6.1	Utility Company	3.6.1 HA must co-ordinate work as part of running a permit scheme, whilst we will always look to work	N/A

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		collaboratively we will be driven for the need to do so by the HA's co-ord team	
3.6.3	Utility Company	3.6.3 Please confirm how this will work, the statement is ambiguous. It does sound like a positive step but we would like clarification	Discounts for collaborative working has been revised and clarified in the document.
6.4	Utility Company	6.4 Why do we need another permit? Paragraph 7 early start process in HAUC England Permit guidance covers how this should work and this is how we work	This has been amended in the document.
10.3.ii	Utility Company	10.3.ii This has the potential to cause problems, TTRO, TTS and bus stop suspension forms cannot be sent on EToN. It should be made clear that whilst forms may need to be sent (via email) within a certain timeframe any promoter who uses a 3 <sup>rd</sup> party supplier to supply TM cannot do this	This has been clarified in the document.
10.10	Utility Company	10.10 Ideally all HA's running permit schemes would all view NCT's the same, if Hants have their own expectations I would expect this to be shared.	Any confusion can be discussed on a case by case basis. The County Council will operate to the NCT guidance and take on board any updates or advice arising from the relevant forums.
10.10.1	Utility Company	10.10.1 A new permit would not be required, only a modification	Agreed. This has been amended.
14.2	Utility Company	14.2 If HA wants a reason for cancellation this was the opportunity to ask for one and make it part of the scheme. If the permit has not been granted or has been deemed then a fee should not be payable	Agreed, but This is not what this section was referring to. These comments are covered elsewhere in the document.
15.6.1	Utility Company	15.6.1 j) What about diversionary works where our works are for HA purposes	Agreed. This has been included.

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15.7	Utility Company	<p>15.7 Consider more discounts such as (examples taken from other permit schemes):</p> <ul style="list-style-type: none"> <li>* Activity that provides significant economic benefit to the local authority or council. For instance, supplies for a new development, or where it is demonstrated that a network investment programme is being undertaken to meet customer demand. From our perspective this would include work undertaken as part of the Fibre First programme.</li> <li>* Where works are requested to take place prior to resurfacing works and a S58 restriction.</li> <li>* Several permit applications for works that are part of the same project, but are carried out on more than one street - must be submitted at the same time.</li> <li>* Completion of reinstatement defects if completed within Code of Practice timescales</li> <li>* 95% or greater pass rate on Category A site inspections in quarter</li> </ul>	The scheme already provides for discounts for collaborative works. Further discounts have been included for National schemes or those that provide significant economic benefit to the community.
16.2.3	Utility Company	16.2.3 As a national utility company we see inconsistencies from highway authorities in relation to this relaxation. We therefore appreciate the relaxation being included in Hants permit scheme.	N/A
16.10.5	Utility Company	16.10.5 This is contradictory	Much of this section has been removed or revised.
20.19.1	Utility	20.19.1 As part of the permit scheme I would like it	Agreed, however, the County Council is committed to improving

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	Company	made clear, the promoter wouldn't necessarily know of any environmental impact unless told by the co-ordinating HA.	the data on its gazetteer and some environmental information has already been uploaded.
24.3.1	Utility Company	24.3.1 We appreciate this being there	N/A
24.5.5	Utility Company	24.5.5 a) HA need to keep a close grip on payments due, we would be really disappointed if we got deluged with a massive list of finance issues every six months. No reason why Hants can't issue drafts on a fortnightly or monthly basis to our finance team with the resource they will have from the permit scheme b) For a national utility company 10 days is too short a timescale to turn draft permit fee invoices around. Suggest 30 days as a good option.	This section has ben clarified and amended to include advice from the HAUC guidance.
Appendix A	Utility Company	Appendix A We think it is a sensible charging structure	N/A
	Utility Company	<b>Over all considerations:</b> <ul style="list-style-type: none"> <li>We welcome the scheme not charging for immediate and minor works on non TS 3 &amp; 4 streets. Will this also apply to category 3 &amp; 4 streets where works are wholly carried out outside TS times?</li> </ul>	No, discounts will apply to activities undertaken on TS Cat 3&4 streets outside of TS times.
	Utility Company	<ul style="list-style-type: none"> <li>Suggest all references to Eton be amended / removed as this will not valid after street manager and reference to this would be advisable.</li> </ul>	This has been done throughout the document.
CBA	Utility Company	<ul style="list-style-type: none"> <li>Reference to but no Cost benefit analysis shown or included in consultation</li> </ul>	The CBS has been subsequently provided to those who have requested it.



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1.3	Utility Company	<b>Specific references:</b> 1.3 – clarify part 3 as scheme is based on this.	Some slight amendments have been made to this section.
1.5.5	Utility Company	1.5.5 – Scheme will not apply to persons applying via a S 50 licence.	Agreed. This section has been amended.
1.5.6	Utility Company	1.5.6 – with reference to parity suggest “shadow fees and charges should be collated not may be”.	Agreed. This section has been amended.
2.5.2	Utility Company	2.5.2 'To protect the right of the public to use the highway in a lawful manner' – please clarify what this refers to and how this will be achieved?	This is a reference to the Highways Act 1980 whereby the public have a right to use the public highway.
2.6.4	Utility Company	2.6.4 – Nice but not relevant to a permit scheme?	Agreed, but gives useful context for the scheme.
2.7.1	Utility Company	2.71 – Benefits – How is this proven eg, reduction in delay to travelling public, reduced carbon emissions – no cost benefit shown or included in appendix.	Analysis will be carried out each year for the first 3 years then every 3 years. Analysis will measure against the objectives and benefits. The CBA has been subsequently released to those who have requested it.
3.3	Utility Company	3.3 – How will this parity be monitored? Suggest reference to permit refusal codes . Should be Permit Statutory guidance 2015.	As described elsewhere in the document Conditions will be applied evenly to all Promoters. Performance data will be provided to compare all Promoters together. Other advice suggests that the HAUC document is the correct reference.
3.4	Utility Company	3.4 – How will you promote collaboration and is there to be a discount on the permit costs?	This has been described elsewhere in the document.
3.5.4	Utility Company	3.5.4 – How will you effectively manage noise ? We have to work 24/7 in repairing faults.	This will be undertaken by using existing; well established good practice and technology (eg noise barriers and doing the noisiest elements of the work prior to 23:00). Site by site advice can also be obtained from the County Council or local Environmental Health officer.

