

A Framework for UK Fibre Delivery:
STREET WORKS

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Introduction - A Framework for UK Fibre Delivery

Street Works

The upgrading of the UK's digital infrastructure to ultrafast, reliable fibre broadband will be one of the biggest projects in a generation. Ultimately, it will involve a considerable amount of street works - all in addition to routine street works operations. In view of this increased level of activity, and in the interests of minimising overall disruption to road users and the general public, it is important that this work is carried out efficiently.

This document provides examples of good practice and includes a toolkit offering advice for local authorities and utilities wishing to collaborate in a cooperative working relationship. Given that the broadband roll out programme is the impetus behind this document, it inevitably focuses on utilities specialising in fibre deployment (i.e. "operators"). However, many of its recommendations are equally valid for street works in general and in most cases "operator" and "utility" are interchangeable. Indeed, all types of utility are encouraged to consider working cooperatively with local authorities. If the efficiency of street works operations in general could be improved, it would reduce (and possibly negate) the effect of the broadband roll out programme on overall UK traffic disruption.

Different interpretation of legislation and statutory guidance by local authorities and the quality of the street works delivery can have a significant impact on trust between operators and LAs and hence, the ability to deploy fibre infrastructure efficiently. Collaboration cannot be built without trust. Local authorities must be confident that an operator will not harm their highway assets. Operators need to feel confident that any fees or charges issued by an HA are justified - particularly when they are not levelled by other authorities.

This toolkit aims to **improve consistency and trust, promote collaboration and complement current legislation**¹. It is tailored toward operational teams within LAs and operators and in particular those responsible for planning and executing builds. Recommendations have been drawn from insights, experiences and recommendations from local authority traffic and permitting managers, street works teams from operators and contractors, the Joint Authorities Group (JAG) UK, HAUC UK, Streetworks UK, Broadband Delivery UK, the Department for Transport, and the Department for Digital, Culture, Media and Sport. The recommendations aim to help improve the ability of local authorities and industry to plan, deploy and deliver world class digital infrastructure at pace.

N.B. Where a local authority grants certain relaxations, waivers, etc to operators as suggested in this toolkit, these same benefits must be made available to all other utilities. Legislation does not allow local authorities to make such concessions selectively.

Why Fibre?

By 2020, the volume of global internet traffic is expected to be 95 times that of 2005. In the UK, fixed internet traffic is set to double every two years², whilst mobile data traffic increases at a rate of up to 42% per year³. The UK's digital infrastructure must be able to support this rapid increase in traffic, providing sufficient capacity to ensure data can flow at the volume, speed and reliability required to

¹ The SROH is currently undergoing a strategic review. This is a separate project led by the Department for Transport.

² Fixed Internet traffic worldwide: forecasts and analysis 2013-2018. Analysys Mason (2013).

³ https://www.ofcom.org.uk/__data/assets/pdf_file/0033/79584/update-strategy-mobile-spectrum.pdf

meet the demands of modern life. Broadband should be treated as the fourth utility, and improved connectivity increases innovation and productivity across the economy. Independent research suggested faster broadband speeds could add £17 billion to UK output by 2024⁴. Consumers - households and businesses - need fibre connectivity in order to thrive in this digital age.

The existing copper network that serves as the backbone of our current communications infrastructure is increasingly unable to satisfy the demands of the country. The future of high-speed and high-quality connectivity lies in deeper, more extensive fibre networks. Fibre-to-the-premise (FTTP) is capable of delivering upwards of one gigabit per second download and upload speeds, and very high levels of service quality. Full fibre networks are also easier to maintain, and have lower operational costs than alternative large scale, high speed networks. Unfortunately only 4% of the UK has FTTP⁵. This means that full fibre networks will need to be deployed at a scale not seen before if the UK is to realise its digital ambitions and potential⁶.

It is also clear that in any scenario, 5G, the next generation of mobile communications technology, will need large amounts of fibre connections for its backhaul.⁷ Our current copper-based infrastructure is insufficient to support the speeds and low latency capabilities that this new technology brings. For local authorities to realise any of their 5G ambitions, it is imperative that they have a sufficient fibre network to underpin emerging wireless technology.

In 2017, the Broadband Stakeholder Group published a report by Analysys Mason assessing the barriers facing deployment of digital infrastructure in the UK⁸. Issues identified in this report were around the patchwork of different permit and notice schemes across the UK, road/street classifications, the lack of early engagement and the process of deployment and reinstatement. What is key is the power of street works in enabling a connected Britain. 80% of the cost of deploying new full fibre networks lies in civils engineering alone⁹, and whilst there are Government initiatives to help fund new networks, such as the Local Full Fibre Networks programme, the overwhelming majority of full fibre deployment in the UK will be commercial.

Operators need to maximise the number of homes and businesses they reach. Operators are incentivised to expand reach as far as possible and more efficient works will allow them to connect more homes and businesses with the available resources. A local authority at the forefront of deployment will understand the potential pinch points and barriers as well as their region's particular challenges. They can ensure existing processes facilitate delivery and avoid delays. Local authorities that develop fibre-friendly processes are likely to be prioritised for deployment by Operators. Equally important will be Operators who deliver incentive-based deployment schemes to ensure assets, congestion and public information meet the demands in all those areas.

Historically, the quality of reinstatements by the communications industry has been poor. However, performance is beginning to improve, and this needs to continue. Performance drives change, and good performance will drive more change. Problems that arise during fibre deployment are not inevitable. In builds where a **collaborative & flexible approach, consistent policies**, and **early & proactive engagement** are evident, we have seen rapid and successful deployment.

⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/257006/UK_Broadband_Impact_Study_-_Impact_Report_-_Nov_2013_-_Final.pdf

⁵https://www.ofcom.org.uk/__data/assets/pdf_file/0017/113543/Connected-Nations-update-Spring-2018.pdf

⁶Upwards of 5km/week per individual build in each LA.

⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/597421/07.03.17_5G_strategy_-_for_publication.pdf

⁸http://www.analysismason.com/contentassets/2448861af5674dcfa77d9fea054e3893/analysys_mason_lowering_barriers_to_telecoms_infrastructure_deployment_may17.pdf

⁹Review of Civils Technology and Adoption - Report for Ofcom by Analysys Mason (2012).

1. Early Engagement

Local authorities, operators and the contractors should engage at the earliest opportunity prior to any network build planning. Points of contact and escalation processes can then be exchanged and agreed. Successful end-to-end delivery of digital infrastructure requires a collaborative and proactive approach between stakeholders, with a focus on identifying solutions to barriers throughout the entire build. Early engagement should help identify a performance-based incentive scheme where the Operators and LAs set out their expectations around standards, which should drive better delivery for all.

