

Permit Scheme Modification Consultation Report

Title: Proposed Permit Scheme Modification Consultation Report
Project: North Yorkshire Permit Scheme Modification Project
Date: 09 December 2025
To: Alex Hollifield, Team Leader, Network Information and Compliance
Author(s): Permit Scheme Modification Consultant

Introduction

The formal consultation regarding the proposed modification to the North Yorkshire Permit Scheme (NYPS) ran for a period of 4 weeks beginning on the 27 October 2025. The deadline for receipt of responses was no later than 5pm on 24 November 2025.

It was stated in the consultation documents that 'all responses received by the 24 November 2025 will be taken into consideration.

Documentation and an accompanying covering letter was issued via email directly to stakeholder organisations, including local neighboring Highway Authorities, Utilities, road user representative groups, current IT suppliers and non-government organisations. Some organisations had a number of consultees within them and if known those individuals were contacted directly.

Any additional comments from consultants or legal representatives etc. have been added to the comment list so there is transparency regarding all changes to the scheme document.

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

List of Consultees who responded by the deadline

Openreach

Comments from Consultees

Org	Suggested amendment / clarification / comment / question	Response / reply / recommendation
Openreach	Openreach welcomes the opportunity to consult on North Yorkshire Council Permit scheme and permit scheme fees proposals and thanks North Yorkshire Council (NYC) for providing this. Openreach is committed to maintaining a strong, collaborative relationship with local authorities and supporting national and local infrastructure. We have reviewed the documents submitted as part of this consultation and have set out below our key concerns and reasons for opposition.	Thank you for considering the proposals.
Openreach	5.1 Activities requiring a Permit 5.1.1 - This section has references to a code of practice that we do not believe exist- Please elaborate on what the code of practice for permits is and where you believe a chapter 9 to contain this information. This appears to be a mix up between regulation 9 of the TMA permitting regulations, which does not specify which works are registerable, this is done via the noticing regulations and then by the specified works in a scheme which need to align correctly with the regulations.	This was the original Code of Practice for Permits 2008 as referenced and is in many permit scheme documents and used here for consistency regarding Registerable Activities. Chapter 9 of the 2008 code related to Registerable Activities and defined the types of activities on the public highway requiring a permit, including street works, works for road purposes, and other activities introduced under future regulations. Under the Traffic Management Permit Scheme (England) Regulations 2007, 6. (1) A permit scheme shall specify the works (or types of works) which that permit scheme is designed to control (which shall be the

		“specified works” for the purposes of that permit scheme). (2) The specified works described in a permit scheme shall comprise both street works and works for road purposes. (3) Specified works for a permit scheme shall not include works executed in a street pursuant to a street works licence issued under section 50 of the 1991 Act (street works licences).
Openreach	<i>7.8.2 only the Permit application made by the Primary Promoter will need to show the number of estimated inspection units.</i> Inspection units are no longer estimated; inspection units are now allocated to works automatically based on the works duration.	We will remove the word ‘estimated’ from 7.8.2
Openreach	2.4 Unit of inspection The calculation of the sample size for each undertaker, and the identification of particular works to be inspected, are based upon the duration of the works, in working days. Works carried out in their entirety on non-working days, that is weekends and any public holidays will accrue a single inspection unit. Where works are carried out on working and non-working days, the non-working days worked will not contribute to the total duration. A unit of inspection is defined in the 2022 regulations as; • works of 15 working days or less duration = 1 inspection unit • works of 16 to 30 working days duration = 2 units of inspection • works of a duration greater than 30 working days = 3 units of inspection Only street works that include a reinstatement registrable under section 71 NRSWA on a publicly maintainable highway will attract an inspection unit. 9. <i>Works Classes</i> – This is the wrong definition; it should be work categories/categorization of works	Section 9 refers to ‘Permit – Classes’ as the Permit requirement relates to the works class. Regulation 9(7) provides for permit schemes to provide for different classes of permit to be required in relation to different circumstances. The intention is for these classes to mirror the approach defined in the Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 as amended so four classes of permits should apply reflecting the work