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
3.5.5	Utility Company	3.5.5 – This should be limited to Major works or works outside schools/ hospitals etc.	Noted. But the County Council may identify other stakeholder that would benefit from greater liaison.
3.5.6	Utility Company	3.5.6 – Not always possible to provide longer periods of advance notice, we use forward planning where we can. Suggest add reference to forward planning notices to promote this.	Noted. Comment re FP notices has been added.
3.5.7	Utility Company	3.5.7 – Already a standard condition – not required.	Agreed. This has been amended.
3.6.1	Utility Company	3.6.1 – To achieve collaboration we require contact details of adjacent works to our requirements. Will you provide this?	This section has been clarified.
3.6.3	Utility Company	3.6.3 – How will this work ? Will both parties have a free permit or just the secondary?	This section has been clarified.
5.2	Utility Company	5.2 – Suggest reference to Street Manager which will supercede Eton.	This has been rectified throughout the document.
6.4	Utility Company	6.4 – We should be able to apply for an early start for the date requested if discussed in advance of the applicable. (Southampton allow this) We should not have to pay for a modification permit.	This has been taken into account elsewhere in the document.
6.5	Utility Company	6.5 –Clarify 'subsequent' as an immediate permit is retrospective as per normal guidance. .	Agreed. This has been corrected.
8.2	Utility Company	8.2 - Promoters can only comply with this if added on gazetteer - there is no process to inform other utilities' & HAs etc otherwise. This should be down to the permit co-ordinator to advise & inform.	Agreed. This has been amended.
10.3	Utility Company	10.3 - aren't 2 way lights assumed on the traffic signal notice?. How are we to apply for bus stop, parking suspensions, deactivation of signals , suspension of pedestrians crossings? There is not a standard	This section has been clarified.

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
		application for any of these on Eton 6 . We can attach documents but that is all.	
10.7	Utility Company	10.7 – We do not know until the works are in progress. We attempt to do 1 <sup>st</sup> time reinstatement but this is not always possible, What is the relevance as there is a process for interim to perm and no mandatory requirement under the SROH or in the permit guidance. .	The document has been amended to recognise that this is not always possible.
10.9	Utility Company	10.9 No relevance to the scheme	Agreed. This has been removed.
10.10.1	Utility Company	10.10 - 1 – Under permit guidance you cannot refuse an immediate works, .	Agreed. This has been clarified.
10.10.2	Utility Company	10.10 - 2 - No new permit required only a modified one with a PMR, .	Agreed. This has been amended.
10.12.6	Utility Company	10.12.6 – How are we to copy permits? If interested parties are not on the USRN then they will not get a copy.	Agreed. This has been removed.
11.9.2	Utility Company	11.9.2 – See 6.4 – apply for permit with early start date. No formal grant procedure.	Agreed. This has been removed and clarified elsewhere.
12.4.1	Utility Company	12.4.1 – No refusal of immediate permits as per the permit guidance.	Agreed. This has been clarified.
12.5	Utility Company	12.5 – Are you going to use standard refusal codes?	Yes
13.2	Utility Company	13.2 – Not always required as the PA will have the details and any minor changes can be included as required.	Agreed. This has been clarified.

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
13.5	Utility Company	13.5 – the 50m rule should apply. If a 2 <sup>nd</sup> excavation goes over 50m then a variation with the additional Eastings and Northings should apply.	Agreed. This section has been removed.
13.6	Utility Company	13.6 – do not agree as a fault can have a number of excavations either side of the street. All locations (if known on the initial application will be added to the works description). A variation is not required unless over 50m.	Agreed. This section has been removed.
15.1 (d)	Utility Company	15.1 d) - AIV is not subject to charge if a modified permit is submitted.	Agreed. This section has been amended.
15.6.1 (e)	Utility Company	15.6.1 (e) how will this “free permit” be arranged?	Agreed. This section has been clarified.
15.8.1	Utility Company	15.8.1 – Cost benefit analysis should be shown before any fees are amended. .	This will be the subject to the annual / 3 yearly review.
16	Utility Company	16 – Conditions and condition text – suggest not required as clearly set out under statutory permit guidance.	Agreed. A number of sections have been removed. Some remain where the County Council considers the need to emphasise an aspect of importance or priority to the HCPS.
16.4.1	Utility Company	16.4.1 – A PMR cannot be used once an immediate permit is in progress. You can only send an AIV as we can't vary the immediate permit with regard to conditions.	Agreed. This section has been amended.
16.4.5	Utility Company	16.4.5 – unable to enforce any conditions with relation to immediate works. Many works are already complete when the permit is submitted so irrelevant.	Agreed. This section has been removed.
16.5.1	Utility Company	16.5.1 – As per permit guidance	Agreed. This section has been clarified.
16.10.3	Utility Company	16.10.3 – Should be works specific as not always able to ensure this is done.	Agreed. This section has been removed.