> Example

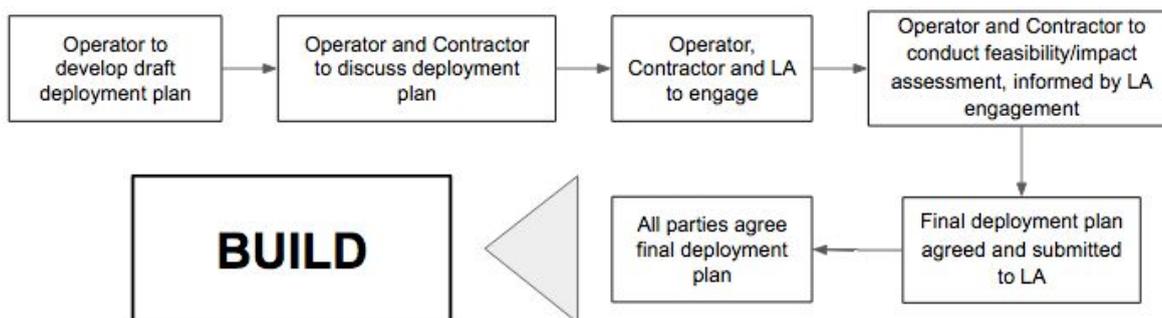
Westminster City Council

Westminster's new approach to relationship-building and infrastructure deployment is an example of best practice in collaboration established early and carried out throughout the entirety of the build. [The Business, Planning and Transport Policy Committee released a report on Broadband Coverage](#) outlining the Council's new approach to digital infrastructure deployment.

This was announced following Westminster's poor broadband coverage and speed performance¹⁰, and displays a pragmatic approach to the implementation of the legislation.¹¹ Examples of a 'common sense' approach include:

- Westminster **employees are encouraged to agree early starts**, or to phase works.
- **New Operators in the borough are invited to meet the Council**. This builds relationships, establishes contacts and sets mutual understanding of expectations.
- The Council proactively identifies works where **contractors/utilities can work alongside each other**.
- **Parking bay costs are suspended** or reduced for Operators undertaking a programme of works.

How, What, When?



¹⁰2014 Ofcom data showed that only 47% of premises in Westminster had access to superfast broadband, the worst coverage of any London borough other than the City of London.

¹¹<http://www.legislation.gov.uk/ukpga/1991/22/contents>; <http://www.legislation.gov.uk/ukpga/2004/18/contents>;

Operators should engage their selected contractors to develop a high-level draft deployment plan in preparation for the build, focusing on delivery milestones and performance standards.

This plan can then be presented and discussed, alongside other issues, in a LA-Operator meeting. This would need to take place before each fibre network build.

Pre-build

1. LA-Operator Meeting

Participants:

Local Authority - Member of the Senior Leadership Team/Economics team, Senior Responsible Owner (SRO) from permitting, traffic and planning, member of the legal team.

Councillor(s) responsible for the economic/digital portfolio.

Operator - SRO from street works, project manager for build.

Contractor - Senior member and site supervisor.

Example

City of York Council

From the Chief Executive and the senior leadership team, to the highways and traffic managers, City of York Council understand the huge economic benefits that full fibre connectivity brings and have adapted accordingly. As a result all employees are fully aware of the power that street works has in enabling connectivity in communities:

- Permitting managers are empowered to manage innovative solutions, such as introducing forward planned noticing agreements with Operators able to anticipate their deployment.
- The Chief Executive has adopted an approach of proactive support for all teams that enable fibre deployment - meaning a consistent 'how do we make this happen' attitude to all Council employees involved in street works.

Result - This has led to 22% of York with access to FTTP (compared with average of 4% nationally¹²), whilst current rates of deployment will mean that by the end of 2019, 75% of the city will have FTTP. York is already seeing new companies and millions of pounds of investment arriving due to the availability of widespread digital infrastructure.¹³

2. Information exchange under a Non-Disclosure Agreement (NDA):

An NDA is a document by which one or more parties agree not to disclose confidential information that they have shared with each other as a necessary part of doing business together. The telecommunications industry is a highly competitive one, and a discussion under NDA will allow for Operators to be more open with LA about deployment plans. This fosters early engagement.

¹²https://www.ofcom.org.uk/__data/assets/pdf_file/0017/113543/Connected-Nations-update-Spring-2018.pdf

¹³ Further information and figures currently confidential.

3. LA-Operator information/issues to cover

A pre-build template agenda can be found in [Appendix B](#).

LA could provide:	Notes
Usable public infrastructure/assets (incl. Asset condition data - National Street Gazetteer, Additional Street Data, pipe networks, available ducting, adopted/unadopted road network, LA land/property)	Possibility of reduction in civil works, less demand on Highways team. Provides Operators with greater view of where deployment would make sense, reducing likelihood of poor reinstatements, and allows for the creation of contingency plans for damage to poor condition surfaces. This includes information on footways/highways in poor condition.
Capital Works plans (including any programmes of resurfacing for the upcoming year)	Provides opportunity for co-working, improved timing of deployment.
Prediction of permit amounts and costs (incl. implications to parking bays, Temporary Traffic Regulations Orders (TTRO))	Enables Operators to put together a more detailed and accurate plan. Will also provide certainty of cost. Reduction of number of last-minute permits and permit/works cancellations.
Information on previous deployment techniques and reinstatement materials	Enables Operator to better plan the physical excavation and reinstatement part of the build.
Permit workload capability	Assessment of whether the highways team can manage the potential workload, and explore whether the Operator can deliver additional support should there be shortfalls in the authority's ability to manage the increased workload. This will minimise permit application deluges. Should an Operator (or any other utility) fund additional LA capacity, parties should consider how best to prevent double charging.
Information on restrictions (eg. Section 58, special events)	Enables Operators to put together a detailed, accurate and deliverable plan, and avoids delays in permissions due to peak demand at starts of works. Will also provide certainty of cost. Reduction of number of last-minute permits and permit/works cancellations (which will in turn reduce administrative costs on both sides). N.B. For the sake of clarity, LAs should avoid imposing blanket restrictions that are not specific on date/time and not loaded onto appropriate IT systems.
Information about issues specific to the local area	Gives maximum opportunity for Operator and contractor to tailor specific digs to suit local circumstances. This could include, for example, knowledge of any special engineering difficulties.

