



Department
for Transport

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To all local authorities and statutory undertakers
in England

STREET MANAGER: REGISTRATION REQUIREMENTS AND CHARGES

You will all be aware that the new Street Manager digital service for planning and managing street and road works goes live in 1 July 2020, and the Street and Road Works (Amendments Relating to Electronic Communications) (England) Regulations 2020¹ comes into force on the same date.

Sections 53(4) and (5) of the New Roads and Street Works Act 1991² state that:

- Section 53(4): The Secretary of State may make arrangements for the duties of street authorities [for noticing works or permit authorities for permitting works] under this section to be discharged by means of one or more central registers kept by a person appointed in pursuance of the arrangements.
- Section 53(5): If such arrangements are made the Secretary of State may require street authorities [for noticing works or permit authorities for permitting works] to participate in and make contributions towards the cost of the arrangements.

New subsections of Section 53:(5B), (5C) and (5D) allow the Secretary of State to require undertakers to contribute to the cost of the central register, where they are required by any enactment to enter information into the central register.

This letter therefore:

- (1) Requires authorities, both those operating permit schemes and the few that are still operating a notice system, and undertakers in England to participate in Street Manager as a central register from 1 July 2020, and
- (2) Confirms that the Secretary of State requires authorities and undertakers to make contributions towards the cost of this arrangement under section 53(5) and new subsection 53(5D).

¹ S.I. 2020/122 <http://www.legislation.gov.uk/uksi/2020/122/made>

² As modified by regulation 5(7) of S.I. 2020/122.

Registration requirements

For the purpose of the requirement under Section 53(4), the Secretary of State requires the following registration requirements to be carried out in Street Manager, and entered via the user interface or via the API³:

Noticing Regime

Notices under the New Roads and Street Works Act 1991:

- Section 54 notices (item 1 of the table at regulation 4(4) of the Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007⁴) (“the 2007 Regulations”)
- Section 55 notices (item 1 of the table at regulation 4(4) of the 2007 Regulations)
- Section 57 notices (item 1 of the table at regulation 4(4) of the 2007 Regulations)
- Section 70(3) and (4A) notices (item 7 of the table at regulation 4(4) of the 2007 Regulations)
- Section 72(3) notices (item 8 of the table at regulation 4(4) of the 2007 Regulations)
- Section 74 and 74A notices (items 9 and 10 of the table at regulation 4(4) of the 2007 Regulations)
- Section 81 notices to inform statutory undertakers of defective apparatus

Information under the Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007:

- The information listed at item 5 of the table at regulation 4(5)

Permitting Regime

The information listed in the following sections of section 53 of the New Roads and Street Works Act 1991, as modified by regulation 38B of The Street and Road Works (Amendments Relating to Electronic Communications) (England) Regulations 2020:

- Section 53(2A):
 - (a) every permit (consolidated so as to incorporate any variations of the permit);
 - (b) every variation of a permit;
 - (c) every variation and revocation of permit conditions;
 - (d) every provisional advance authorisation;
 - (e) every application for a permit;
 - (f) every application for a variation of a permit;
 - (g) every application for a provisional advance authorisation;
 - (h) every refusal to grant a permit;
 - (i) every refusal to grant a variation of a permit;
 - (j) every refusal to grant a provisional advance authorisation;
 - (k) every permit, provisional advance authorisation, variation of a permit and variation to permit conditions deemed to have been granted under regulation 16 of the Traffic Management Permit Scheme (England) Regulations 2007;

³ The Department for Transport’s digital service for planning and managing roadworks. Data can also be provided to Street Manager by means of an interface which complies with the Department for Transport’s Application Programming Interface (API) specification for planning and managing roadworks. See <https://www.gov.uk/guidance/plan-and-manage-roadworks> for the service page and <https://departmentfortransport.github.io/street-manager-docs/api-documentation/> for the latest API documentation.

⁴ S.I. 2007/1951

- (l) every permit revocation.
- Section 53(2B)(b): every notice given under regulation 6 of the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009;
- Section 53(2B)(g): every notice given under section 70(3) or (4A).

