



HIGHWAY AUTHORITIES & UTILITIES COMMITTEE

Permit Advice Note No. 2014/XX

Guidance Note for the use of National Condition Text in
Permit Schemes

ENGLAND

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| Version: | V8 |
| Control Document No.: | X |
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| Date of Document: | XXXXX |
| Approved by Joint Chairs of HAUC | XX |

1. Regulation 10 of The Traffic Management Permit Scheme (England) Regulations 2007 details the types of conditions that Permit Authorities may attach to permits.
2. Section 28 of the DfT's January 2013 'Traffic Management Act 2004 (part 3 – permit schemes) ADDITIONAL ADVICE NOTE – for developing and operating future Permit Schemes' sets out the benefits of using standardised permit conditions:

“Use of standardised permit conditions will assist both authorities and utilities in stream-lining the process of applying for permits through promoting a consistent approach, as well as being designed to assist those actually digging the hole in the ground.”
3. It should be noted that the use of standardised condition text is not mandatory and this advice note is therefore guidance only both for new schemes in setting out the standardised condition text to be used and for existing schemes where such conditions are reviewed.
4. The National Permit Forum collated standardised condition text as provided by many of the existing permit schemes across England. This list was used to pull together the best practice across these schemes by condition type. As experience with several schemes grows it is expected that the document will evolve further to ensure that it continues to reflect best practice.
5. All conditions must comply with Regulations and must not conflict with other statutory requirements.
6. All conditions should be reasonable and any cost implications associated with the use of conditions should be proportionate and carefully considered.
7. Permit Authorities should enter into dialogue with work promoters and provide the reasons for any additional conditions wherever possible.
8. Works promoters should endeavour to ensure that site operatives are aware of the conditions attached to permits and the Traffic Management agreements that are in place.
9. The document contains conditions which apply to all permits and these are referred to as Standard Conditions in the appendix below. There is no need for these conditions to be attached to individual permits.
10. It is recognised that, due to constraints in the maximum number of characters that can be within the ETON condition field, it is not always possible to add all of the text into the condition text field. In light of this suggested example shorthand text has been provided to assist with ensuring that all relevant conditions can be attached. It must be noted however that, where a shorthand form of the condition text has been used, it shall be read as though the full version of the condition text had been attached and the condition will apply accordingly.

11. When using conditions the relevant National Condition Text (NCT) code should be placed in front of the condition text for clarity, though omitting an NCT code does not affect the validity of the condition text. The shorthand text listed in each of the conditions below is added as guidance only. As long as it is clear what condition is being added and the effect of that condition is clear then the exact wording in the shorthand text is not necessary.

APPENDIX

National Condition Text Guidance

These standardised conditions are intended to provide a form of text that can be used when applying conditions to individual permits in line with the Permit Regulations and EToN Technical Specification. Each condition is set out to follow the specific condition under each activity condition code set out in Section 4.7.16 of the EToN 6 Technical Specification and each code is broken down as follows:

NCT - National Condition Text

- 1 - References the specific condition code set out in EToN
- a - References each separate condition text

Note: TS – traffic-sensitive

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| EToN Ref: 1- Date Constraints |
| NCT1a – STANDARD CONDITION Duration Category 0,1 and 2 and TS Street |
| Condition Text <i>The activities hereby permitted shall not commence before the Proposed Start Date or in the case of Immediate Works the Actual Start Date contained in the application for immediate works and must end by the Estimated End Date provided on this permit. The Proposed Start Date, Actual Start Date and Estimated End Date are as defined in the current EToN specification.</i> |
| Guidance for use of condition This condition should be added as a condition on all permits for category 0, 1, 2 and traffic-sensitive streets*. It is recommended that agreement be reached with works promoters such that this condition applies to all permits and does not therefore need to be added onto individual permits. * Clarity is currently being sought on the status of Traffic sensitive Street and this text may change in light of that advice |
| NCT1b – STANDARD CONDITION Duration Category 3 and 4 Street |
| Condition Text <i>The activities hereby permitted shall not commence before the Proposed Start Date and must commence within the valid starting window period or in the case of Immediate Works by the Actual Start Date contained in the application for immediate works and once the activities have commenced the activities must take no more than [x number of] days in total to be completed. The Proposed Start Date, Actual Start Date and Estimated End Date are as defined in the current EToN specification.</i> |
| Guidance for use of condition This condition should be added as a standard condition on all permits for category 3 and 4 non traffic-sensitive streets*. It is recommended that agreement be reached with works promoters such that this condition applies to all permits and does not therefore need to be added onto individual permits. * Clarity is currently being sought on the status of Traffic sensitive Street and this text may change in light of that advice |