Wider local plan/new development information	This will inform Operators of the LA's strategic development plan for the area, which will aid in planning builds.
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Operator/contractor could provide:	Notes
Deployment Plan (covered by NDA)	Gives visibility to LAs so that they can advise and prepare as necessary. This will lead to better end-to-end collaboration. This should also include proof that the Operator has explored the possibility of using existing networks.
Commitment to premises connected and new coverage (incl. Information pack on the resulting benefits)	Operators should make clear to LAs which premises will be connected, the number of premises to be connected, and the newly available fibre coverage. Operators should also supply the council and present councillors with a short pack outlining at high level the deployment plan, relevant information, and tangible benefits for the community (for example, economic benefits, number of new premises connected, what the new speeds mean for residents and businesses, etc)
Programme of works agreed with contractor	Gives visibility to LAs so that they can advise and prepare as necessary for better end-to-end collaboration. It will also help to prevent unnecessary delays to works.
Evidence of past performance in Street Works	Will help reassure LAs over reinstatement quality, and can feed into any Quality Plan agreement with operators (or any other utilities).
New deployment techniques (with guarantee period)	Present new or previously used methods (and highlighting LA endorsement when possible) of physical deployment. Gives the LA choice of new techniques (narrow-trenching), new materials (foam concrete, SMR, Stirling Lloyd, Stabozand).
Funding a resource (if required)	Enable provision of required resources to be used for that Operator's deployment. Easing the workload of highways team at reduced cost to the LA.

Good practice	Notes
Agreement of shared objectives	Understanding that the fibre business case is very challenging for Operators, and that LAs are duty-bound to preserving the road network and manage congestion. Acceptance of the fact that fibre is vital to a region's economy, and that it needs to be delivered now.
Agreement of quality plan	Discussion over standards of reinstatement, practicality vs technicality and how innovation can maximise this.
Fee exemptions - eg. Category 3-4 roads, permits, parking	Will lead to smaller workload for highways teams and Operators/other utilities.

bays, non-traffic sensitive roads	
Innovation Test sites Where LA can examine Operator/contractor deployment and reinstatement techniques	Innovative techniques and materials have the potential to significantly improve operational efficiency. Innovative techniques not specifically covered by the Specification for the Reinstatement of Openings in Highways (SROH) can be used by agreement with the LA. Innovative materials can be used by agreement subject to the requirements in the SROH for "Alternative Reinstatement Materials".
Mobile works	Agreement that mobile works could be used on all roads (with specific techniques and supporting risk assessment). This will reduce traffic disruption, prevent road closures, and speed up deployment.
Major Works Classification	Classification should be in line with Statutory Guidance and HAUC advice notes.
Works inspections/supervision	Agree regular site visits by both LA and Utility inspectors, as well as a collaborative escalation method (yellow/red card scheme). Possible LA/Utility supervision of the first x-kms of build to help raise the standard of works and reduce the number of defects.
Discussion of contractors	Beneficial for both LAs and Utilities to have a discussion over which contractors have been selected and the contractor's ability to meet required standards.
Pre-site survey	Pre-site surveys provide all parties with a better understanding of the route, challenges of deployment, and likelihood of reactive works. In particular issues with asset standard and potential congestion will need early attention.
Communications strategy Marketing/PR campaign/local adverts, parish hall meets, etc.	Engaging with the local residents and informing them that, following a few days of inconvenience, they will have gigabit broadband. This can involve banners on safety barriers, branded vehicles, engagement plans shared with residents and councillors. This should help reduce complaints from local businesses and residents.
Exchanges of Points of Contact (PoC)	LAs could provide a single PoC with authorisation to make decisions across all relevant teams (planning, highways, traffic management, environmental health, local broadband programmes). Operators could provide a PoC authorised to make decisions for street works, supervision and the contractor. This would help to resolve minor disputes and prevent issues escalating unnecessarily.
Sites of Special Scientific Interest (SSSI), Area of Natural Beauty (AoNB), protection	Discussion over how best to manage applications and works that take place in these areas. For example use of GIS systems and MAGIC website/Historic Environment Scotland.

zones, conservation areas and ancient monuments	
Works co-ordination/joint occupation & working	Where there are planned LA works to maintain/improve the road network, the LA might want to invite Operators or other utilities to work in the road at the same time. In a similar spirit, Utilities planning to excavate a road would offer the LA an opportunity to share the works site.
Handling of reactive works	LA and Operator to agree guidelines on what to do when fibre installation works hit a collapsed duct, etc and reactive work is required. This may include a number of solutions such as an agreements to retrospectively convert from non excavation to excavation notices and/or permits.
Special reinstatement materials	LAs and Utilities could benefit from agreeing on what is required when a special surface, e.g. cobblestones, is encountered. LAs may have stocks of special reinstatement materials for such circumstances that would be difficult to obtain otherwise. Utilities could cooperate by returning surplus materials to the LA.

Next steps

Operator to complete an internal feasibility assessment based on the delivery model agreed. This should involve further discussion with the selected contractor(s), drawing from agreements from the initial LA-Operator meet, in order to give the contractor a minimum of 3 weeks to draw up a programme of works/delivery.

If accepted, a final deployment plan is drawn up, and agreed to/signed by all participants. For example - **Operator will deliver the fibre network, to a defined standard, on time. LAs will work proactively to assist the Operator with permits and other traffic management measures, whilst also providing pre-agreed flexibility on deployment techniques and reinstatement materials (together with agreed performance levels)**. This will provide certainty and clarity, especially over timescale and cost, to all stakeholders and will lead to higher performance (including reinstatement quality) from both Operators and contractors.

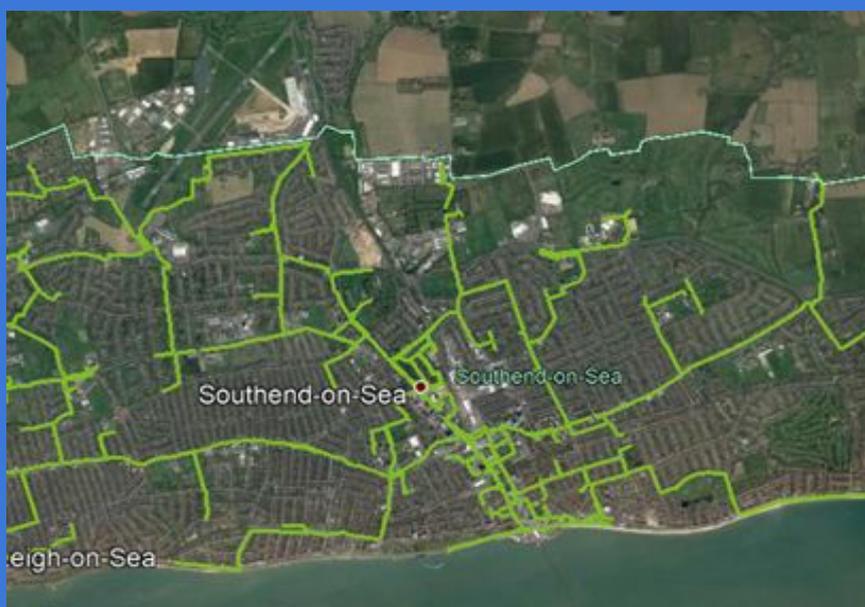
Case studies

LAs offering usable public assets to Operators

Example

Southend-on-Sea Borough Council & CityFibre

Southend invited CityFibre to use the Council's 12km network of CCTV ducting in order to assist infrastructure deployment in the borough. This was negotiated using a standard pricing model and resulted in minimal disruption to the traffic network, lighter workload for Southend's traffic team and more widespread fibre availability.



