

SU CDM Arrangements FAQ

Does the NH passport system apply to SU's when NH is the Client?

The highways passport scheme is not a National Highways requirement, however a best practice measure adopted by the highways sector. The requirements for the highways passport system will depend on the site rules of the Principal Contractor for the works.

Are the SU's comfortable with accepting the role of Client?

This is not about accepting the Client role. It is providing clarity of who the Client is.

Is there a cost implication to having these discussions with SU's?

This will depend on the scope of works imposed by any arrangement. Lack of scope identification is a common cause of programme and cost delays, so early clarification of scope will likely contribute to mitigating this risk.

How will NH ensure that as-built information is shared in a timely manner?

The NH and SU project teams will work together to review and assess and the share the 'as built' information in a timely manner.

This will be a key part of the project management arrangements and cooperation and coordination between all parties.

Who is going to sign off the Transfer of Control of Premises (TOCOP) forms from the Client side?

This needs to be decided by the project team, based on the experience and capability of the team. Typically, this would be undertaken by Project Manager level and above.

What is required by NH Project teams when signing off the TOCOP forms?

The NH Project team will need to know:

- The location and extent of the area covered by the TOCOP
- The length of time that the TOCOP will apply
- Who from the SU and their Supply Chain is taking on the area covered by the TOCOP

- What arrangements are/will be in place to assess the condition of the area and the completed works before the area covered by the TOCOP is handed back to the NH project.

[Click here](#) for link to *Clients Guide to Transfer of Control of Premises* for further information.

How will NH teams cope with the increase in workload?

There shouldn't be a significant increase in workload resulting from this process. NH project teams are not providing a technical input into this process, just an awareness of who sites are being transferred to, and what has been agreed via formal notification and within previous discussions (last minute changes should be challenged).

Who should I contact if I have issues implementing this process?

Contact your Regional H&S Manager or SU team for advice.

Is this mandatory for all NH projects?

This will be mandatory for all projects in which there are statutory undertaker works included within the scope, the exception being projects in which the SU works have been procured (C6/C7 stage), see below for further clarification.

It is not mandatory for this process to be applied to projects in which National Highways has a third party interest, however use is encouraged.

What if my project is already in procurement?

This guidance and process should be applied to all works that have not been progressed past procurement (C4 estimate stage). For works that are in the procurement process, these should be assessed on a case-by-case basis, clarifying our position in terms of CDM.

How do I know the SU is aware of their duties?

Ask appropriate questions within the pre-arrangement meeting:

- Are they planning on submitting an F10 notice?
- Will they be appointing a Principal Contractor and/or Principal Designer?
- What pre-construction information do they need?
- What is the intention for sharing the H&S file?
- Can they share a copy of the Construction Phase Plan?

Which stage of the project lifecycle would you consider having these discussions?

Following from the SU initial (C3 budget estimate), where possible an arrangement should be determined before the latest SU scope of works is determined (C4 estimate), to ensure it's incorporated into the scope and budget.

What is a statutory undertaker and does this apply to non-statutory undertakers?

A statutory undertaker is an organisation that has the powers to install, maintain and remove its apparatus within an operational highway. They are often (but not always) utility companies. This guidance and process can still apply to a utility company that is not a licensed statutory undertaker.

What if it isn't within the Principal Contractors scope to undertake this work?

If it isn't within the Principal Contractor scope to manage or coordinate utility works, then it will be the Client or any agent acting on behalf of the Client's, responsibility to communicate any CDM arrangements for the works.

What if the statutory undertaker has no understanding of CDM?

If the statutory undertaker does not have sufficient understanding of CDM, then careful consideration should be taken to whether or not the SU is the most appropriate organisation to assume the role of Client. We should not be transferring control of any of our sites if we are not confident that the SU understands the responsibilities that they are assuming.

If there is a systemic issue within the SU organisation, then this should be pursued by the Utilities Strategic Engagement Team USET - strategicutilityteam@nationalhighways.co.uk .

How do I know the person within the SU organisation has the accountability to respond and confirm arrangements?

The project team should request a named individual from the SU organisation prior to the site transfer process, so that the site team are confident that the individual signing the TOCOP (Transfer of Control of Premises) form has the delegated authority to do so.

What if there is no SU Client present on site when I need to transfer the area?

Prior to the works commencing, the site transfer process should be discussed in detail and persons with sufficient authority to assume control should be identified in advance of mobilisation. If there is no person with the delegated authority to assume transfer of the proposed SU construction area, then the transfer process should not take place.

Consideration should be given to whether the SU Client organisation can sign the process in advance of the mobilisation date. However, it is paramount that any location or pre-construction information is available and does not change from the time of signing.

What records do I need to keep?

The level of record management needs to be appropriate to the size of the scheme and scope of utility works involved. At a minimum all CDM arrangement letters and responses, should be stored as formal records on SHARE or the appropriate document management system for the project. Larger scale projects should consider the use of a tracker to allow for efficient record management and reduce time in checking prior agreements for the TOCOP process.

Is there a recommended expiry time for the TOCOP?

No. The duration of the TOCOP needs to be agreed by the parties involved.