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16.11.2	Utility Company	16.11.2 - not possible on immediate works as excavation usually complete at time of application.	Agreed. This section has been removed.
18.2	Utility Company	18.2 -. This should be changed to “should” contact the promotor. We need to ensure the problem is dealt with immediately and steps are taken . Without immediate phone contact from site this is difficult to resolve.	Agreed. This section has been amended.
18.5.2	Utility Company	18.5.2 - How will Hampshire CC demonstrate the monitoring of the performance of Highway Authority promoters to demonstrate parity?	This section has been clarified to demonstrate how the County Council will measure its own works.
18.8.1	Utility Company	18.8.1, - There is no FPN scheme.	Agreed. This has been changed.
19.3.1	Utility Company	19.3.1 - three stages mentioned actually list four stages in the document.	Agreed. This has been corrected.
20.7.8	Utility Company	20.7.8 – Surely this should be costs charged back to the Council if damaging or exposing our cable under their works? Why should a statutory undertaker pay for the privilege?	This section has been removed as it is not needed for the scheme.
23	Utility Company	23 – Will you have an amnesty for FPN’s being served for the 1 <sup>st</sup> month or 2 of the scheme whilst it gets underway?	A ‘bedding – in’ period of 1 month has been added to the scheme.
24.5.5	Utility Company	24.5.5 – Will the draft be 1 month in advance or as requested?	This section has been clarified. Some flexibility will be agreed depending on the financial arrangements in each organisation.
	Geoplace	The key in terms of any permit scheme is to drive behaviour change and that starts with planning. It would be good to have a few words in the introduction about planning of works, its implied in your words but not spelt out.	Noted. The background has been amended.
	Geoplace	I think you need to remove the EToN references and	This has been corrected throughout the document.

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		use a more generic term around electronic transfer of data.	
4.3	Geoplace	4.3 the scheme needs to be reviewed every year for the first three years and then every three years.	Agreed. This section has been amended.
	Geoplace	Question regarding NSG in terms of have you reviewed the NSG, the ASD and in particular special designations. May also be value in re looking at reinstatement categories as traffic flows have probably increased by some margin. Especially number of type 3 roads may well be type 2 now.	A good point and something that we do on an ongoing basis.
9.2	Geoplace	9.2 I think the regs state electronically is the only option , however, if your allowing other means will there be an extra charge? You don't want a utility using this paragraph to get past a system disaster there end and email you permit applications.	Agreed. This section has been clarified.
10.2	Geoplace	10.2 is very “clunky” and I am not sure its saying anything. To me perhaps it needs simplification... The authority needs illustrations/plans where; a. Where works involve any special engineering difficulty b. Where there are temporary traffic light requests.. Etc , etc.	This section has been clarified.
15.7	Geoplace	15.7 Permit Fee reduction , you may wish to consider fee reductions for National infrastructure projects and pressure will be on for the Fibre to Premises project to be more fee flexible. Also did you consider fee structures to incentivise behaviour change in areas of reinstatement compliance etc? For instance you have	Agreed. This section has been amended.

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		<p>performance indicators to check scheme performance you could incentivise that with fee structure which will truly change planning and execution of works. Just a thought.</p>	
	Parish Council	<p>I refer to the above consultation.</p> <p>Having suffered, and continue to do so, from a succession of road works, traffic lights and road closures because of the lack of communication between HCC and the various utility companies in Four Marks, this document was well timed, and welcomed.</p> <p>The document was discussed in detail at a recent Parish Council meeting, and would like to comment as follows:</p> <ul style="list-style-type: none"> <li>The 60 page consultation document was extremely difficult to read with all the acronyms and various references, and they believed that a 10 page summary document, in plain and understandable English would have been more appropriate.</li> </ul>	<p>The document is necessarily a technical one for use by practitioners. However, we are seeking to streamline the document and remove unnecessary technical jargon.</p>
	Parish Council	<ul style="list-style-type: none"> <li>Whilst the Parish Council would be very supportive of permit schemes, and for all the companies to work together, the proposals make no commercial sense. There are no penalties or motivations to ensure the various companies comply. There must be a way to enforce compliance and communication between the utility companies.</li> </ul>	<p>The proposed project cannot make a commercial profit as the Regulations do not permit this. Penalties and enforcement powers already exist and are exercised and will continue to be exercised under the permit scheme.</p>

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
	Parish Council	<p>Four Marks would be a good case study to use as an example as to why working together is of paramount importance. Together with the neighbouring parish of Medstead we have experienced the ‘worse case scenario’ with four separate new developments being constructed, all within a mile of each other, one after the other, and two simultaneously. Each one has separately had various utility companies successively dig up the road, resurface, dig it up again, resurface, dig it up again, road closed, road open, road closed again. We currently have one utility company digging up the A31, and your operation resilience works are currently taking place on the A31, with nightly road closures, and we know that as soon as it is finished, and we have a nice new road surface, Mr Utility will be along within weeks digging it all back up again.</p> <p>Thank you for taking the time to read our comments and hope that there is a positive and satisfactory way to move forward as a result of this consultation.</p>	N/A
1.4.2	Utility Company	<p>Please find attached some comments and thoughts from us on the proposed Hampshire permit scheme. I would also like to thank you for providing the opportunity for us to be involved in the consultation. Regards</p> <p>1.4.2 nice to see – less focus on non TS minor and immediate works</p>	N/A