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| EToN ref: 2- Time Constraints |
| NCT2a Limit the days and times of day |
| <p>Condition Text <i>The activities hereby permitted shall only take place between [start time] and [end time] on weekdays and [start time] and [end time] on Saturdays and [start time] and [end time] on Sundays or Bank Holiday.</i></p> |
| <p>Guidance This condition should only be attached to permits where it is necessary to limit the times of day that works are undertaken because the highway needs to be returned to normal use outside of these times. For instance the permit may be valid for 3 days but the site can only be occupied between the hours specified on the days specified.</p> <p>Environmental concerns must be taken in consideration when using this condition.</p> <p>It should be noted that it may be possible to have more than 1 start and stop time i.e. if you are only permitted to work outside TS times, in which case the text can be suitably amended.</p> |
| <p>Example shorthand text NCT2a – activities to only take place 09.00-19.00 weekdays, 0900-1300 Saturdays</p> |

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| EToN ref: 3- Out of hours work |
| <p>Condition Text There is currently no condition attached to this EToN code. If works take place beyond the NRSWA working day, promoters should tick the out of hours box as set out in 4.7.8 of the EToN Technical Specification.</p> |

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| EToN Ref: 4- Material and Plant Storage |
| NCT4a - Removal of surplus materials/plant |
| <p>Condition Text <i>It is a condition of this Permit that surplus material excavated or associated plant as a consequence of the activities must be removed from the public highway within [x hours] (e.g. 24) of being excavated.</i></p> |
| <p>Guidance This condition should be attached to permits where it is necessary to limit the area taken up by unused plant/materials. The condition should only be used where the storage of the materials and/or plant may cause problems on site such as congestion. It should be location specific and is not intended to be applied on all permits.</p> <p>Authorities must ensure that timeframes are reasonable to ensure that this condition can be met - where x = 1 this may be deemed as unreasonable and impractical.</p> |
| <p>Example shorthand text NCT4a – surplus material to be removed by 18.00 each day as close to school</p> |
| NCT4b Storage of surplus materials/plant |
| <p>Condition Text <i>For the activities hereby permitted all material and plant not required for [insert period] shall not be stored on site from (insert date) and until (insert date) and/or outside of the defined working space.</i></p> |
| <p>Guidance This condition should be attached to permits where it is necessary to limit the length of time materials or plant can be stored on site before they are actually required. The condition can also be attached to permits where it is necessary to limit the defined area that materials or plant can be stored on site before they are actually required. The condition should only be used where the storage of plant and/or materials may cause problems such as congestion or a special event. It should be location specific and is not intended to be applied on all permits.</p> |
| <p>Example shorthand text NCT4b Material will only be stored on site Xhrs prior to use/ within [defined working space]</p> |

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| EToN ref: 5- Road Occupation Dimensions |
| NCT5a - Width and/or length of road space that can be occupied |
| <p>Condition Text <i>The activities hereby permitted shall occur only within the area [insert description of area or provide traffic management plan reference] including the relevant and required signing, lighting and guarding excluding advance warning and diversionary signs”.</i></p> |
| <p>Guidance This condition should be attached to permits where the works site is restricted to an agreed area/length as described in the brackets or specified in the Traffic Management Plan, this may also be used where the work and traffic management is restricted to the footway only. The Traffic Management Plan reference should be included for clarity.</p> |
| <p>Example shorthand text NCT5a Works restricted to area agreed in TM plan 12345</p> |

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| EToN ref: 6- Traffic Space Dimensions |
| NCT6a Road space to be available to traffic/pedestrians at certain times of day |
| <p>Condition Text <i>For the activities hereby permitted [X]m must be maintained for pedestrians and/or [Y]m must be maintained for vehicles.</i></p> |
| <p>Guidance This condition should only be attached to permits where it is necessary to maintain the footway/carriageway dimensions in excess of the statutory minimum [see paragraph 5 of this guidance document].</p> |
| <p>Example shorthand text NCT6a - Xm maintained for peds & or Xm maintained for vehicles at all times/ 09:30-15:00, other times site must be clear’</p> |

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| EToN ref: 7- Road Closure [comment received about need for this as is already a requirement under HA RTRA] |
| NCT7a - Road Closed to Traffic |
| <p>Condition Text <i>The activities hereby permitted shall only take place when [insert road name] or [insert description of the relevant section of the road] is closed to traffic.</i></p> |
| <p>Guidance If a road is closed in its entirety the text could read ‘full closure’. If the road is only part closed the text could read ‘closure from (point a) to (point b)’. If residential or commercial access is being maintained the text should read ‘access maintained’.</p> |
| <p>Example shorthand text: NCT7a – road closed from jct High Road to o/s 291, access maintained</p> |

