

By: David Beaver, Head of Network Management, Kent Highways Services

To: Nick Chard, Cabinet Member, Environment, Highways and Waste

Subject: KENT PERMIT SCHEME

Classification: Unrestricted

Summary: Through the introduction of a permit scheme, Kent County Council intends to increase their powers of coordination and management of roadwork activities by works promoters competing for space or time in the street.

The Kent Permit Scheme is intended reduce the effect of works on the streets within Kent through effective coordination and management.

Background

The Vision for Kent is the community strategy for the County and within this there is commitment to *“keeping Kent moving”*. Delivering this Vision will provide good accessibility to jobs and services for all sections of the community in Kent and improve the environment by reducing congestion and pollution, widening the choice of transport available, developing public transport, walking and cycling.

One of the ways to reach this objective is for Kent County Council to ensure the local highway network is maintained to maximise the safe and efficient use of road space. The Local Transport Plan, created to achieve the Vision for Kent, details the way in which Kent County Council’s Network Management division (*as a Highways Authority*) will use powers within the Traffic Management Act to reduce congestion and pollution problems in the County.

A key tool for Network Management to deliver this duty is the introduction of a Permit Scheme into Kent. Through this, Kent County Council will increase their powers of coordination and management of activities by works promoters competing for space or time in the street. The Traffic Management Act 2004 (TMA), under which a Permit Scheme can be applied and introduced, broadens the coordination and co-operation duties under the New Roads and Street Works Act 1991, thereby providing increased power for the Council, as a Highways Authority, to:

- minimise inconvenience and disruption caused by works;
- ensure safety for those using, living or working on the street;
- protect the structure of the street.

Process

Following the formal approval of a Business Case for the introduction of a Permit Scheme into Kent, delegated Officers within Kent Highways Service developed the initial Permit Scheme towards the end of 2007. This was followed with extensive consultation on the scheme and working with key stakeholders, including the utilities representatives, in the evolution of the scheme to its present form.

In addition to external consultation, relevant sections of Kent County Council, *for example Legal Services*, were consulted with consideration to the operation and impact of a permit scheme.

The first consultation started on 31 January 2008 and ran for 12 weeks (*after being extended*) until 25 April 2008 with over 900 copies of the scheme distributed. These included the statutory consultees, as required by the permit regulations, but also a wide range of interested parties. Many consultees responded during the consultation periods; this included several individual utility companies, National Joint Utilities Group, district councils, Network Rail, bus operators, bordering authorities and councillors.

The second consultation, on a revised scheme, took place between 18 August 2008 and 19 September 2008. A final, third consultation, was carried out between 14 November 2008 and 12 December 2008. The changes following all the consultations have been incorporated into the final Kent Permit Scheme.

The development of the scheme also included the creation of documents to support a formal application to the Secretary of State for Transport. This included a full cost-benefit analysis of the effects of a permit scheme in order to justify the introduction and operating of a scheme.

On the 14 January 2009 Kent County Council submitted an application to introduce a Permit Scheme into Kent to the Secretary of State for Transport. The Department for Transport, on behalf of the Secretary of State for Transport, reviewed the Permit Scheme and supporting application to ensure the proposed scheme was practical, could be introduced under a legal order and would achieve a clear cost benefit.

On 30 July 2009, Kent County Council received formal approval to introduce the Kent Permit Scheme, from the Head of the Traffic Management Division at the Department for Transport, on behalf of the Secretary of State for Transport.

A legal Order to give effect to the approved scheme, will be registered by the Secretary of State for Transport in December 2009, thereby enabling Kent County Council to introduce the scheme. The current target date to introduce the Scheme is 25 January 2010.

Recommendations

The Cabinet Member for Environment, Highways & Waste is asked to agree :

a) that under the terms of the Traffic Management Act 2004, Kent County Council enter into a Permit Scheme aimed at providing increased power for the Council, as a Highways Authority, to:

- minimise inconvenience and disruption caused by works;
- ensure safety for those using, living or working on the street;
- protect the structure of the street.

b) Upon approval of this decision the County Council will provide formal notice to all works promoters (*e.g. utility companies*) advising them of the intention to introduce the Kent Permit Scheme with effect from 25 January 2010.

Background documents: **Kent Permit Scheme**

David Beaver,
Head of Network Management, Kent Highways Services