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3.3	Utility Company	3.3 The reference should be to the DfT Statutory Guidance (Permit Scheme Conditions) March 2015	Agreed. Document amended.
3.5.5	Utility Company	3.5.5 This approach would only be practical for major works	Disagree. It should be possible to do this for any works that are significantly disruptive.
3.5.6	Utility Company	3.5.6 Whilst we agree with the sentiment, the word 'must' indicates that there is a legal obligation attached to considering something as a minimum. The word 'must' needs to say 'should'	Agreed. This has been amended.
3.5.7	Utility Company	3.5.7 does not belong here – relates to conditions etc	This section has been amended.
3.6.3	Utility Company	3.6.3 Does this mean every permit – e.g. primary and secondary promoters?	Yes, but please note that this section regarding collaborative works has been clarified.
6.4	Utility Company	6.4 As per the HAUC (England) Guidance, (S7, P26) the process should allow a Permit Application to be submitted containing the dates the promoter proposes to work (including comments to back this up rather than putting in fictitious dates	Agreed. This has been amended and clarified elsewhere in the document.
7.8.2	Utility Company	7.8.2 Nice to see this clarification in a permit scheme	Noted.
7.8.3	Utility Company	7.8.3 This should be via the PA for minor changes as per HAUC permit guidance Page 16	This is clarified elsewhere in the document.
8.2	Utility Company	8.2 if such information is included on the USRN in LSG	Noted
9.3	Utility Company	9.3 Future proof this – EtoN will be defunct – possibly change all references to EToN to be 'prescribed electronic system'	This has been corrected throughout the document.
10.2	Utility Company	10.2 cannot send PLS form via EToN as not mandatory and our provider does not provide the function in their standard interface for integrated works management system and we do not have the facility to add	Agreed. This section has been amended and clarified.

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		attachments to EToN – security reasons. Concerned at the statement about refusals if not included on application if other method of transmission is utilised.	
10.3	Utility Company	10.3 There is no facility within EToN to record these, the notification textbox is limited to 500 characters. Clarification required on expectations here. Will this be by EToN comment, followed by a separate process? Suggest removing MUST as not enforceable – Applications for PTS are not mandatory within the ETS & some promoters are unable to send this notification or add attachments	Agreed. This section has been amended and clarified.
10.6	Utility Company	10.6 Consideration must be given to limited text fields available to add	Noted.
10.7	Utility Company	10.7 Consideration must be given to limited text fields available to add	Noted.
10.10.2	Utility Company	10.10.2 Response to PMR's is not a new application, it's a modified application	Agreed. This section has been amended.
10.12.1	Utility Company	10.12.1 EToN future proofing	This has been corrected throughout the document.
10.12.2	Utility Company	10.12.2 “a permit is issued or refused for every permit that is granted” this does not make sense. What is this trying to say? Please clarify	This appears to have been a typo which has been corrected.
11.1	Utility Company	11.1 Please could the full reference be quoted here...which statutory guidance?	This has been amended (HAUC (England) Guidance, Operation of Permit Schemes (February 2017))
11.4	Utility Company	11.4 To ensure clarity and consistency the HAUC (England) Advice Note (Ref 2016/002) Standard Permit Response Codes should be used/referenced	Noted. This is clarified elsewhere in the document.

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11.7.2	Utility Company	11.7.2 Suggest the adoption of THE HAUC guidance for operation of permit scheme with regard to the admin of early starts	Noted. This section has been amended and clarified.
11.8.1	Utility Company	11.8.1 Often this is not practical in reality. There will be occasions where problems are only recognised/found on the day before the last day or even on the last day – any such requests should not be dismissed without due consideration	Agreed. This section has been amended.
11.9.1	Utility Company	11.9.1 This section seems to be almost duplicate of 1.7, suggest they are merged	Agreed. This section has been removed.
11.10.2	Utility Company	11.10.2 HAUC (England) Advice Note (Ref 2016/002) Standard Permit Response Codes should be used/referenced	Agreed. This has been amended.
11.10.3	Utility Company	11.10.3 the word 'must' indicates that there is a legal obligation attached to the use of this notification. This is a non mandatory function within EToN and consideration must be provided for other means where promoters do not have the facility to be able to issue these via EToN - the word 'must' needs to say 'should' TWUL cannot send PLS form via EToN as our provider does not provide the function in their standard interface for integrated works management system.	Agreed. This has been amended and clarified.
12.4.1	Utility Company	12.4.1 5.3 HAUC (England) Guidance, should be referenced for immediate permits – permit should be granted followed by an Authority Imposed Variation	Agreed. This has been amended.
12.5 12.5.1	Utility Company	12.5/12.5.1 Regulation 9 of the permit regulations as amended in 2015 state that a permit scheme 'shall set	Agreed. These sections have been removed.