Operators providing additional resource to LA permitting teams

Example

Gigaclear & KierWSP (Northamptonshire's outsourced Highways Authority)

To better facilitate their fibre deployment in Northamptonshire, Gigaclear offered to fund an additional fixed-term inspector position on the Highways Authority team. In return KierWSP used this to front end Operator costs and address peak demand.

Result

Since the agreement, both parties have witnessed vastly improved flexibility:

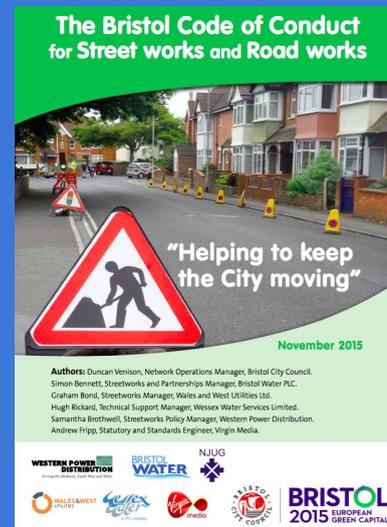
- Working to standard notices as opposed to major.
- Early starts being granted where appropriate.
- Reduced fixed penalty notices.
- Fewer section 74s.
- Output is forecasted to increase by 70% without additional strain on KierWSP resources.
- Gigaclear are now able to invest an additional £3000/month into their network.

Agreement of shared objectives

Example

Bristol City Council Code of Conduct for street works

Created in partnership with the LA and 5 utilities (including Virgin Media), the code outlines guidance to working in Bristol, and ways in which both the LA and undertakers can best work together. Whilst non-legally binding, the document serves as a 'how-to guide' on issues ranging from traffic management and forward planning, to significant local events and reinstatement performance. It is recognised by all parties that street works is key in delivering world class infrastructure and connectivity.



LA and Operator working together to promote innovation

Example

Gigaclear & Fastershire (BDUK scheme - Gloucestershire and Herefordshire)

As part of their BDUK Fastershire tender, Gigaclear offered Fastershire the option of 2 deployment plans. One using narrow-trenching as the deployment technique, the other using conventional methods. The figures showed narrow-trenching would both significantly reduce cost and increase coverage. After discussion and provision of engineering evidence, Fastershire accepted the narrow-trenching deployment plan

Result - With Complete Utilities serving as the contractor, average work duration across the authority was reduced, and the deployment saw a 200% increase in productivity compared to conventional delivery.

Pre-site survey/LA and Operator jointly assessing road conditions prior to build

Example

Cambridgeshire County Council & Virgin Media

To maintain build progress and reach an agreement suitable to both parties, Virgin Media (VM) and Cambridgeshire Highways formulated a plan to carry out weekly pre-build site walks and assign a Red, Amber or Green (RAG) status to each footway. Status was dependent on the present state of the pavement, and any previous works carried out by other undertakers. Footways were subsequently assigned a status, and a course of reinstatement action was agreed for each status:

- **Green** - Footway in good condition and reinstatement carried out by VM in accordance with the SROH. Defects outside of the line of trench and attributable to VM's method of work would be passed to VM.

- **Amber** - Specific options agreed on-site, such as no guarantee periods, slurry seal reinstatements and full width reinstatements.
- **Red** - Footway acknowledged as in poor condition and VM to reinstate according to SROH. EToN updated to confirm condition of footway. Defects arising outside of the line of trench to be assessed taking the pre-existing condition into account.

Alternatively for red-designated footways, the LA could make a contribution to the Operator reinstatement costs, or vice versa should the LA carry out reinstatements on red footways.

Local PR and communications strategy

Example

Bewdley Town Centre works

A non-telecoms example: Major works had to be undertaken in Bewdley Town Centre in order to replace water and gas infrastructure. A prosperous town with a strong tourism industry, it was imperative that disruption caused by the 6-month works was minimised so that the tourist economy of the town would not be impacted. Key to this was positive engagement with residents, businesses and visitors. Alongside early engagement and joint working, Severn Trent Water and National Grid Gas undertook:

- Suspending works and maintaining street access during major public holidays and unplanned events (such as a military march).
- A local press & radio campaign before, during and after the works.
- 4,000 leaflets explaining the works and emphasising minimal disruption.
- Road signs with progress updates and advertising for Bewdley businesses.
- Site representatives that visited businesses and residents to deal with day-to-day enquiries and concerns.
- Regular dialogue between the Mayor, utilities and Street authority.

Works co-ordination/joint occupation

Example

Dudley Town Centre Joint Working Scheme

A non-telecoms example; South Staffs Water, National Grid Gas and Western Power Distribution partnered to engage with Dudley Council to carry out an 18 month programme of works. This involved:

- Comprehensive, coordinated data exchange between the utilities and the LA.
- Weekly progress meetings between all parties.
- LA granting a single all-encompassing TTRO for the 18 month period.
- Joint working methods to promote duct installation and pipe use without unnecessary additional excavation. This also involved splitting costs.

Result

Minimised traffic, business and resident disruption (extremely low number of complaints), significant time and resource savings, lasting working relationships.

Continued engagement

Following the pre-build meet, regular meetings (minimum monthly) should be agreed between the Operator and the LA to discuss progress, challenges and delivery, and any other business. DCMS advises that these should have 2 general themes: strategic - looking at the big picture of delivery and timetables; and operational - more technical discussion of specific issues and practicalities on the road. A template for these meetings can be found in [Appendix C](#).

'Dig Once'

One of the most effective ways to manage fibre infrastructure deployment is through the use of a 'Dig Once' approach where, when a road is being excavated for whatever reason, ducting for fibre optic cables is also installed. This would allow for increased fibre capacity to be quickly and easily provided in future with limited disruption to traffic. This can be especially useful at strategic road crossings, pinch points, etc. The benefits are:

- Minimal traffic disruption (no foreseeable street works).
- Lighter traffic management/permitting/planning team workload (saved resources).
- Increased attractiveness of LA for fibre deployment (ducts are already in the ground, saving considerable time and money, mitigating unforeseen situations from deployment programmes)

Example

Transport for London (TfL) and Lane Rental investment

TfL have worked with the street works industry to use the lane rental fund in order to lay additional ducting during construction of cycle highways and other modernisation programmes. This has been done during concurrent street works and complements another lane rental funded project to capture and display redundant mains. This gives industry an opportunity to use existing infrastructure when planning street works activities. This will save the industry millions of pounds, significantly reduce disruption at strategic locations and provides opportunity for key infrastructure programmes to be delivered at speed.

