

Impact Assessment

Version 2017

To publish, please send a dated PDF to impactassessment-mailbox@devon.gov.uk



Assessment of:	Devon Permit Scheme for Road Works
Service:	Highways

Head of Service:	Meg Booth
Date of sign off by Head of Service/version:	27 September 2019
Assessment carried out by (incl. job title):	Rob Russell, Graduate Road Safety Engineer
Assessment checked by (incl. job title)	Dan Trump, Assistant Project Manager Devon Permit Scheme

Section 1 - Background

Description:	<p>Roadworks are necessary to maintain and improve many services which society rely on, such as utility supplies and carriageway condition. However, roadworks can have negative impacts on the operation of a road, and therefore have an impact on road users, businesses and the environment.</p> <p>Devon County Council (DCC) intends to introduce a Permit Scheme across the county. This will provide the Local Authority with greater powers to control works on the highway by work promoters, including its own contractors and utility companies.</p> <p>Under the scheme, companies that want to work on the highway will have to apply for a permit from DCC. There will be a cost associated with the various types of permit. The cost of the permit will depend on the length of the proposed works (in days), and the strategic importance of the road and timing of the works (e.g. costs may be</p>
---------------------	--

	reduced if working outside of the peak congestion periods). The aim of the permit scheme is to incentivise better planning and more efficient working and therefore reduce the impact on road users. The Devon Permit Scheme will enable DCC to place conditions on roadworks that should help minimise disruption and impact on Devon residents and businesses whilst enhancing the economic prospects of the County.
Reason for change/review:	Due to the reliance of Devon's residents on the road network and with a regular influx of tourists, what can appear to be simple street works operations can lead to long delays, particularly in rural towns and on strategically signed tourist routes. Therefore, there is a strong impetus to reduce this impact of road users during works. Initial feasibility studies outline an expected reduction in these road user delays of between 5% and 10% (based on evidence from other highways authorities who already operate a permit scheme). This will reduce congestion on the network, improve journey time reliability and reduce disruption to residents, businesses and travelling public.

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	<p>The aim of the proposed permitting scheme is to give more tools to DCC to control proposed roadworks. This may include placement of working conditions as well as potential rejections of incorrect or incomplete applications. As a result, it is expected that the permit scheme will reduce the disruption to residents and businesses in local areas and reduce congestion on the network.</p> <p>The aim of the permit scheme is to incentivise collaborative, more efficient working and therefore reduce the impact of congestion e.g. journey time reliability and reductions in environmental and noise impacts.</p>
Social/equality impacts (summary):	The proposed permitting scheme will encourage efficient roadworks, reducing congestion and therefore reducing visual and audible impact on local residents and businesses. Furthermore, the permitting scheme will result in reduced travel times, vehicle operating costs, accidents, greenhouse gases and indirect tax revenues.

Environmental impacts (summary):	The permit scheme is expected to improve traffic congestion and a reduction in road user delays. By encouraging well planned roadworks, the permit scheme is expected to result in reduced congestion when road works are conducted, resulting in better air quality and noise due to lower start-stop emissions from traffic congestion on the roads. Noise pollution should also decrease due to a potential in reduced duration of roadworks.
Economic impacts (summary):	<p>In financial terms, the scheme is expected to be broadly cost neutral. Implementing and operating a Permit Scheme will involve initial start-up costs, and ongoing costs for its operation, funded by DCC. All new equipment, training and staff needed to run the Devon Permit Scheme will be offset by revenues recouped through Permit fees.</p> <p>The proposed scheme will have minimal financial impact on the public. Work promoters will be required to pay for a permit to conduct roadworks, the cost of which varies depending on the time-scale of the works and strategic importance of the road. Discounts apply to those companies which show evidence of work collaboration, use of innovative techniques and work undertaken wholly outside of traffic sensitive times.</p> <p>Furthermore, the scheme is expected to reduce the number of roadworks, of which a benefit is less disruption to businesses meaning reduced loss of income as a result of adjacent roadworks.</p>
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	<p>The Strategic Road Network (SRN) in Devon which is maintained and operated by Highways England will not form part of the Devon Permit Scheme. At the time of writing the SRN and all DCC's neighbouring highway authorities do not operate a permit scheme however, this could change in the future. Discussions have been held with effected neighbouring stakeholders on the plan proposals at an early stage.</p> <p>Any diversion routes as a result of roadworks on the SRN of neighbouring authorities which use DCC highway will be required to apply for a Permit. It is highly likely that no charge will be applied for these permits. If Highways England or neighbouring authorities introduce a Permit Scheme, discussions will be held with DCC as to how best to manage neighbouring schemes as to minimise disruption.</p>
How will impacts and actions be monitored?	To ensure that the Devon Permit Scheme is successful, regular monitoring is required to check the impacts of the scheme on the road network. To ensure the scheme is measurable and achieving its targets, the following Key Performance Indicators (KPIs) will be monitored; works phases started, works phases completed, days of