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		out the grounds on which a permit can be refused' sharing examples is useful but this does not meet this regulation.	
13.2	Utility Company	13.2 As per 2nd bullet at bottom of page 16 of the HAUC guidance for operation of permit schemes minor changes can be included on the subsequent PA.	Agreed. This has been amended.
13.4 (b)	Utility Company	13.4 (b) Consideration needs to be given to those variations identified out of hours or over a weekend when there is not normally any availability to speak to coordinators. Or is Hampshire going to be providing an OOH service to manage any such requests?	Agreed. This will need to be handled on a site by site basis at a local level.
13.6	Utility Company	13.6 page 27 of HAUC guidance for the operation of permit schemes should be referred here. It clearly states that the promoter will only have to apply for a permit variation for the first excavation in each further 50 metre band away from the original hole in the same street, i.e 50 – 100 metres, 100 – 150 metres etc It does not state that variations will be required for 'any further excavations'	Agreed. This section has been removed to avoid confusion.
14.2	Utility Company	14.2 Ok although we would not expect a charge to be made for cancellations due to some inaction from the HA	Noted.
15.1 (d)	Utility Company	15.1 (d) unless AIV	Agreed. This section has been amended.
15.6.1 (g)	Utility Company	15.6.1 (g) clarification to ensure the meaning is understood, needs to meet criteria under 1.2 of HAUC guidance & the definition of a registerable activity.	Agreed. This section has been amended.
15.7.1	Utility	15.7.1 would be helpful for the level d discounts are	Disagree. The level of discounts is stipulated in the Appendices

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	Company	specified here	to assist in potential future amendments.
15.8.1	Utility Company	15.8.1 unable to identify this without a cost benefit analysis with this consultation	The CBA has been subsequently released to organisations who have requested it.
16.2.1	Utility Company	16.2.1 The reference should be statutory guidance for the highway authority permit schemes – permit scheme conditions	Agreed. This section has been amended.
16.2.1	Utility Company	16.2.1 The only standard conditions allowable are those held within the statutory guidance. All other national conditions detailed are to be added on a case by case basis and cannot be used as a blanket standard condition by permit schemes.	Agreed. This section has been removed.
16.2.2	Utility Company	16.2.2 EToN future proofing	This has been corrected throughout the document.
16.4.1	Utility Company	16.4.1 5.3 HAUC (England) Guidance, should be referenced for the immediate permits – permit should be granted followed by an Authority Imposed Variation	The HAUC guidance has been referenced earlier. The AIV issue has been amended.
16.5.1	Utility Company	16.5.1 no clarification on interpretation – there is a single	Noted. This section has been removed.
16.7	Utility Company	16.7 Suggest that the sections are describing condition types are removed as the details have been superseded by the DfT statutory guidance	Agreed. This section has been removed.
16.8	Utility Company	16.8 suggest Hampshire use the process detailed on p28 HAUC guidance for the operation of permit schemes 16.10.3 The only standard conditions allowable are those held within the statutory guidance. All other national conditions detailed are to be added on a case	Agreed. This section has been removed.

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
		by case basis and cannot be used as a blanket standard condition by permit schemes.	
18.2	Utility Company	18.2 Would suggest the use of should rather than may	Agreed. This section has been amended.
18.6.2	Utility Company	18.6.2 Change EToN	This has been corrected throughout the document.
18.6.3	Utility Company	18.6.3 Why is this here? Unsure that this statement brings anything to this section. seems out of place.	Agreed. This section has been removed.
18.7.4	Utility Company	18.7.4 Would like to see this paragraph make mention of such action being in the public interest and reasonable	Agreed. This section has been clarified.
18.8.1	Utility Company	18.8.1 What is a FPN scheme?	This has been corrected.
19.3.1	Utility Company	19.3.1 This shows 4?	Agreed. This has been amended.
20.1.1	Utility Company	20.1.1 and also within it submitted OD file	Agreed. This section has been amended.
20.2	Utility Company	20.2 This whole section seems unnecessary in the scheme as it is duplicating information which is available publicly elsewhere. Do not believe that the inclusion of this whole section adds any value could simply refer to Coordination COP for this section and section 22.	Agreed. This section has been removed.
24.4.1	Utility Company	20.4.1 Suggest that section 11.9 HAUC guidance for operation of permit schemes is used here – details a process and template	Agreed. This section has been amended.
Appendix C	Utility Company	Appendix C bullet point 3 As per DfT Statutory Guidance conditions cannot exist outside of this guidance, therefore no new conditions can be created.	Agreed. This Appendix has been removed.

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
		DfT Statutory conditions must be used only. Suggest that this section is removed as only standard conditions can be those detailed in the statutory guidance	
	Utility Company	<p>Please find below our comments on the Hampshire County Permit Scheme (HCPS) Consultation Document:</p> <p><u>General Comments</u></p> <p>Will Hampshire County Council (HCC) be having a trial before Permit Fees are introduced? We suggest at least 2 month minimum, to allow the Scheme to bed in.</p> <p><u>We do not believe a Permit Scheme will reduce the number of streetworks that take place as all Utility works carried out are essential (for example customer connections have to be carried out).</u></p>	<p>The County Council will operate a ‘lead in’ time period for permits before permit fees are applied.</p> <p>The DfT Advice for Highway Authorities developing permit schemes indicates that such schemes may reduce street works by 5%. The County Council believes that the actual number ‘may’ not be reduced (although there may be some reduction owing to more use of first time permanent works or shared works). However, there is highly likely to be a reduction in the disruption from street and road works owing to the County Council taking a more proactive stance on coordination. Accordingly we will consider amending any references to a 5% reduction in the number of street works.</p>
	Utility Company	We would like to know what mechanism HCC will use to identify non payment of permit (i.e. works on non TS streets) or will this be down to the Utility to identify?	This will be the responsibility of the Promoter to identify where discounts apply.
1.4.2	Utility Company	<p><u>Consultation Document</u></p> <p>1.4.2 We support the approach of HCC adopting a partial scheme as opposed to a full scheme, and the introduction of zero costs on immediate and minor works on non Traffic Sensitive Category 3 &amp; 4 streets.</p>	N/A
1.5.5	Utility Company	1.5.5 We welcome the inclusion of HCC works.	N/A
1.5.6	Utility Company	1.5.6 We believe that HCC works should be collated to demonstrate parity.	Agreed. This section has been amended.
2.7.1	Utility	2.7.1 We ask is there any evidence that reduced	

Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
	Company	carbon will be a likely benefit of the HCPS?	
2.7.3	Utility Company	2.7.3 - No Cost Benefit Analysis has been released as part of the Consultation. PW believe that it is a legal requirement to produce one upon the introduction of a Permit Scheme.	The CBA has subsequently been released to those who have asked for it.
3.2	Utility Company	3.2 Permit must be obtained before any works are undertaken – immediate works are covered at 6.5	Agreed. This has been clarified.
3.5.1	Utility Company	3.5.1 Should this section include a reference to our statutory rights e.g. to install new services?	Agreed. This has been added.
3.5.4	Utility Company	3.5.4 We would like further clarification on the 'effective management of noise'.	This will be handled through well established good practice such as the use of noise barriers and undertaking the noisiest elements of the work prior to 23:00.
3.5.5	Utility Company	3.5.5 Would this section and the need for consultation affect minor works?	This mainly refers to any works that are likely to cause significant disruption.
3.5.6	Utility Company	3.5.6 This should be not be 'must' as statutory notice periods will apply. We suggest this paragraph be removed from the scheme document.	Noted. This section has been amended.
3.5.7	Utility Company	3.5.7 As this is a standard DfT Permit condition we believe this should be removed from the Scheme document.	Agreed. This section has been removed.
3.6.3	Utility Company	3.6.3 We would like further clarification on this & how will this be monitored? Does neither promoter pay the Permit fee & is there a need to change works type and will variation costs apply?	This process has been clarified.
5.2	Utility Company	5.2 Should a note about EToN being superseded by Street Manager be added to future proof the Permit	This has been corrected throughout the document.



Document ref – part / paragraph no.	Responder	Question / comment	HCC Response
		Scheme? We suggest adding 'nationally defined electronic system'.	
8	Utility Company	8 As above, future proof the scheme & remove references to Eton.	This has been corrected throughout the document.
8.2	Utility Company	8.2 Promoters can only comply with this if added on gazetteer - there is no process to inform other utilities' & HAs etc otherwise. This should be down to the permit co-ordinator to advise & inform.	Agreed. This section has been clarified.
9.2	Utility Company	9.2 & 3As above, future proof the scheme & remove references to Eton.	This has been corrected throughout the document.
10.2	Utility Company	10.2 We note the requirement for Plans to accompany applications.	N/A
10.3 (iv)	Utility Company	10.3(iv) How can promoters apply on the permit for a bus stop suspension?	This is a separate process identified at Hants HAUC meetings.
10.7	Utility Company	10.7 EToN comments box has limited free text , and often unable to clarify until excavation.	Noted.
10.10	Utility Company	10.10 - 1 This should not be the case for immediate works, as refusal of immediate works permits contradicts the HAUC(England) Permit guidance.	Agreed. This section has been amended.
10.10	Utility Company	10.10 - 2 This will be a modified PA as opposed to a new PA as per HAUC(England) guidance. Any refusals should be discussed prior to refusal.	Agreed. This section has been amended.
10.12.6	Utility Company	10.12.6 We would like to request the process for this?	This section has been removed as it is clarified elsewhere.

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11.8.1	Utility Company	11.8.1 We suggest that allowances need to be made where urgent issues arise and that any requests should not be dismissed without due consideration.	Agreed. This section has been amended.
11.10.1 12.3.3	Utility Company	11.10.1 and 12.3.3 We note accommodation is made for Permits to be Deemed	Agreed. This section has been amended.
12.4	Utility Company	12.4 - Refusal of permits not allowed under 5.3 HAUC (England) Guidance, for immediate works - permit should be granted followed by an Authority Imposed Variation.	Agreed. This has been amended.
12.4.2	Utility Company	12.4.2 We assume we lose the fee if we cancel after the permit is approved?	You are correct.
12.5.1 (a)	Utility Company	12.5.1a) How will we see the Permit Register, will a web page be advised to us?	This section has been removed.
13.4	Utility Company	13.4 We would like due consideration for exceptional circumstances such as out of hours working.	This section has been amended.
14.2	Utility Company	14.2 A permit can legally be allowed to lapse (although cancellation is best practice). As per 11.4 of the HAUC (England) guidance, a Permit Fee can be refunded due to special circumstance (e.g. unable to work as parking bay suspensions not processed., illegally parked cars etc).	Agreed. This section has been amended.
15.8.1	Utility Company	15.8.1 CBA required to prove costs of the scheme.	The CBA has subsequently been released to those who have requested it.
16.2.3	Utility Company	16.2.3 Remove references to Eton	This has been corrected throughout the document.
16.4.5	Utility Company	16.4.5 Suggest removal of this paragraph as not required - unable to enforce conditions on immediate works, as unknown.	Agreed. This section has been removed.