It should be noted that the requirement for these registrations to be on Street Manager only applies to streets which are maintainable highways, and not to private streets.

There are, in addition, voluntary fields covering information which may be provided but these are optional.

Fixed Penalty Notices

- Regulation 5(1) of the Street Works (Fixed Penalty) (England) Regulations 2007⁵ requires the giving of a fixed penalty notice or a notice withdrawing a fixed penalty by the central register, Street Manager.

Cost contributions/charges

Since arrangements have been made under section 53(4) for registration duties under section 53 in relation to the above information to be discharged by means of using Street Manager, and the Secretary of State requires the above information to be registered on Street Manager, the Secretary of State requires street authorities under section 53(5) and permit authorities under section 53(5) as modified by regulation 38B of the Street and Road Works (Amendments Relating to Electronic Communications) (England) Regulations 2020 to make contributions towards the cost of Street Manager. In addition, the Secretary of State requires statutory undertakers to contribute to the cost of Street Manager under section 53(5D) (added by the 2020 regulations) where they are required to enter the relevant information into Street Manager

The DfT has previously communicated to authorities and statutory undertakers how charges will be applied. They will begin on 1 July 2020 and cover the remainder of the financial year 2020/21 and the financial year 2021/22. Invoices will be sent quarterly in arrears, with the first invoices being sent on 1 October 2020.

The charges will be fixed for the first 2 years of Street Manager's operation. In mid-2021, we will have a full year of Street Manager data and can discuss both changes to the methodology of calculating the charges and whether they will reduce or increase from 2022/23 onwards in line with the speed of development of Street Manager functionality and user needs.

Charges for Street Manager will be used to fund the maintenance and continuous improvement of the service. They are on a cost recovery basis. Any surplus that may arise will be used to improve Street Manager. Charges will be by organisation (local highway authority and statutory undertaker). There will be no restrictions on the number of users or numbers of transactions. Any future development of Street Manager and new services will be made available to all users at no additional cost. Each organisation will be charged whether you use Street Manager via the user interface or via an API.

Charges have been calculated for each organisation based on a three-year average of works carried out between 1 Jan 2016 and 31 Dec 2018, since that is the data-set we have available. We have allocated organisations to bands so that charges are fair, and

⁵ SI 2007/1952 as amended by regulation 4(3) of S.I. 2020/122

larger organisations/heavy users pay more than smaller ones/light users. We plan to charge authorities and statutory undertakes for 50% of the costs of Street Manager each, and we have used two different methodologies for calculating the costs for the two groups. These methodologies have been discussed with Streetworks UK and JAG(UK).

Those methods are as follows:

- Statutory undertakers: Calculated based on number of works undertaken by the organisation in the relevant time period.
- Highway Authorities: Calculated based on number of works carried out in that Authority in the relevant time period, *excluding* the Authority's own works.

The banding for statutory undertakers is as follows:

	Bottom of Band	Top of Band	Band Rate
A	200,001	N/A	£300,000
B	100,001	200,000	£150,000
C	50,001	100,000	£75,000
D	30,001	50,000	£50,000
E	20,001	30,000	£35,000
F	10,001	20,000	£30,000
G	7,501	10,000	£27,500
H	5,001	7,500	£25,000
I	2,501	5,000	£17,500
J	501	2,500	£10,000
K	51	500	£5,000
L	1	50	£1,000

This equates to an average charge per promoter of approximately £25,000 per year.

The banding for Authorities is as follows:

	Bottom of Band	Top of Band	Band Rate
A	20,000	N/A	£30,000
B	10,000	19,999	£22,500
C	6,000	9,999	£15,000
D	5,000	5,999	£10,000
E	1	4,999	£7,500

This equates to an average charge per Authority of £15,000 per year.

As stated above, these charges and the methodology used to calculate them will be reviewed in mid-2021. Governance arrangements have been put in place with users.

Yours,
Charlotte

BARONESS VERE OF NORBITON