Result (links)

[Future-proofing using Lane Rental funds - TfL I](#)

[Future-proofing using Lane Rental funds - TfL II](#)

[Future-proofing using Lane Rental funds - TfL III](#)

[Future-proofing using Lane Rental funds - TfL IV](#)

[Future-proofing using Lane Rental funds - TfL V](#)



Construction of chamber on the Sandridge Street island



New chamber constructed on Highgate Hill

Example

Cambridgeshire County Council and A-road network upgrade

Cambridgeshire have announced that all upcoming council-led upgrades to the A-road carriageway network will require ducting to be installed into the ground.

Going the extra mile

For LAs that wish to attract and promote digital infrastructure deployment, consideration could be given as to how permits or permit application fees might be structured to incentivise Operators to speed up coverage. However, local authorities must offer the same incentives to all utilities.

2. Permitting, noticing and traffic management

While Operators will know that they are going to be undertaking work in a location, they may not know precisely which street until deep into the planning process, thus potentially falling foul of 3-month notice periods and other traffic management lead times. Remedial and emergency work, the availability of crews, delays elsewhere and other factors affects their ability to be precise with start dates and finish times. Flexibility and understanding from local authorities on these matters will quicken the pace of deployment.

There are a number of permit and noticing schemes across the country, reflecting each local authority's network needs. Each scheme has nuances in its processes that Operators have to adapt to. This lack of consistency impacts upon a Operator's ability to deliver plans and deploy infrastructure. In addition to this lead times/notice periods for other schemes, such as TTROs, rarely align to the related permits. One of the challenges faced by Operators when planning a new network deployment is the variation between the notice and permit schemes operated by LAs. There are **25 permit schemes** operating in more than **90 LAs**.¹⁴

Local authorities can manage their permit schemes as they see fit, but a collaborative and flexible approach will mean that Operators complete work faster and to a higher standard. Compliance with the TMA¹⁵ is critical and must be the baseline, but with appreciation that flexibility is sometimes needed to ensure delivery at the earliest opportunity (whilst balancing disruption to the travelling public).

LAs are encouraged to work together with neighbouring authorities to agree a set of standard rules and criteria for permit and traffic management processes. Greater consistency will allow Operators to better plan deployments across regions. This will result in faster and widespread deployment, which results in greater socio-economic benefits for each LA.

At the same time, Operators should avoid submitting notices as soon as works are planned, and repeatedly asking for early starts. This can be addressed by following suggestions in section 1.

¹⁴http://www.analysismason.com/contentassets/2448861af5674dcfa77d9fea054e3893/analysys_mason_lowering_barriers_to_telecoms_infrastructure_deployment_may17.pdf

¹⁵Traffic Management Act, 2004: <https://www.legislation.gov.uk/ukpga/2004/18/contents>

Example

Yorkshire & Humber Common Permit Scheme (YHCPS)

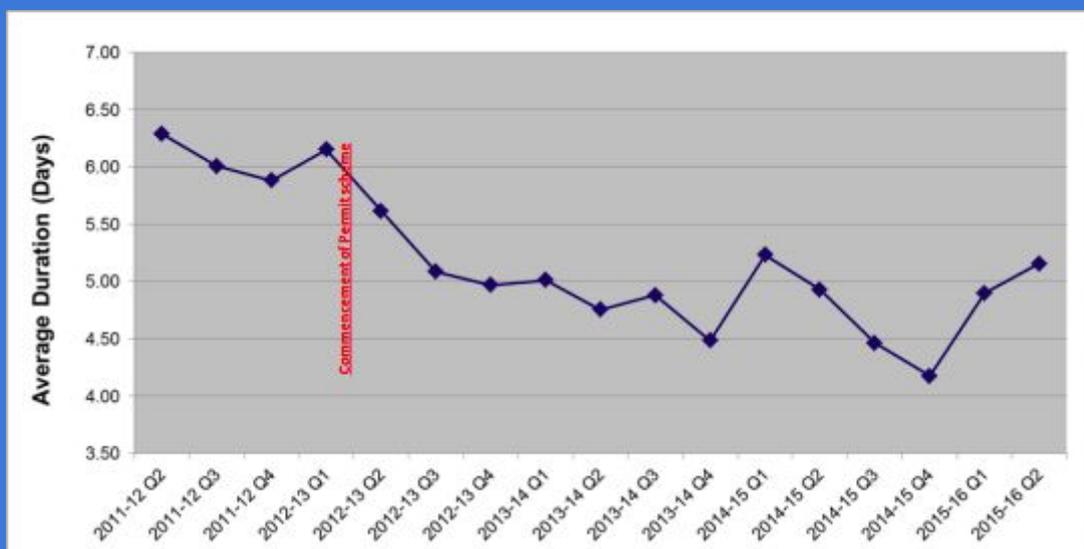
The YHCPS is an agreement between 12 local authorities in Yorkshire and Humberside to align permit rules across the region. The key objective was to 'minimise delay and reduce disruption to road users from street works'.

All 12 LAs agreed to ensure certainty of work dates, provide regular updates of work plans, and improve operational aspects such as execution and monitoring. This change also involved a focus on driving proactivity, coordination and collaboration (such as emphasising that permits should only apply to road categories 0-2, and reducing permit fees when 2 or more undertakers share the same working space/submit joint working strategies).

Result¹⁶

July 2011 - June 2012 (prior to YHCPS)	Avg. works duration (awd): 6.1 days
July 2014 - June 2015 (post-implementation)	Awd: 4.6 days

- Increase in works gone ahead without cancellation.
- Works commencing on planned start date rose from an average of 82% in the 4Qs prior to the YHCPS in 2013, to 95% since implementation.
- 3 of the top 8 best local authority regions in the UK for FTTP availability are part of the YHCPS.



Whilst early engagement (as outlined in section 1) will help to avoid many of the problems that may arise during permitting, noticing and traffic management, it is best practice for all stakeholders to approach issues flexibly, collaboratively, and with common sense.

¹⁶ <https://www.leeds.gov.uk/docs/Third%20Year%20Review%20YHCPS.pdf>

Example**Essex Highways**

The best permitting schemes are those that have clear and unambiguous policies. Essex manage a strict, but proactive and productive permit scheme:

- Clear set of criteria for granting/refusing permits and traffic management permissions.
- Well-trained staff and empowered administrators.
- Stripped away and modified certain elements of the early starts system, making the application process smoother and quicker.
- Acceptance of micro-trenching as a deployment method following trials (despite unclear guidance in the SROH).

Most importantly however, the Essex Highways team operates a culture that looks for solutions, proactively supports well-planned deployments and applications, and understands the benefits that fibre networks bring.