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16.7 16.8 16.9 16.10 16.11 16.12 16.13 16.14	Utility Company	16.7, 16.8, 16.9, 16.10, 16.11, 16.12, 16.13, 16.14 – We suggest these sections be removed & replaced with a reference back to the DfT Statutory Guidance (Permit Scheme Conditions) March 2015 & HAUC (England) Permit Guidance document, as this is covered by both documents & further duplication is not required.	Agreed. A number of sections have been removed. Some remain where the County Council considers the need to emphasise an aspect of importance or priority to the HCPS.
18.2	Utility Company	18.2 We suggest changing 'may' to 'should' contact the Statutory undertaker.	Agreed. This has been amended.
18.5.2	Utility Company	18.5.2 How will HCC demonstrate the monitoring of the performance of Highway Authority promoters to demonstrate parity?	Performance data will be collected for all Promoters and shared at Hants HAUC and performance meetings.
18.6.2	Utility Company	18.6.2 - Remove Eton references	This has been corrected throughout the document.
20	Utility Company	Chapter 20 We suggest this is removed fully & reference made to the Co-ordination CoP as this is covered in that document. No need for duplication.	Agreed. This section has been removed.
22.9.7	Utility Company	22.9.7 Refers to works promoters supplying centre line of street per WSCC scheme but has never been an issue with them?	This section has been removed.
23	Utility Company	23 We ask if there will be a grace period for FPN's being served? We suggests 3 months from start of scheme.	A 'bedding in' period of one month has been added to the scheme.
24.5.5	Utility Company	24.5.5 - Clarification required - draft usually a month in arrears 11.9 HAUC guidance refers to monthly invoices.	Agreed. This section has been amended.
	Utility Company	HCPS good to see Kent CC Scheme used as a preferred option.	Noted

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1.4.2	Utility Company	Please ensure early engagement with Work Promoters following consultation before implementation.	Noted
1.5.2	Utility Company	All are your duties under NRSWA . Traffic Management Act (TMA) Network Management Duty (NMD)does not require a Permit Scheme As NMD Section 16	Noted
2.5	Utility Company	How will you interact with neighbouring Permit / Notice Authorities	As per existing arrangements – via coord meetings, sharing data and use of National works plotting systems such as roadworks.org.
2.7	Utility Company	These are aspirational. Please identify the base line statistics being used to assess these. Where are the figures that have been used in the Benefit Cost Analysis?	Agreed. The section has been amended. The CBA has subsequently been provided to any organisation who has requested it.
2.7.2	Utility Company	ORR demands Network Rail to deliver a safe reliable and efficient railway at minimum cost to the public purse, same applies to Highways England and they are exempt from your permit charges.	Noted.
P7 – Section 3.	Utility Company	These Principles are the same as your NRSWA Coordination ones and NMD with or without a Permit Scheme. No real justification for a Permit Scheme.	Noted. But a permit scheme adds additional value that's not part of a Noticing regime and existing NRSWA duties.
3.6.3	Utility Company	Does the no permit charge apply to all Promoters working collaboratively?	This section has been clarified. A 50% discount will apply to all promoters working collaboratively.
Section 4	Utility Company	Network Rail feel that the KPI's that will be observed as Appendix B are no reflection on the value of the HCPS. KPI should reflect the effectiveness or not of the Permit Scheme. Please ensure you follow the HAUC England Guidance as a minimum.	Noted. But the County Council disagrees. The KPI's are relevant to the HCPS objectives.
6.1	Utility	Please explain why S50 are exempt when S278 are	The document has been amended to remove the requirement

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	Company	not?	for permits under S278
6.4	Utility Company	Do not think is what the HAUC England Permit Guidance recommends.	Agreed. This section has been amended.
7.8.2 and 11.6.2	Utility Company	Please explain 'where a major activity does not involve asset activity a PAA cannot be generated'?	This section has been amended.
9.5.2	Utility Company	EToN Systems should always eventually send the Notice.	Not all EToN systems may be equipped for this and EToN may eventually be replaced.
9.5.2	Utility Company	What provision will HCPS make in monitoring receipt of Notices?	This will depend on the nature of the IT system used. Currently our IT system (Confirm) does monitor incoming notices.
	Utility Company	Will you operate a hosted service or in-house?	Currently we operate an in-house service. This may change in the future.
12.2	Utility Company	All of these are your NMD and NRSWA Duty and if decisions about techniques and arrangements at road junctions are given CDM will have been incurred.	Choice of TM is up to the promoter having due regard to all relevant legislation.
16.1.1	Utility Company	HAUC England Guidance NCT02a would cover this. No need to add the words.	Noted.
16.9.9	Utility Company	Cannot require S171 if work space identified which includes for materials and plant.	This section has been removed to avoid duplication with National guidance.
16.10.3	Utility Company	PTS need to be decommissioned not removed.	This section has been removed to avoid duplication with National guidance.
16.10.5	Utility Company	Permit Conditions mentioning changes in TM as work progresses should not penalise these as a Variation.	This section has been removed to avoid duplication with National guidance.
16.11.3	Utility Company	Methods of working identified in the Permit as changing during works should not be a Variation.	This section has been removed to avoid duplication with National guidance.
16.12	Utility Company	If previous actions by Promoters have not covered all these points then it seems reasonable. Not sure how valid these may be as NCT11b should be sufficient.	This section has been removed to avoid duplication with National guidance.
16.13.3	Utility Company	The outcome of restricting works to limited hours could extend the works duration.	This section has been removed to avoid duplication with National guidance.
16.4	Utility	Will there be complete separation between HCPS	Yes.