occupancy completed, average duration of works, phases completed involving over run, number of deemed applications, number of phase 1 permanent applications, number of collaborative working site or applications where a positive behaviour discount has been applied. .

The permit scheme will be evaluated following the first twelve months of operation, three years and then every three years thereafter. The scheme will continue to be evaluated against its objectives. The fee structure will be evaluated against income and expenditure of operating the scheme and permit fees adjusted accordingly (within permitted DfT maximums).

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	All users of the highway, residents and local businesses.
Diversity profile and needs assessment of affected people:	As per Devon's population profiles.
Other stakeholders (agencies etc.):	Neighbouring Highway Authorities, Highways England, work promoters and other contractors who carry out work on the highway.
Consultation process and results:	A formal consultation process will be conducted as part of the formal Traffic Regulation Order submission after the approval of the business case by Cabinet. Informal consultation will also take place prior to this with Stakeholders.
Research and information used:	<p>The Secretary of State for Transport has urged all Local Highway Authorities to give serious consideration to the benefits of introducing a Permit Scheme to replace the current noticing system. A Permit Scheme would provide DCC with increased control over street works and could reduce disruption to road users and residents. Studies of other Permit Schemes have shown a reduction of between 5-10% of occupation of the highway following implementation of the scheme. Reduced highway occupation eases congestion, improves network efficiency and journey times, reduces noise and improves local air quality. These impacts benefit not only DCC but also local residents, businesses, and public transport operators who use the road network.</p> <p>Sources of information used to support this proposal are:</p> <ol style="list-style-type: none"> 1. Statutory Guidance for Highway Authority Permit Schemes, October 2015; Department for Transport; 2. Statutory Guidance for Highway Authority Permit Schemes – Permit Scheme Conditions, March 2015; Department for Transport;

- | | |
|--|---|
| | <p>3. Traffic Management Act 2004- Code of Practice for Permits, Statutory Guidance, March 2008; Department for Transport.</p> <p>4. Advice Note 2016: For local highway authorities developing new or varying existing permit schemes, Department for Transport.</p> <p>5. HAUC (England) Guidance, Operation of Permit Schemes (inc. Permit Condition Text), February 2017, Version 1.0</p> |
|--|---|

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').

- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage? Are there any lawful, reasonable and proportionate, unavoidable negative consequences?	In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’). In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?
All residents (include generic equality provisions):	The proposed Permit Scheme will not negatively impact on any user group.	The proposed Permit Scheme will allow DCC to impose variations or reject incomplete or incorrect roadwork applications. As a result, accepted applications will result in more compliant roadworks which provide suitable mitigation measures to prevent negative impacts to any user group. Therefore, the Permit Scheme will have a positive impact for all residents of Devon.
Age:	See above.	See above.
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	See above.	See above.
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	See above.	See above.
Sex, gender and gender identity (including men,	See above.	See above.

women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).		
Sexual orientation and marriage/civil partnership:	See above.	See above.
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	See above.	See above.
Human rights considerations:	See above.	See above.

Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	The Devon Permit Scheme will be rolled out in a 2 phased approach. Phase 1 would include all DCC works and utility company (statutory undertakers) works. A 12-month review will be held after scheme go-live to ensure effectiveness. Within this review, a Phase 2 roll out to privately licenced works activities will be considered, such activities could include skips and scaffolds, development management works and vehicle crossings. Parishes and communities can apply for a permit to work on the highway providing they pay the necessary
---	---

	<p>fee and can demonstrate the work they propose to carry out has been approved by DCC, meets appropriate design guidance and they conform to all legislation, guidance and Health and Safety Requirements. Those carrying out the work on the highway must have the necessary licenses. A permit scheme can help ensure reliable journey times, assist with movement for tourism and business needs.</p>
<p>In what way can you help people to be safe, protected from harm, and with good health and wellbeing?</p>	<p>Permit applications will be reviewed by DCC to ensure they conform to necessary traffic management layout e.g. Chapter 8 Traffic Signs Manual. If they do not, nor do they provide adequate provision for road users particularly pedestrians, cyclists, equestrians and disabled road users then DCC will either impose variations to change the layout or reject the permit application. An enforcing side of the team will also have focus on health and safety for live road works.</p>
<p>In what way can you help people to be connected, and involved in community activities?</p>	<p>When a permit application is submitted, DCC can place one of 13 statutory conditions to reduce the impact of the scheme on road users. One includes the requirement for necessary stakeholders to be informed of the proposed works e.g. Parish Councils, local businesses etc. By doing this local communities will be informed of road works being carried out in their area. It will also assist DCC in managing local community events and special events are not effected by road works.</p>

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
	Planning Permission under the Town and Country Planning Act (1990).

	Strategic Environmental Assessment under European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”.
--	---

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce waste, and send less waste to landfill:	There is no specific impact to this activity.	One of the discount activities included in the draft plan is to incentivise works promoters to trench share. This may have the potential to reduce the number of excavations and subsequently mean there is less waste to landfill/new excavation material required from quarry sites.
Conserve and enhance biodiversity (the variety of living species):	There is no specific impact to this activity.	The importance placed on better planning will allow works promoters the opportunity to consider the works more fully and any control measures required for conservation. Collaborative working may also reduce the disruption and effect of roadworks on wildlife, etc.
Safeguard the distinctive characteristics, features and special qualities of Devon’s landscape:	There is no specific impact to this activity.	Better planned and coordinated road works will reduce the impact on the Devon’s landscape. By promoting collaborative working between work promoters undertakers and other contractors working on the highway the number of road works should decrease.

Conserve and enhance the quality and character of our built environment and public spaces:	There is no specific impact to this activity.	Better planned and coordinated road works will reduce the impact on the Devon's built environment and public space. By promoting collaborative working between work promoters and other contractors working on the highway the number of road works should decrease.
Conserve and enhance Devon's cultural and historic heritage:	There is no specific impact to this activity.	Better planned and coordinated road works will reduce the impact on the Devon's cultural and historic environment. By promoting collaborative working between work promoters and other contractors working on the highway the number of road works should decrease.
Minimise greenhouse gas emissions:	There is no specific impact to this activity.	The permit scheme is expected to result in a reduced number of roadworks for site sharing, and reduced congestion when road works are conducted. As a result, this will reduce the amount of time vehicles spend in traffic/congestion, and therefore a reduction in fuel consumption and greenhouse gas emissions.
Minimise pollution (including air, land, water, light and noise):	There is no specific impact to this activity.	The permit scheme is expected to result in reduced congestion when road works are conducted, resulting in better air quality and noise due to lower start-stop emissions from traffic congestion on the roads. Noise pollution should also decrease due to a reduced number of roadworks
Contribute to reducing water consumption:	There is no specific impact to this activity.	There is no specific impact to this activity.
Ensure resilience to the future effects of climate change	There is no specific impact to this activity.	There is no specific impact to this activity.

(warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		
Other (please state below):	None.	None.

Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	None.	None.
Impact on employment levels:	None.	Based on the anticipated number of permits expected to be issued, additional full-time equivalent staff are likely to be required to operate the scheme, and therefore increase employment opportunities in Devon.
Impact on local business:	None.	The proposed permit scheme will encourage efficient road working practices, reducing potentially negative impacts on business such as restricted access.

Section 4d - Combined Impacts

<p>Linkages or conflicts between social, environmental and economic impacts:</p>	<p>No specific links.</p>
--	---------------------------

Section 5 - 'Social Value' of planned commissioned/procured services:

<p>How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?</p>	<p>The main benefits of the proposed permit scheme will be more compliant road works which will minimise disruption to the highway and all road users. This will result in reduced congestion and restricted access on roads, providing economic, social and environment benefits, such as improved access to businesses, reduced delays and a reduction in pollution from idle vehicles.</p>
--	---