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| EToN Ref: 8- Light Signals and Shuttle Working |
| NCT8a - Approval for Portable Light Signals |
| <p>Condition Text <i>The activities hereby permitted or the relevant part of the activity shall only take place when temporary traffic control is deployed by use of x (where x determines type of control Portable Signals, Stop Go etc).</i></p> |
| <p>Guidance If to be manually controlled at any point, these times should be noted in text that reads ‘manual control from xx:xx – yy:yy’.</p> |
| <p>Example shorthand text: NCT8a - 2-way PLS in place, manual control 07:00 – 10:00</p> |

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| EToN ref: 9- Traffic Management Changes |
| NCT9a – TTROs and other separate approvals |
| <p>Condition Text <i>The activities hereby permitted shall not commence until approval for [temporary traffic restrictions] has been given for the duration of the works.</i></p> |
| <p>Guidance Works cannot commence until the Permit Authority has issued any appropriate TTRO/TTRN.</p> |
| <p>Example shorthand text: NC9a – TTRO 12345 approved</p> |
| NCT9b - Changes to traffic management arrangements |
| <p>Condition Text <i>The works comprised in [specified part B] of the activities hereby permitted shall not be commenced before the works comprised in [specified part A] are completed.</i></p> |
| <p>Guidance To be used where the Traffic Management used for an activity changes during the course of undertaking that activity.</p> |
| <p>Example shorthand text: NCT9b part 2 of these works cannot start until part 1 is completed</p> |
| NCT9c - Traffic management arrangements to be in place |
| <p>Condition Text <i>The works comprised in [specified part A/B] of the activities hereby permitted shall be subject to and shall occur only when the following traffic management measures are in place [or as attached in schedule..].</i></p> |
| <p>Example shorthand text: NCT9c- part 2 of these works cannot start until the Eastbound Lane is open to traffic, as agreed in TM plan 12345</p> |

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| EToN ref: 10- Work Methodology |
| NCT10a - Employment of appropriate methodology |
| <p>Condition Text <i>For the activities hereby permitted on this site, as agreed, the works methodology employed will be A, B, C [describe agreed methodology] throughout the duration of the works activity.</i></p> |
| <p>Guidance The methodology to be used should be agreed in advance with the works promoter as this may not be practical or suitable for the works that need to be undertaken. The methodology should be specific to the circumstances of a particular works, for instance, it should not be used as a standard condition to insist on first time reinstatements on all permit applications [see paragraph 5 of this guidance document].</p> <p>It should also be noted that more than one methodology may be listed.</p> |
| <p>Example shorthand text NCT10a – works methodology will be hand dig</p> |

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| EToN Reference: 11- Consultation and Publicity |
| NCT11a STANDARD CONDITION - Display of Permit Number |
| Condition Text <i>It is a condition of this permit that the activities hereby permitted shall not be carried out unless a site information board(s) is displayed on the site at all times for the duration of the works. This must be displayed in a prominent place at all times so that it may be read easily by the public, clearly displaying the correct Permit/Linked permit/remedial permit* reference number. For Immediate Works the display of the correct Permit reference number is required by 10.00am on the next working day after the works have started on site. * delete as appropriate.</i> |
| Guidance for use of condition This condition should apply to all permits. It is recommended that agreement be reached with works promoters such that this condition applies to all permits and does not therefore need to be added. |
| NCT11b- Publicity for proposed works |
| Condition Text <i>The activities hereby permitted shall not commence unless the Promoter has: a) provided written notice to all individual properties and businesses [on X roads] setting out where the works will take place; the nature of the works; the duration of the works; the intended start date [etc] and contact details of a representative of the promoter ; and b) provided written notice to all individual properties and businesses [on X roads]</i> |
| Guidance This condition should be used at locations where it is necessary that local residents/businesses are notified in advance of an activity due to the sensitivity of the location e.g. close to a school, hospital etc or because of the times during which works will take place – e.g. night working |
| Example shorthand text: NCT11a – written notice has been provided on High Rd |

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| EToN ref: 12- Environmental |
| NCT12a - Limit timing of certain activities |
| Condition Text <i>For the activities hereby permitted, the following working methodology [insert methodology] shall only take place between [start time] and [end time] on weekdays and/or [start time] and [end time] on Saturdays and/or [start time] and [end time] on Sundays or Bank Holidays and must not continue beyond these times.</i> |
| Guidance This condition should only be attached to permits where it is necessary to limit the time of day during which certain activities can take place. As an example, the works may be permitted to take place until 10pm however the element that involves slot cutting can only take place before 6pm. |
| Example shorthand text NCT12a [breaking out] 19.00-23.00 weekdays, 09.00-12.00 Sat |

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| EToN ref: 13- Local |
| Condition Text There may be exceptional circumstances where specific conditions need to be added to permits that are not covered above. Any such conditions should be specific to the circumstances of the particular activity and should follow the guidance set out in paragraph 5 of this guidance document. |

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