		categories in these regulations.		
Openreach	9.5.2 Given the nature of immediate activities, work may commence without a Permit. However, where it is necessary to carry out excavation in the Highway, Promoters of such activities must contact the Permit Authority by telephone immediately if identified on the NSG.	This is only required if specifically identified on the NSG. This is not a standard requirement.		
Openreach	Openreach are unaware of any standard requirement to contact the permit authority by telephone for excavation works on immediate works, the requirement only applies to streets designated with the following as per the code of practice for Co-ordination of Streetworks, please could this be amended to make the requirement clearer. <table><tr><td>Streets subject to early notification of immediate activities</td><td>Conditional designation that enables street to designate Streets that are particularly vulnerable to traffic disruption. Thus, this requires promoters provide early warning of activities by telephone to the street authority immediately after the activity commenced.</td></tr></table> 12.7.2 In the case of the suspension of a parking bay being required, an application by the Promoter must be made to the Highway or Permit Authority as Parking Authority. This must be separate from any Permit application and evidence of the agreement by the relevant Parking Authority must be included in the Permit application	Streets subject to early notification of immediate activities	Conditional designation that enables street to designate Streets that are particularly vulnerable to traffic disruption. Thus, this requires promoters provide early warning of activities by telephone to the street authority immediately after the activity commenced.	The requirement is correct and it is agreed, the two should work simultaneously but are separate.
Streets subject to early notification of immediate activities	Conditional designation that enables street to designate Streets that are particularly vulnerable to traffic disruption. Thus, this requires promoters provide early warning of activities by telephone to the street authority immediately after the activity commenced.			
	In practice this can be challenging when trying to finalise permit dates, Openreach could obtain approval from the parking authority for certain dates that are not suitable for the permit to be granted by the authority. Openreach understand the requirement for parking suspension approval but believe it should not be a pre requirement for a permit to be granted, the two should work simultaneously. 12.10 Inspection units – This is no longer how inspection units are calculated, Street manager now does this automatically depending on the duration of	This process may now be automatic, but the Promoter is still required to indicate the number of inspection units appropriate to the activity in accordance with the rules laid down in The Street Works (Inspection Fees) (England) Regulations 2022. An edit is required here to update the text.		

	works, this section is referring to the old method in the previous outdated inspections code of practice. (same as previous comment on 7.8.2)	Suggested new text. 'The Promoter is required to indicate the number of inspection units appropriate to the activity in accordance with the regulations laid down in the Street Works (Inspection Fees) (England) Regulations 2022.																																
	In the North Yorkshire permit scheme evaluation report years 4,5,6 September 2024 page 5 it states under the staff sub section that the permit scheme staffing levels have been maintained. If the staffing levels have been maintained and not increased how has there been an increase in staffing costs of £378,374 from year 4-6. This seems way above the inflationary pressures on cost of 24% since 2021. Can we have a breakdown of costs.	The last evaluation report was up to March 2024 so approaching 2 years ago and inflationary pressures have continued. By March 2024 cumulative losses were in excess of £375,000. Losses are expected to continue in the following years, increasing this amount. The Permit Authority is required to operate the permit scheme on a cost neutral basis. These fee increases are required to bring the permit scheme in to a balanced position.																																
	TABLE 54 AM 11 ALLOCATED COSTS <table><tr><th>Operational Cost</th><th>Year 4</th><th>Year 5</th><th>Year 6</th></tr><tr><td>KPIs</td><td>£50,000</td><td>£50,000</td><td>£50,000</td></tr><tr><td>Invoicing</td><td>£150,000</td><td>£160,000</td><td>£170,000</td></tr><tr><td>IT support</td><td>£50,000</td><td>£50,000</td><td>£50,000</td></tr><tr><td>Unauthorised/Abandoned works</td><td>£60,000</td><td>£70,000</td><td>£80,000</td></tr><tr><td>Management Overhead</td><td>£800,000</td><td>£800,000</td><td>£800,000</td></tr><tr><td>Staff</td><td>£535,462</td><td>£831,473</td><td>£913,836</td></tr><tr><td>Totals</td><td>£1,645,462</td><td>£1,961,473</td><td>£2,063,836</td></tr></table> In the conclusions sub section page 7 it states the following, Income is expected to be lower that scheme operational costs in future years. Additional staff may be required to manage increases in application volumes and Utility undertakes.	Operational Cost	Year 4	Year 5	Year 6	KPIs	£50,000	£50,000	£50,000	Invoicing	£150,000	£160,000	£170,000	IT support	£50,000	£50,000	£50,000	Unauthorised/Abandoned works	£60,000	£70,000	£80,000	Management Overhead	£800,000	£800,000	£800,000	Staff	£535,462	£831,473	£913,836	Totals	£1,645,462	£1,961,473	£2,063,836	These are important points to note. However, these fee increase are required to bring the permit scheme in to a balanced position as a loss has been reported.
Operational Cost	Year 4	Year 5	Year 6																															
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	Therefore, there is a need to consider an adjustment (increase) in fee rates to ensure costs and income are balanced over the coming several years. This is speculative and fees should increase as and when needed and not based around expectations.	
	As previously highlighted that inflationary pressures have increased 24% since 2021 then permit fees should reflect that increase and nothing more. The increase in fees highlighted in the table of proposed new fees represent an above inflation rise of more than 24% since 2021. Other Local Authorities have increased permit fees in line with inflation at 24%, why is NYC going above this metric. The level of costs imposed across all road category types should align with the DfT advice.	We cannot comment on other schemes, however, previous reported losses and a requirement to deliver a balanced position into the future is the reason for these increase fees.