Guidance and advice notes from the Highway Authorities and Utilities Committee (HAUC) should be considered, including:

- [Operation of permit schemes](#)
- [Fibre cabinet installations to be classified as standard works.](#)
- [Applying Section 74 regulations](#)
- [Traffic Management Considerations](#)

Issues that arise in the permitting, noticing and traffic management processes:

Issue	Suggested solution
Patchwork of different permit schemes across the country	LAs are encouraged to agree uniform rules with nearby authorities. Best practice here includes the Yorkshire & Humber Common Permit Scheme.
Permit fees adding up	Permit fees at cost as long as a level of standard is maintained with LAs reconsidering the costs should standards fall. N.B. Early engagement should reduce multiple permit costs regardless
General traffic management applications	LA and Operator to use 2700 notification on EToN. This promotes a common standard as well as quicker and more effective working practice.
TTROs, parking bay discounts	Collaboration in planning deployment (section 1) Open exchange between PoCs of both Operator and LA. Not insisting on a TTRO unless absolutely necessary, and offering discounts where Operator performance has exceeded expectations.

Example

Westminster City CouncilWestminster parking bay discount programme.

In a 3-month period (June-Sept '17) concessions granted by the Council saved Operators £200,000. Westminster have recognised that the long-term economic benefits of full-fibre connectivity far out-weight short-term gains. DCMS recognises however that not all LAs will have the financial flexibility to adopt this approach.

Forward planned permit/notice schemes	<p>Collaboration in planning deployment (section 1). Open exchange between PoCs of both Operator and LA. This will also prevent delays caused by parked vehicles, duct blockages, collapsed ducts.</p> <p>Ultimately the purpose here is to provide undertakers with greater flexibility when they experiencing unforeseen circumstances, for example illegally parked vehicles in work-sites blocking access.</p>
Works on category 3-4 roads	HAs might want to consider whether a permit or fee is necessary for less busy roads and where there is likely to be little impact on the public.
LAs overwhelmed by number of permit applications	Discussion to take place around Utility funding an additional LA inspector to manage extra workload (section 1).
Forward planning notices and early starts	These should always be allowed should a Utility and contractor agree a program of works with the LA.

Rejected permits - Outright Refusal vs. Permit Modification Requests

Whilst it is anticipated that permit rejections will now be kept to a minimum due to early engagement (Section 1), there will be cases where changes need to be made and errors corrected. Permit Modification Requests (PMR) should be used in all but the most serious cases.

PMRs:

- Provide LAs with a steady stream of permit applications. PMRs do not shut down the permit application itself/restart the entire process. Should LAs issue too many outright refusals, this will result in a Utility having to begin the permit application process again, meaning that they will be submitting a deluge of permits at the last minute in order to keep on track with project delivery timelines. This will strain LA resources, cause further delays and damage relations.
- allow the Utility to make changes to the application so that plans can remain on the schedule agreed with the LA and contractors in section 1. This will mean that Operators will

be able to stick to agreed programmes with contractors, which ultimately will result in quicker works and higher quality reinstatements.

To ensure the greatest realisation of benefits all PMRs should be timely. There are many examples of Modification Requests being received a matter of hours before works are due to commence, and the effect of this on a programme can be almost as severe as an Outright Refusal. Experience suggests that a process for dealing with the interaction between the traffic management plan and permit conditions should be agreed pre-application. Clear pre-agreed guidance and standards over which comes first is recommended. (e.g. Avoiding cases where a permit is rejected because the traffic management plan has not agreed, vice versa).

Incentivisation

A culture of incentivisation can help in the faster and cheaper deployment of digital infrastructure. There are plenty of opportunities for incentivising rapid, high quality fibre deployment through the better use of permit and traffic management schemes. Some of these have been included in section 1, for example mobile works & TTROs, and forward planned permits/notices able to cover the expected works.

Night working

Although not practicable in all situations, working at a night can reduce the overall impact of street works on road users. LAs may therefore wish to consider how they might actively incentivise Operators to work at night. The point-of-contact within the LA would need to be aware of issues with the Environment Authorities as there are no clear processes for engaging with Operator nightworks teams.

Benefits include:

- Access to sites that would not be granted during the day, e.g. business, industrial and some residential areas where there is heavy traffic or parking issues.
- Jobs can be completed quicker as there is less traffic to navigate – less traffic means safer working environments and less complex traffic management requirements.
- Quicker repairs to faults affecting service. This includes pole smashes, cabinet smashes, construction damage and cut fibre. For example, when an excavator cut through multiple Openreach fibre cables near Heathrow, the damage was fixed in 2.5 days instead of 5 as the repair teams worked 24 hours until it was fixed. Pole and cabinet smashes through road traffic accidents can disrupt the service to many hundreds of customers or multiple communications providers. Having the ability to react quickly restores service with minimum delay, even if it is only a temporary overnight fix until a permanent repair can be scheduled.

3. Physical deployment and reinstatements

A **flexible, proactive, and consistent** approach is needed for the civil engineering aspect of the build, as well as the planning and permitting stages. Delivering the fibre networks the UK needs is a commercial venture. Owing to the nature of fibre deployment, Operators are consistently under pressure to maintain the economic viability of their plans.

Local authorities differ in their approach to dealing with non-compliance in street works. Many are reasonable but some adopt a more aggressive approach. For this reason, contractors planning to carry out street works in certain local authority areas build additional sums into their tenders to compensate for the cost of working there. While general Utilities have no choice but to work in all authority areas, Operators are less constricted on where they work because they are installing new apparatus, not servicing existing apparatus. As Operators are likely to favour working in areas where local authorities have a reasonable attitude to the enforcement of street works, these same areas will tend to reap the economic benefits of good connectivity sooner rather than later.

Common issues in deployments and reinstatements, and possible courses of action:

Topic	Suggested course of action
Condition of the road surface prior to works	LA, Operator and contractor to conduct a pre-site visit of the proposed route, assessing the condition of the road and agree subsequent actions on deployment and reinstatements.
Potential use of new material/technique	Operator/contractor to offer longer guarantee periods. Operator/contractor to organise events showcasing new material/technique in action. Operator/contractor to present data on material/technique, where it has been used before and with LA/highway body endorsement.
Defect management	Adherence to pre-agreed standards in section 1. Warning prior to fines (for first-time offences) Upload photos of defects onto EToN to enable instant investigation, avoiding unnecessary delays and site visits.
Fines	Assessment of performance vs. technicality. 10% of defect fines are levied on reinstatements that are performing to agreed standards, but don't meet precise technical specifications. Operators could offer a guarantee on reinstatements that are performing well, but do not meet strict technical specifications. The existing condition of the road should be taken into account when assessing works and defects. This should be part of the data exchange and agreements made in section 1. <u>It is not the</u>

	<u>Operator's duty to reinstate the road to a better condition than it was - this is statutory.</u> ¹⁷ Works on roads in poor condition are invariably harder to reinstate, and common sense should be applied when inspecting them.
Interpretations of the SROH	Adherence to pre-agreed standards in section 1. Agreed standards with nearby LAs and HAUC regional bodies. Proactive, flexible approach that brings solutions not problems.
Parking bay suspensions	Operators and LAs should discuss a suitable solutions if cars are illegally parked in planned work areas.
Parking difficulties	Temporary parking permits for vehicles delivering broadband to ensure work vehicles can be near the worksite. This will reduce traffic management applications and disruption
Defects	LAs should define from the the outset what they consider a defect to be, preferably including photographs of previous examples.

