

REPORT OF THE CORPORATE DIRECTOR, PLACE CHARGES FOR HIGHWAYS SERVICES 2018/19

Purpose of the Report

1. To outline the outcomes of the review of the charges for services which Highways provide and seek approval from Committee to the charges for 2018/19.

Information

Reason/s for Recommendation/s

2. The County Council has powers to recover its reasonable costs in the preparation and publication of documentation and data through the Local Government Act 1972 and the Local Government (Miscellaneous Provisions) Act 1976. Similarly, Local Authorities have been able to charge for various services associated with their duties under the Highways Act 1980 and the Road Traffic Regulation Act 1984. These powers have been supplemented by the New Roads and Street Works Act 1991, the Local Authorities (England) (Charges for Land Searches) Regulations 2008 and the Local Authority (Transport Charges) Regulations 1998. Additionally, there are general powers for charging for discretionary services through the Local Government Act 2003.
3. On 1 July 2016, Via East Midlands was tasked with delivering the majority of the services related to the charges outlined in **Appendix A** on behalf of the Authority. Where these charges cannot be transferred to the company for legal reasons, they continue to be coordinated by the retained Client.
4. The annual review of charges for Highways Services has now been undertaken and the proposals are as set out in the attached **Appendix A**. Where service descriptions have changes the new description is highlighted using italics. Charges have increased by inflation except where charges are set by statute.

Changes to Charging Mechanisms

5. Corrections to the Commons and Town or Village Green (TVG) registers can now be made under the Commons Act 2006. Where there's a need to correct a mistake made by the County Council as part of the original registration there is no charge. Where a mistake is attributable to a third party, for example, where buildings or land are wrongly registered as common land or a TVG corrective applications can be made to the Authority. An application of this nature is subject to a legal process involving research, consultation and a report to the Authority's

Planning and Licensing Committee. Therefore, it's proposed to charge a fee of £1000 in line with other Registration Authorities. Additional fees may be payable such as where a public inquiry is necessary following objections to a corrective application.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, the public-sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

7. If the proposals are confirmed, charges to the public for some of the Highway Services will be increased. The increases have been kept to a minimum and reflect the current financial climate and costs to the Authority for these services.

Financial Implications

8. If the proposed charges are made there will be no adverse financial impacts on the Authority.

RECOMMENDATION/S

- 1) Approval be given for the proposed charges for highways services, documents and data for the financial year commencing 1 April 2018, as detailed in the Appendix to the report.
- 2) All charges for highways services continue to be reviewed annually and also as may be required consequent on any change in circumstances.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

Gary Wood, Group Manager, Highways and Transport, Tel: 0115 9774270

Constitutional Comments [SLB 12/02/18]

9. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [SES 06/02/18]

17. The financial implications are set out in the report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All