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	Company	personnel and Highway Work Promoters? NMD Parity	
18.8.2	Utility Company	Please explain what the FPN Scheme is, how it is run (administration and resource) accountability and net proceeds audit (income/expenditure)	The term 'scheme' has been removed. As regards an FPN process – this is a well known and well established process. However, should you need explanation please contact us directly.
20.8	Utility Company	Could you quote Code of Practice Section and add Notification must be sent to Network Rail/Transport Operator	This section has been removed to avoid duplication with National guidance.
20.13	Utility Company	If all work area permitted then no S171 applicable	This section has been removed to avoid duplication with National guidance.
22.11.2	Utility Company	Please add Network Rail as Bridge Authority and Transport Authority.	This section has been removed to avoid duplication with National guidance.
24.3	Utility Company	If creating a new account then BACS details will need to be sent to (Network Rail) all Promoters requesting to be set up a new Supplier.	Noted.
24.5.9	Utility Company	All Permit Accounts MUST include Street Name	This section has been removed to avoid duplication with National guidance.
App A	Utility Company	A lot of fees at or close to maximum allowed. Does not really reflect KCC figures and they reduced their fees last year. Suspect you may over recover running costs and set up costs can no longer be recovered from HCPS.	Noted. The KCC scheme is not the HCC scheme and both have differing priorities. Permit fees would be for considered in the yearly / 3 yearly assessment.
App B	Utility Company	These are only to measure HCPS performance in managing Notices. There is no direct measure of improved traffic flow. HAUC England Permit Guidance does not offer much difference. Would be good to see something about number of refusals/PMR/AIV/ assessments of applications.	This would be for consideration in the yearly / 3 yearly assessment.
App C	Utility Company	Second Bullet Point – cannot make it a Condition for permit reference number to be on Site Information	Agreed. This section has been removed..

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		Board. It has to be displayed but cannot say how or where.	
	Utility Company	Third Bullet Point – cannot make it a Condition for signage relating to TTRO only to be visible when restriction is in operation	Agreed. This section has been removed.
	Utility Company	Fourth Bullet Point – cannot make it a Condition that all PTS be removed as they are only required to be decommissioned.	Agreed. This section has been removed.
3.5.5	Parish Council	<p>Principals for Promoters</p> <p>3.5.5 – Welcome that promoters will discuss their proposals with parish and town councils, public transport operators, schools, businesses and residents.</p>	Where possible works promoters will be asked to liaise with relevant stakeholders. This will be on a case by case basis and will depend on the nature of the works and likely impact. However, all works can be viewed on roadworks.org
3.6.1	Parish Council	<p>Collaborative Working</p> <p>3.6.1 – Welcome that collaborative working will take place wherever possible thereby minimising the amount of disruption for residents.</p>	N/A
12.2	Parish Council	<p>Decisions with Regards to Permit Applications</p> <p>12.2 – Strongly support that the County Council will consider the following when reaching decisions:</p> <ul style="list-style-type: none"> <li>• Collaborative working</li> <li>• Overall effect on the local network</li> <li>• Effect on traffic, in particular temporary traffic lights</li> <li>• Appropriate techniques in particular at difficult road junctions and pinch points</li> <li>• The effect of a planned activity to public transport routes</li> </ul>	N/A

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12.5	Parish Council	Examples of Reasons for Refusal  12.5 – Strongly support refusal for overlapping activities.	Occasionally it is necessary or unavoidable for works to overlap. However, overlaps will be avoided wherever possible.
16.1.3	Parish Council	Permit Conditions  16.1.3 – Strongly support the imposition of sanctions for breach of permits.	N/A
16.12.1	Parish Council	Conditions for Consultation and Publicity  16.12.1 – Agree that advanced publicity and consultation of planned works is the key to success.	N/A
16.12.12	Parish Council	16.12.2 – Agree that where activities have the potential to especially disruptive to local residents and businesses, for example – ANY work on the A340 in Tadley, a condition must be made for the Promoter to provide advance notice to Parish and Town Councils, nearby householders, businesses and road users.	Where possible works promoters will be asked to liaise with relevant stakeholders. This will be on a case by case basis and will depend on the nature of the works and likely impact. However, all works can be viewed on roadworks.org
16.12.3	Parish Council	16.12.3 – Agree that notice must be provided to Parish and Town Councils, nearby householders, businesses and road users, well in advance of work commencing.	Where possible works promoters will be asked to liaise with relevant stakeholders. This will be on a case by case basis and will depend on the nature of the works and likely impact. However, all works can be viewed on roadworks.org
16.12.4	Parish Council	16.12.4 – Agree the effect of planned activities on Public Transport providers, i.e. Stagecoach Basingstoke Routes 2 and 14, must be taken into consideration and these providers must also be consulted.	Where possible works promoters will be asked to liaise with relevant stakeholders. This will be on a case by case basis and will depend on the nature of the works and likely impact. However, all works can be viewed on roadworks.org
22.6.2	Parish Council	Access to Registered Information  22.6.2 – Welcome the County Council will publish a limited content version of their register on their public website	This is already done via the roadworks.org website
	Parish Council	I am writing to let you know that we considered the draft consultation for the Hampshire County Permit Scheme	HCC is not aware of the 6 month follow up process. The only similar process is the requirement under the New roads and



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		<p>at the Full Council meeting on 25th July 2018.</p> <p>Councillors highlighted that when work was carried out on the highway it used to be revisited in six months and they would like to know if this policy still applies. The Council believe there should be a follow up procedure.</p>	<p>Street Works Act 1991 whereby utility companies may use temporary materials but these should be replaced by permanent materials within 6 months (or unless otherwise agreed). The requirement remains unaffected by the permit scheme.</p>