

Stakeholder	Issue	Response
Ian Darbyshire	Northumberland have included fees for a PAA, clearly not as generous as you.	Added PAA in summery document (Completed)
DfT Ann Morley	1.1 The above would apply to any wording around condition use and the March & October 2015 Statutory Guidance etc.	Agree to amend
DfT Ann Morley	1.7 Your document refers to parity as an objective for the scheme, but it is requirement under regulation 40	Individual Authorities preference - either  A, - Agree to amend  B,. Authority ----- Council agree it is a requirement however would prefer to leave as an objective. No change to document
DfT Ann Morley	1.8 Across the beginning of the document it says that the scheme will be developed ... but the final document might better reflect that it has been developed or similar	Agree to amend.
DfT Ann Morley	1.9 +7.4(?) Across the document there is references to ETON but you may wish to consider future proofing it to reflect ' by electronic means' or the 'current electronic system' to take account of the move to Street Manager.	Agree to amend  Change all references to ETON in the scheme document to refer to by electronic means thus allowing for proposed changes to Street Manager and any other relevant changes in the future
DfT Ann Morley	11.1 You refer to the March 2015 statutory guidance for your conditions but again you may wish to consider future proofing your document to reflect that following the outcome of the consultation there may be some changes to the regulations and the statutory guidance, in which case it will no longer be the March 2015 document.	Agree to amend
DfT Ann Morley	5.2 It may be helpful to name your regulation in 5.2	Agee to amend
DfT Ann Morley	16.10 It would help if the document was future proofed to take into account of the updating taking place of the Co-Ordination Code of Practice.	Agree to amend
Virgin Media Chris Walsh	Could GMBC please confirm whether they have incorporated the costs of administration for assessing their own house works?	There are no administration fees for assessing Gateshead's in house permits incorporated within the permit fees.
Virgin Media Chris Walsh	Do you consider that the permit scheme is suited to the needs of the people, residents and road users of ----- Council? No If not why not? Virgin Media are disappointed that the Permit Scheme and associated fee`s will apply to all classification of roads. If the council chooses to apply permits to 100% of streets, contrary to advice from Ministers, Virgin Media requests that the Authority grant permits for category 3 and 4 roads by default and for those permits to be at zero fee levels	Gateshead Council does not believe the scheme is contrary to ministers' advice. An authority should have the power to control activities, including its own on all streets and believes that activities on type 3 & 4 roads are just as important to the roads users as those on 0, 1 and 2. The application of a permit scheme and the tasks associated with that should be cost neutral. Given the volume of notices processed in 2018/19 for type 3 & 4 streets (on which our matrices have been based) to charge a zero fee would not allow for the scheme to be cost neutral. Regulation 30 provides the PA with the power to charge for permits. The DfT permit fee matrix has been used to determine the allowable costs and therefore the permit fee by works type and road category. The annual evaluations will determine

	<p>Are there any other aspects of the scheme for which you require further clarification? If works continue beyond the end date of a permit, Virgin Media believe this would be classed as breach of permit condition, not working without a valid permit.</p> <p>Do you have any suggestions for improving the scheme? Virgin Media would suggest a monthly review meeting to be held every month for the first 3 months of a scheme to review issues encountered within the start-up period of the scheme and are happy for this to be a joint meeting with other undertakers, which we can review statistics on refusals, FPN's etc, would this be of benefit?</p> <p>Do you have any other comments on the permit scheme? Again just to clarify as per Question 1, Virgin Media are disappointed that -----Council's Permit Scheme and associated fee`s will apply to all classification of roads. If the council chooses to apply permits to 100% of streets, contrary to advice from Ministers, Virgin Media requests that ----- Council grant permits for category 3 and 4 roads by default and for those permits to be at zero fee levels.</p>	<p>whether the costs of running a scheme have been covered and fees may be adjusted either up or down to ensure the scheme remains cost neutral.</p> <p>.</p> <p>For clarification, this is treated as an overrun which constitutes a Section 74.</p> <p>Gateshead Council will be happy to meet with utilities, either separately or collectively, on a monthly basis for the first three months following implementation. This would also be an excellent opportunity to discuss lessons learned and share best practice.</p> <p>Gateshead Council does not believe the scheme is contrary to ministerial advice. An authority should have the power to control activities, including its own on all streets and believes that activities on type 3 &amp; 4 roads are just as important to the roads users as those on 0, 1 and 2. The application of a permit scheme and the tasks associated with that should be cost neutral. Given the volume of notices processed in 2018/19 for type 3 &amp; 4 streets (on which our matrices have been based) to charge a zero fee would not allow for the scheme to be cost neutral. Regulation 30 provides the PA with the power to charge for permits. The DfT permit fee matrix has been used to determine the allowable costs and therefore the permit fee by works type and road category. The annual evaluations will determine whether the costs of running a scheme have been covered and fees may be adjusted either up or down to ensure the scheme remains cost neutral.</p>
NPg Ian D	9.8 Variations for Immediate Activities Bullet 2 states that promoters will telephone the permit authority to apply for a permit variation. This is incorrect, permit variations must be submitted electronically.	To avoid the risk that any variations may be missed during exceptionally busy periods, Gateshead Council would request that all extensions are discussed via telephone and then confirmed electronically once agreed. The text in the scheme document has been updated to reflect this.
