

## **Frequently asked questions**

### **Q. Is there a way an authority can apply a condition to insist on first-time permanent reinstatement?**

A. No, the SROH states that first time permanent is preferable but is not mandatory. There is not a national condition that allows this stipulation. If there is a particular need for 1<sup>st</sup> time permanent, the authority should talk with the promoter.

### **Q. If a works promoter is required to work 09:30-16:00 weekdays to limit congestion, (so NCT02a), but are also working longer hours on a weekend e.g. 09:00-16:00 Saturday and Sunday do we use 2a and 2b together on that permit?**

A. This is a good example of where these two particular NCT's can be used on the same permit although they may seem contradictory. The condition text must reflect the requirements.

### **Q. Are there any model answers for the scenarios?**

A. No, as the scenarios are designed to promote discussion to reach a common agreement between authorities and works promoters. We have provided some prompters for each scenario for the facilitator to provide some 'pointers' to the groups during the scenario task if the group needs help.

### **Q. Could the pack include information on when a FPN under Reg20 can be applied on each condition?**

A. This training pack is designed to provide a common understanding of the use of conditions across England and is not guidance on when or how an FPN should be used. Legal advice from both authorities and utilities have always advised against this.

### **Q. if NCT13 is not in Street Manager does that mean an FPN cannot be raised - a question I'm sure someone somewhere will ask during the training session itself.**

A. NCT13 can only be used in exceptional circumstance and for it to be used the authority and the promoter must have discussed and agreed the details before works take place. This agreement should be recorded on the permit application and if the promoter does not adhere to what was mutually agreed, then it may be reasonable for an FPN to be issued and accepted.

### **Q. NCT03 is confusing, is there any more clarity you can provide?**

A. The regulation states that a permit 'shall include such supplementary information as is known by the applicant at the time of the application.'

The condition itself is not mandatory on a permit application, but the inclusion of any ancillary information on a permit application is required by the above extract from regulation. Guidance provided by the DfT via HAUC England advises that NCT03 should be added to any permit that may require ancillary information at any point.

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### **Q. What are normal working hours – NCT02?**

A. Street & road works should generally adhere to construction hours which are 8am to 6pm on Monday to Friday, and 8am to 1pm on Saturdays, with no noisy works on Sundays.

### **Q. What is the change to NCT09a?**

A. This condition was amended at the same time as the addition of NCT09d & NCT03. This condition is now only to be used on major works on all road categories other than 0,1 or 2 (which are covered in NCT09d).

**Q. Which NCT should be used when the permitted works are going to be using intelligent signals?**

A. NCT08b