

North Yorkshire Council

Environment Executive Members

23 January 2026

Report to Seek Formal Approval to Vary the Existing North Yorkshire Permit Scheme following Statutory Consultation

Report of the Assistant Director – Highways and Infrastructure

1.0 PURPOSE OF REPORT

- 1.1 This report seeks formal approval from the Corporate Director for Environment, in consultation with the Executive Member for Highways and Transportation, to implement a variation to the North Yorkshire Permit Scheme following completion of the required four-week statutory consultation.
- 1.2 A full Consultation Report has been prepared, setting out all stakeholder responses received during the consultation period together with detailed officer responses. The consultation feedback has been reviewed in full, and no amendments to the proposed fee uplift or the updated scheme documentation are required as a result.
- 1.3 Approval is therefore sought to:
- Implement the varied Permit Scheme documentation as consulted upon.
 - Introduce the revised fee structure, increasing permit fees to the maximum levels allowable by the Department for Transport (DfT), and reducing the discount for collaborative working from 50% to 30%.

2.0 SUMMARY

- 2.1 The Council undertook statutory consultation between 27 October and 24 November 2025 on the proposed modifications to the Permit Scheme.
- 2.2 Only one formal consultation response was received (Openreach). Their comments and suggested amendments have been fully addressed.
- 2.3 No amendments are required to the proposals and the consultation does not impact the fee uplift or revised documentation.

3.0 CONSULTATION OUTCOME

- 3.1 The consultation was carried out in accordance with the Traffic Management Permit Scheme (England) Regulations 2007 (as amended) (“the 2007 Regulations”).
- 3.2 Stakeholders were invited to comment on the updated scheme documentation and proposed fee uplift.
- 3.3 Openreach submitted several comments on wording, inflation, inspection units and process alignment.

- 3.4 Openreach's comments have been carefully reviewed and Officer responses are provided in the Consultation Report. The authority is unable to comment on how other highway authorities operate or cost their permit schemes. However, it is worth noting that the majority of regional authorities implemented their permit schemes at the maximum fee levels permitted by the DfT. North Yorkshire initially implemented its permit fees at a more conservative level.
- 3.5 Rising operational and staffing costs have now resulted in the scheme moving away from a cost-neutral position. The proposed fee uplift has therefore been calculated in accordance with DfT permit scheme guidance to restore cost neutrality and reflects allowable overheads associated with administering, operating and enforcing the scheme. These costs are consistent with those used in comparable schemes and remain within the parameters approved by the Secretary of State. As such, while Openreach's comments have been noted and responded to, no amendments to the scheme documentation are required.

4.0 IMPLICATIONS OF THE CONSULTATION AND NEXT STEPS

- 4.1 The consultation confirms the proposed variances remain justified.
- 4.2 Minor wording clarifications will be incorporated where appropriate:
- 4.3 No consultation feedback alters the proposed implementation.
- 4.4 If approved, the Council will make the Order, publish the updated scheme and introduce the revised fees.
- 4.5 Recruitment of additional posts will proceed as outlined in the original report which can be found in the background documentation.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The North Yorkshire Permit Scheme is required to operate on a cost-neutral basis in accordance with Department for Transport's Permit schemes: Statutory Guidance for Highway Authorities 2025.
- 5.2 The most recent Permit Scheme evaluation reports which cover years four to six, identify losses in excess of £375,000, with a further loss forecast if the current fee structure remains unchanged. These losses reflect increased operating costs, inflationary pressures and rising application volumes.
- 5.3 The proposed uplift of permit fees to the maximum levels permitted by the Department for Transport is necessary to recover operating costs, address ongoing inflationary pressures and support the recruitment of additional staff required to deliver the scheme effectively.
- 5.4 Consultation responses do not alter the financial justification for the proposed fee uplift. No evidence has been presented that would justify a departure from the proposed fee levels, and implementation of the revised fees remains necessary to ensure the scheme's future operation is a balanced financial position.

6.0 LEGAL IMPLICATIONS

- 6.1 When introducing, operating or varying a street works permit scheme, the Highway Authority must comply with the Traffic Management Act 2007 and the Traffic Management Permit Scheme (England) Regulations 2007 (as amended) and the New Roads and Street Works Act 1991. The Highway Authority must have regard to the Government's statutory guidance on Permit Schemes and the Permit Scheme National Conditions issued in December 2025, which came into force on 05 January 2026.
- 6.2 Before making an Order giving effect to a variation of the Scheme the Highway Authority must comply with the Regulations, and one of the requirements is to carry out a consultation and to provide at least four weeks' notice to statutory undertakers before a scheme variation comes into effect. The consultation of stakeholders has been carried out in accordance with the Regulations.

7.0 EQUALITIES IMPLICATIONS

- 7.1 An initial assessment was carried out at the outset, and it has been reviewed and it is considered that there are no equalities implications foreseen (Appendix D).

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 An initial assessment was carried out at the outset, and it has been reviewed and it is considered that there are no changes to the initial assessment and no Climate change implications foreseen (Appendix E).

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 Subject to approval of this report, the Authority will look to publish the amended North Yorkshire Permit Scheme documentation and undertake recruitment.

10.0 RECOMMENDATIONS

- 10.1 That the Corporate Director for Environment in consultation with the Executive Member for Highways and Transportation approves the following:
- i. Implement the varied Permit Scheme documentation as consulted upon
 - ii. Introduce the revised fee structure, increasing permit fees to the maximum levels allowable by the Department for Transport (DfT), and reducing the discount for collaborative working from 50% to 30%

APPENDICES:

- Appendix A – Consultation Responses Report
- Appendix B – North Yorkshire Modified Permit Scheme
- Appendix C – Fee Structure
- Appendix D – Equalities Impact Assessment
- Appendix E – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

[North Yorkshire Council](#) – Report to seek Formal Approval to Modify the Existing North Yorkshire Permit Scheme (pre -consultation)

[The North Yorkshire Streetworks Permit Scheme - Year 1 Permit Scheme Evaluation Report December 2022](#)

[North Yorkshire Permit Scheme Year 2 Evaluation Report](#)

[North Yorkshire Permit Scheme Year 3 Evaluation Report](#)

[The North Yorkshire Streetworks Permit Scheme - Years 4, 5 and 6 Permit Scheme Evaluation Report - September 2024](#)

Barrie Mason
Assistant Director – Highways and Infrastructure
County Hall
Northallerton

Report Author: Alexandra Hollifield, Team Leader, Network Information and Compliance.
Report Presenter: Alexandra Hollifield, Team Leader, Network Information and Compliance.