NPg Ian D	18.2 Permit Fee payments and reconciliation Allowing one week for reconciliation of charges prior to issuing of invoices is unreasonable. The recommended period for response to a statement or question raised in response is two weeks.	Agree to amend. This has been discussed and changed to the industry standard 10 working days
Openreach	2.3 Collaborative working Openreach do not agree that when sharing a trench that only the primary promoter will register the reinstatement regardless of who carried out the reinstatement. In this instance both promoters should submit a registration of reinstatement with the primary promoters' subsumed by the secondary promoters.	This is industry standards in which Gateshead Council will follow, no changes will be made
Openreach	3.4 Activities for which no permit is required – works not involving excavation in non-traffic sensitive streets Openreach request that this is removed from the document, in some instances such as when traffic management is required, a permit would be required regardless of whether the works require excavation or are in a	Agree to amend

	traffic sensitive street.	
Openreach	7.18 Traffic Management, Parking and Traffic Regulation Orders Openreach request that 'where the Council is prepared to do so' is removed, TTRNs should only be requested in the most urgent situations and where a statutory undertaker can evidence the need for one then we would expect the Highway Authority help us with our request.	It is the responsibility of the Council to consider whether a request meets the criteria for a TTRN and assess what disruption the works will cause on the network so therefore 'where the Council is prepared to do so' will remain in the document.
Openreach	Permit Scheme – 18.2 Permit Fee Payment and reconciliation. The scheme quotes: The Permit Authority will submit a draft invoice to the promoters for a specified period prior to the generation of an invoice to enable them to reconcile the charges. A two week timescale will be allowed for reconciliation of the charges prior to actual invoice This timescale is not really sufficient for us to check all the permits on a monthly list, our teams are dealing with approx. 55 Highway Authorities each team. If the draft charges presented by the Authority are all correct for discounts on Traffic Sensitive roads and zero charges for AIVs or Portable Traffic Signals then we could possibly make the two week deadline but invariably authorities send the initial report of their draft charges without filtering or checking it. This means our team have to check each individual line to confirm the charge is correct or if we need to challenge for incorrect charges.  Please amend the timescale to 28 days giving us time to check the charges. Openreach request that Authorities present Permit draft charges on a monthly basis and in Excel spreadsheet format as the charges need to be uploaded to our system as a .csv file. Openreach are not able to convert PDF format into Excel spreadsheet or .csv format. Production of charges in Excel format will enable us to process these charges in a timely manner.	Authorities decision  Gateshead Council will allow the industry standard of ten working days for the reconciliation of the charges prior to the actual invoice. Whilst extensions will be considered in exception circumstances, other authorities in the area work with the same processing times so no changes will be made to the procedure
Openreach	Permit Fees Openreach request that the permit fees are reviewed taking into account the Statutory Guidance for Permit Schemes, 'it is strongly recommended that permit fees are only applied to the more strategically significant roads: Category 1, 2 roads and Traffic Sensitive roads. This will mean that although permits would still be required for works on non-strategic routes, it should be very unlikely that these works would attract a permit fee. These permit applications would receive only 'notice' equivalent treatment by the authority.'  Openreach accept that highway authorities need to recoup the cost of running the scheme from permit fee revenue, however we believe that the focus and the higher fees should be on category 0, 1, 2 and traffic sensitive roads.	Gateshead Council does not believe the scheme is contrary to ministers' advice. An authority should have the power to control activities, including its own on all streets and believes that activities on type 3 & 4 roads are just as important to the roads users as those on 0, 1 and 2. The application of a permit scheme and the tasks associated with that should be cost neutral. Given the volume of notices processed in 2018/19 for type 3 & 4 streets (on which our matrices have been based) to charge a zero fee would not allow for the scheme to be cost neutral. Regulation 30 provides the PA with the power to charge for permits. The DfT permit fee matrix has been used to determine the allowable costs and therefore the permit fee by works type and road category. The annual evaluations will determine whether the costs of running a scheme have been covered and fees may be adjusted either up or down to ensure the scheme remains cost neutral.