Case studies

Pre-existing road condition
<p>Example</p> <p>Cambridgeshire County Council & Virgin Media</p> <p><i><u>This is explained in section 1</u></i></p>
LA and Operator working together to trial new materials/techniques
<p>Example</p> <p>Talktalk & City of York Council</p> <p>Having successfully trialled new materials for narrow- and micro-trench reinstatements, Talktalk reached an agreement with the Council to use the material for their build in York, and in return extended their liability standards to provide reassurance.</p> <p>Result</p> <p>This has led to 22% of York with access to FttP (compared with average of 4% nationally), whilst current rates of deployment will mean that by the end of 2019, 75% of the city will have FTTP. The Council is already seeing new companies and investment arriving as a direct result.</p>

¹⁷SROH, S12.1.2: 'When determining whether a reinstatement requires any remedial action, the quality of the reinstatement shall be assessed relative to the condition of the adjacent surfaces

Flexible/common-sense interpretations of the SROH

Example

Essex Highways and micro-trenching

Following a series of successful trials and Operator-run deployment technique roadshows, Essex have allowed for the use of micro-trenching in their jurisdiction. Whilst many LAs forbid this technique because it is not explicitly covered in the SROH, Essex have recognised that:

1. It is the fastest street works deployment technique available, meaning less road disruption.
2. Reinstatement materials which carry a HAPAS (Highways Authority Product Approval Scheme) or equivalent approval lead to faster deployment and less road disruption, and thus should be allowed.

Gigaclear & Fastershire

[As outlined earlier in this document](#), Fastershire's acceptance of the use of narrow-trenching as the main technique for the Fastershire build resulted in at 200% deployment productivity increase.

A balanced approach to fines

Fines for street works offences are completely avoidable, although it is accepted that they may be more difficult to avoid in some LA areas than in others.

A forward thinking LA might wish to consider a more practical and pragmatic approach when encountering situations that require action. For example, the following offences might only warrant a warning as opposed to a fine:

- Double yellow lines not redrawn on a thin strip of reinstatements (warning).
- Permit boards missing a dot, or a single number is not clear enough (warning).
- Pedestrian facilities at a width of 99cm, not 100cm (warning).
- Working minutes outside of working hours.
- Unimportant administrative errors (typos).

Indeed, we recommend greater usage of warnings (for example, a yellow/red card system).

Serving unnecessary fines and disproportionate section 74 charges should be avoided. LAs should use their powers to penalise Operators in a consistent and clear manner - common sense should be applied, and fines for minor offences should be carefully considered before being imposed. Incentives are a good way of managing these issues.

The SROH: Materials and techniques

30/10 HRA, a standard highway material, is not listed in the SROH but is readily available and used by local authorities¹⁸. It is likely that it will be incorporated in SROH 4th edition. Mastic asphalt is a 100% waterproof material that has been included in a HAUC advice note ahead of the SROH 4th edition. BBA-HAPAS approved products can be used regardless of whether they are covered by the SROH but these are usually for specialised applications

Some local authorities have rejected the use of micro-trenching as a deployment technique, whilst others work with Operators and contractors in deploying the technology.

Technique/Material	LA/region allowing usage
<u>Narrow-trenching</u>	Gloucestershire, Herefordshire, Scotland, Cambridgeshire
<u>Micro-trenching</u>	Essex
<u>Viafix/Viatech</u>	Hampshire, West Sussex, SEHAUC
<u>MacRebur and SMR flowables</u>	NWHAUC LAs
<u>Foam concrete backfill</u>	Cambridgeshire
<u>Miltex</u>	City of York
<u>30/10 HRA</u>	Devon, Somerset

¹⁸Such as Devon, Somerset.

4. Contractors

It is contractors that physically deploy digital infrastructure. Contractor relationships with Operators and LAs are as important, if not more so, than those between Operators and LAs. All parties need to ensure that programmes of work proposed by contractors and agreed to by Operators are adhered to.

Performance

DCMS is working with Operators and contractors to improve the performance of techniques and reinstatement materials. Historically in the telecoms industry, performance has been poor but there have been marked improvements over recent months. Regardless of permit fees, traffic management application rejections and interpretations of the SROH, Operators can make savings¹⁹ should they follow a 'right first-time' approach to reinstatements. Charges and penalties resulting from issues such as defects or poorly supervised works will outweigh any benefits arising from over-zealous cost-saving proposals. There is strong appetite from Operators to improve their performance on the road (and DCMS advises discussing street works performance in the initial LA-Operator engagement) To achieve sustainable lower costs, the DCMS proposes that:

1. **Operators adhere to the contractor's timetable** of delivery as laid out in the initial programme of works.
2. **LAs and Operators discuss the contractor selection process** as early as possible. LAs will have considerable knowledge on previous contractor performance in their area, and will be best positioned to advise the Operator (especially on sub-contractors).
3. **Contractors contribute and adhere to a performance standard** agreed to by all parties in the initial programme of works.
4. **Operators propose a suitable supervising plan** to ensure 'sign-off' on completed street works.
5. **The LA, Operator and contractor arrange a pre-site survey** to assess the proposed route, and to design a bespoke RAG process for managing pre-existing road conditions.
6. **Operators and contractors run roadshows** showcasing new, innovative techniques and reinstatement materials that might enable faster infrastructure deployment.

Challenges

It is worth remembering that Operators face unique challenges in street works compared with the other major utilities such as gas, electricity and water. The nature of physical communications infrastructure deployment, and the lack of widespread existing fibre/duct infrastructure in the UK, mean that communications street works is **high volume, short duration** and **predominantly footway-based**. In practice this has several major effects:

¹⁹ For example by avoiding section 74 charges.

- **Vastly higher amounts of works** than the other utilities, meaning greater potential for charges/fines, penalties if not executed correctly. The volume of work also provides major challenges in logistics (for example transporting materials/gangs between plants and sites).
- The general contracting industry views gas, electricity and water utilities work as more profitable (these works also require higher levels of training due to the danger they can pose). This essentially means that **communications work can be neglected**, not prioritised or more likely to be exposed to cost pressures by contractors.
- The inflexibility of certain permit schemes means that in the event of a physical barrier on-site, (such as an illegally parked vehicle, blocked or collapsed ducts, major traffic issues affecting materials transport), the job cannot proceed as planned, thus affecting the programme of works.
- Adverse weather can slow down a build, placing further pressure on project/permit deadlines and contractors.

Combinations of the above points create a very challenging environment for Operators and contractors to plan perfectly.