Openreach	During the initial move of North Yorkshire County Council from notices to permits Openreach found it really useful to have meetings to go through what was going wrong on both sides. Especially in the first couple of months. Would your authority be willing to do this?	Gateshead Council will be happy to meet with utilities on a monthly basis for the first three months following implementation. This would also be an excellent opportunity to discuss lessons learned and share best practice.
NWL	1.Sec 3.4 and Sec 4.5 - Do we need non-chargeable permits for works in private streets? If so, are timescales the same as these 2 points appear to contradict each other	<a href="#">Suggested Response</a> A permit scheme can only be applied to roads that are maintained at public expense
NWL	2.Sec 9.5 and Sec 9.6 – Both of these lead us to believe we can put through extensions electronically if more than 20% duration is remaining. However, we have been informed if we do this, regardless of stating the requirements set in the permit scheme,	<a href="#">Suggested Response</a> Variations can take place at any time after the permit has been issued and before or during the activity itself. However as stated in 9.6 where the criteria in 9.5 is not met the promoter shall contact the Authority to ascertain whether they are prepared to grant the variation,

	they will be refused. Is this your stance and if so, should this be amended so not to mislead?	then apply electronically.  If the promoter requests a variation electronically before the 20% or 2 day window without contacting the Authority first this does not constitute grounds for the Authority to refuse.
NWL	3.Traffic Management – do lights need manual control at peak times on all traffic sensitive routes?	<b>Suggested Response</b> NO. However there will be large percentage of locations which may require the lights to be operated manually, this should be discussed and agreed with the Authority.
NWL	4.Gritting Routes – There appears to be no mention of charges on gritting routes when the weather is mild. Is it the case that the reason for a street designation as TS due to it being a gritting route, then should it be charged at the non TS rate when the weather is mild?	<b>Suggested Response</b> If an identified gritting route is for a number of months, then each day of said months will be designated traffic sensitive, regardless of the weather.
NWL	5.There are many references to the EToN specifications throughout the scheme. What will the implications if the introduction of Street Manager brings in procedures that are not aligned to the proposed Permit Scheme?	<b>Agreed to Change</b> Although Authority ----- Council will still be technically using EToN when our permit scheme goes live we have agreed all references to EToN will be replaced with by electronic means .
NWL	6. s17.5 We expect that the document will become a legal one, if this is the case, would also expect that the document be in line with other regulations. In the scheme there is a reference to FPNs being “issued”, this is not in line with FPN Regulations whereby FPNs are “given”. Not sure if this should be amended before rather than after and then having to re-issue?	Agreed to amend
NWL	7.Just 2 very minor points - that if this becomes a legal document the use of apostrophe throughout, should read FPNs not FPN's. Also in the 4th paragraph of section 7.26, the word “it” is missing after “however”.	Agreed to amend FPN's to FPNs  Agreed to amend 7.26 to include “it”
Network Rail	Page 8-9 – S 1.7 – ‘list is by no means exhaustive’ – Network Rail would ask for clarification of what is missing from this list?	Gateshead Council's Permit Scheme identifies our main priorities to achieve during the first years of the scheme, however we are aware during the course of the scheme there may be further objectives determined either by the authority or the industry.
Network Rail	2) Page 9 S1.8 – ‘the permit scheme will follow, where possible, the HAUC guidance’ – Network Rail would ask under what circumstances this guidance would not be possible?	Gateshead Council will always consider HAUC guidance. However, guidance is not law and the Council wishes to retain the flexibility to make individual decisions, factoring in local knowledge, deemed to be in the best interests of all road users. This would normally be discussed and agreed with all parties involved prior to the works commencing.