Contractor concerns, effects on deployment and suggested solutions:

Issue	Effects	Solution
Overwhelming Operator focus on THP (total homes passed) rather than providing towns with a comprehensive network	Programmes are readily swapped as reactive civil works are discovered. These delays then impact: <ul style="list-style-type: none"> ● Communities - works cause delays whilst broadband they are expecting is not delivered. ● LAs - Operator deviate from agreed plans, thus impacting other works, permitting workloads, etc. ● Contractors - moving teams across sites delays works and lowers quality. 	All parties to sign up to a programme of works, as outlined in section 1. <i>In LA-led deployments, parties working jointly through the change control process to deliver comprehensive networks</i>
Lack of understanding over reactive works and their effects on deployment	Operators/contractors often putting fibre down old, fragile ducts, so whilst they are deploying, contractors are also having to 'prove' the integrity of the route. If they encounter an issue they will need to fix it or change their schedule, resulting in short-notice permit applications and delays.	Building an upfront plan about negotiating blockages on all duct routes. (Discussion and data exchange in section 1).
Operators making contractors start early on agreed programmes	Contractors have to change/shelve previously agreed plans that have would have had accurate forecasting for budget and delivery.	All parties to adhere to a programme of works (section 1). LAs as a signatory on the programme of works would hold delivery to account when it

		comes to permitting, traffic management, etc.
Operators not giving contractors enough time to put together deliverable plans	Contractors cannot bring together correct resources on the right schedule, leading to increased permit fees, gangs being moved around, and poorer reinstatements	Agreed programme of works (section 1)
Operators demanding too much from contractors	Contractors having to move gangs from site-to-site, leaving works hastily finished (or not finished at all). This is exacerbated by inflexible permits and reactive works beyond the control of Operators.	Agreed programme of works (section 1) Forward planned permits (section 2) Innovative materials and techniques (section 3)
Resistance to innovation	Slow pace of build due to inefficient techniques. This also leads to more expensive rollouts and less coverage.	Greater collaboration (section 1) and openness to innovation (section 3)

Glossary of Terms

AoNB - Area of Natural Beauty.

BBA - British Board of Agrément

BDUK - Broadband Delivery UK, superfast broadband and local full fibre networks delivery team within the Department for Digital, Culture, Media and Sport.

DCMS - Department for Digital, Culture, Media and Sport.

DfT - Department for Transport.

EToN - Electronic Transfer of Notices: The national electronic system for managing and planning street works. EToN is governed by the Department for Transport.

Foam concrete - A reinstatement material

FTTP - Fibre-to-the-premise

GIS - Geographic Information System

HA - Highway Authority

HAPAS - Highways Authority Product Approval Scheme

HAUC - Highway Authorities and Utilities Committee

HRA - Hot Rolled Asphalt: A reinstatement material

LA/HA - Local Authority/Highway Authority

N.B. This document uses the terms LA and HA interchangeable. Whilst we understand that there is a difference, it is important that local bodies have a holistic approach to fibre. Building world class digital infrastructure requires collaboration between local and highway authorities, and as such LAs/HAs should have the same approach.

Lane Rental - A scheme run by the Department for Transport that manages the busiest roads in a given authority. Currently only in use by Kent County Council and TfL.

MacRebur - A reinstatement materials company

Micro-trenching - Similar to narrow-trenching, however the width of the trench is smaller, usually less than 100mm

Miltex - A reinstatement material

Narrow-trenching - A method of deployment by which a 'narrow trench', usually 300mm surface width or less, is cut along the side of the road/pavement.

NDA - Non-Disclosure Agreement

NRSWA - New Roads and Street Works Act, 1991

Operator - Blanket term in this document for a telecommunications company that deploys fibre. In the UK this includes Openreach, Virgin Media, Gigaclear, CityFibre, Talktalk, Hyperoptic and CommunityFibre.

PMR - Permit Modification Request

PoC - Point-of-contact

SLT - Senior Leadership Team

Slurry Seal - A reinstatement material

SMR - A reinstatement materials company

SRO - Senior Responsible Owner

SROH - The Specification of the Reinstatement of Openings in the Highway

SSSI - Site of Specific Scientific Interest

TfL - Transport for London

THP - Total Homes Passed

TMA - Traffic Management Act 2004

TTRO - Temporary Traffic Regulation Order

Viafix - A reinstatement material

Viatec - A reinstatement materials company

VM - Virgin Media, a telecommunications Operator

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Appendix A - useful documents/links

Useful documents/links

[DfT Good Practice Guide to Street works](#)

[HAUC \(UK\) advice notes and best practice case studies](#)

[Streetworks UK case studies](#)

[Analysys Mason 'Barriers to Telecoms Infrastructure deployment' report](#)

Appendix B

PRE-BUILD MEETING AGENDA TEMPLATE

1. Introductions and objectives, including the fibre vision for the local area	
2. NDA agreement (if applicable)	
3. Operator's deployment plan	Proposed route, contractor selection and programme of works, deployment and reinstatement strategy, examples/stats of previous deployments in similar environments
4. Data exchange	Usable public infrastructure/assets, asset condition data, capital works plan, information on restrictions, local nuances, concurrent utility/council works, opportunities for joint-occupation/working
5. Permits/noticing, traffic management and works classification	<p>Number of permits/notices, permit nuances, TTROs, parking bay suspensions, LA permit/traffic management workload capability.</p> <p><i>Potential solutions: not insisting on a TTRO unless absolutely necessary, using fees as an incentive, forward planned permits, mobile works, works classifications, works supervision, additional resource funding.</i></p>
6. Local issues	Embargoes, S58s, SSSIs, AoNBs, Scheduled Monuments, local nuances.
7. Deployment and reinstatement	Information on previous deployment/reinstatements in the area, innovation, agreement to route walks/pre-site survey, managing defects and offences, presentation on new techniques and materials (invitation to trial sites), inspections & supervision, approach to reactive works
8. Community engagement	PR, marketing, adverts on vehicles, banners on safety barriers, engagement with parish council/councillors, leaflet drops, build representatives speaking with residents.
9. Exchange of Points-of-Contacts	
10. Agreement of shared objectives. Agreement of preliminary build plan.	
11. AoB	

Appendix C

MONTHLY MEETINGS DURING BUILD AGENDA TEMPLATE

STRATEGIC	
1. Build progress update (referencing the pre-agreed programme of works)	
2. Local issues	Update on progress in SSSIs, AoNBs, and other local challenges
3. Community engagement	Update on marketing and PR initiatives and success/failure, providing update to councillors/parish councils.
OPERATIONAL	
4. Permit/noticing and traffic management update	Performance, problems encountered/identified, likelihood of additional permits/traffic management, update on supervision and inspections, update on reactive works
5. Reinstatements performance	Update on reinstatements. To include performance of current deployment techniques and reinstatement materials. Adherence to pre-agreed performance standards
6. Violations and fines (if applicable)	Discussion over section 74 infractions, warnings, and other below-standard behaviour
7. AoB	