Network Rail	1) There are repeated references to EToN throughout the document. It has been advised by the DfT that this should be changed to ‘by electronic means’ in all new schemes. Network Rail would advise that this is amended before publication.	<b>Agreed to Change</b> Gateshead Council will still be technically using EToN when our permit scheme goes live, but we have agreed all references to EToN will be replaced with by electronic means
Network Rail	S 2.3 paragraph 8 – The information on collaborative discounts is duplicated. Network Rail would suggest this only needs to appear once in this section.	Agreed to amend
Network Rail	Page 14 – S3.2 p3 – Diversionary works sends you to S12.5 to see discounts, but there is no mention of these discounts in S12.5.	Agreed to amend, The reference to 12.5 should have been 12.6 therefore the following text in Section 3.2 has been updated to say "Where the statutory undertaker has specified diversionary works in their permit application, the permit authority may use its discretion with regard to fees as stated in Section 12.6."
Network Rail	Page 20 – S5.12 – ‘Identity of main contractor must be provided on actual start’ – Network Rail would ask for clarity on this as the contact details should have been on the application when submitted?	The contact details should be on all applications, however If two or more promoter applications come in together the main (or lead) contractor must be identified.
Network Rail	3) Page 21 – S6.2 ‘unless other conditions have been met by pre-agreement with the Authority’ – Network Rail would ask for clarification on what this means as there should be no conditions that are not NCTs?	<b>Gateshead Council will only use the national conditions; however we have updated the text in this section of the document for clarification.</b>
Network Rail	4) Page 38- s12.5 – ‘However, as per DfT guidelines, may be subject to reduced fees for non Traffic Sensitive Roads or in Non Traffic Sensitive times – Network Rail would ask for clarification of this statement. Will the Authority be offering the 30% discount for	Gateshead Council will offer a 30% discount for works on traffic sensitive roads outside of traffic sensitive times if it is agreed that is most beneficial

	working outside traffic sensitive times as is the Industry Standard?	
Network Rail	Page29 – S7.19 – Please can you expand on what type of evidence is required to be attached to the application?	Gateshead Council would expect copies of emails where discussion relating to the works have taken place and any evidence of pre site meeting/agreement with the relevant transport authority. These pieces of evidence can be attached to the permit application
Network Rail	6) P43 – S16.5 – Network Rail would ask that the need to contact Network Rail when working within 200m of the tracks is included here.	Yes as stated in 16.5 Working near Rail Tracks Particular attention must be given to the possible effects of activities taking place at or in the vicinity of the railway. Promoters planning activities in such locations must refer to the advice of the Code of Practice for the Coordination of Street Works and Works for Road Purposes and Related matters and its successors, which sets out Network Rail's requirements.
Network Rail	5) P38 s12 – Network Rail would ask to be exempted from Permit Fee charging as we are a government funded organisation and the payment of permit fees is moving taxpayers money from one organisation to another.	As per guidance from Gerard O'Toole and the HAUC England Permit Forum Northumberland County Council will be charging Network Rail for permits
Network Rail	7) P51 S18.2 – Network Rail would ask why the Authority is not giving ten days response time to permit fee reconciliation as is the industry standard?	This has been discussed and changed to the industry standard 10 working days
Network Rail	9) Page 21- S6.6 – 'However, as per DfT guidelines, may be subject to reduced fees for non Traffic Sensitive Roads or in Non Traffic Sensitive times – Network Rail would ask for clarification of this statement. Will the Authority be offering the 30% discount for working outside traffic sensitive times as is the Industry Standard?	Gateshead Council will <b>may</b> offer a 30% discount for works on traffic sensitive roads outside of traffic sensitive times where we are satisfied that this is beneficial (as per Reg 31(4))
NGN	Section 9.8 states the activity promoter will telephone the Permit Authority to apply for a permit variation for the first excavation in each subsequent 50 metre before applying the permit variation. Why do we need to ring first?	Agree to amend Gateshead Council would request that all extensions are discussed via telephone and then confirmed electronically once agreed. The text in the scheme document has been updated to reflect this.
NGN	12.5 states reduction from the PAA fee must indicate they are being submitted together within 3 days ... 3 days is a short time period. It also states the reduction of 30% from the permit or PAA fee? Please clarify	Gateshead Council identifies 3 days is quite enough time. No change to document.  If the Authority receives two or more applications for permits including PAAs the applicant can request a 30%.