

**7 March 2019****Agenda Item: 5**

## **REPORT OF THE CORPORATE DIRECTOR, PLACE**

### **CHARGES FOR HIGHWAYS SERVICES 2019/20**

#### **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 2019/20

#### **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 July 1<sup>st</sup>, 2016, Via East Midlands was tasked with delivering most 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 changed the new description is highlighted using italics. Where appropriate, charges have been increased by inflation.

#### **Changes to Charging Structures**

##### **Pavement Café Licencing**

5. To better administer the licensing and inspection of premises' use of the pavement, it is proposed to move to a structure of licence charges that reflects its costs more accurately. This involves a higher initial license fee and then lower annual renewal charge. This principle is widely used by other authorities.

6. This is a two-tier structure, whereby premises using six chairs or fewer only pay half of the charge. This encourages smaller premises to apply for a license, which in turn reduces the need for later enforcement. It also avoids disincentivising beneficial use of the pavement in areas where smaller businesses operate.
7. All licences are issued with a set of Terms and Conditions that ensures that highways users' movement and access is not unduly impaired.
8. The full charge has been set at £200 initial fee and £100 renewal charge. This reflects estimates of admin and inspection costs.

### **Vehicle Access Licensing**

9. The charges for a license to construct a Vehicle Access and for the provision of Statutory Undertakers Plans will be combined. The proposed £75 charge for this reflects the cost of providing the service.
10. Combining the charges means that all contractors receive the Statutory Undertakers Plans required to carry out the work safely and professionally. This ensures NCC is encouraging best practice in construction and reduces the need for remedial action and often lengthy cost recovery when the work is not to the required standard.

### **Skip Licenses**

11. This charge will rise from £33 to £38 to reflect the cost of providing the service. The charge is for a licence to place a skip on the highway for a maximum of 28 days, but licences can be issued for shorter periods when appropriate to encourage quick use and removal. A further review next year will additionally investigate the possibility of differing charges for different length licences, to further incentivise responsible skip use.

### **Accident Data**

12. This charge for 'balloon plot' reports will rise from £255 to £315. The most complex accident data report offered, it needs to be increased to cover the time cost of producing the information. This type of report is generally requested fewer than 10 times each year.
13. Scaffolding, Hoarding, Mobile Equipment, Materials Stored on the Highway, and Remedial Inspections

### **Cost Recovery**

14. Where Via must undertake remedial work due to others' mistake or negligence, it is entitled to recover its costs. This remains the case, but wider use will be made of fixed schedules of rates for this work, based on calculated end to end process costs and overheads, rather than calculating a cost charge each time.

### **Parish and Community Support**

15. It is the continuing intention of NCC to support Parishes' use of seasonal decoration and the use of CCTV for community safety. Via subsidises a £500 per parish allowance for work supporting seasonal decorations, and has a £400 cap on CCTV charges where it is for reasons of Community Safety.

## **Bikeability Courses**

16. In order to extend the reach of the popular Bikeability course, it is proposed to begin charging a fee for this service. This will top-up the funding received from the Department for Transport (DfT) to fully cover Via's costs, thereby enabling them to deliver more courses, reaching more children.
17. The charge will be set at £125 per course for up to 12 pupils. This would be paid by schools, who would have the option to use School Sports Premium funding to cover it. The opinions of primary schools were sought on this approach two years ago, and over 50% responded in favour. This was before the School Sports Premium funding was available.
18. The roll-out of the charge would be piloted on the Balance Bike training, where demand currently outstrips supply by 3:1. 963 pupils received this training last year and with the top-up charge Via would aim to double that figure in 2019/20. Roll-out of the charge to other courses would be assessed based on the success of the pilot.
19. Many other Bikeability providers already charge for courses. The DfT actively encourages providers to extend the reach of the courses as far as possible and supports the 'top-up charge' approach to this. It is intended to report back on the impacts of this charging pilot next year.

## **Traffic Survey Permits**

20. New charges for undertaking Traffic Surveys on the Highway in Nottinghamshire will be implemented from 2019/20. This charge would be co-ordinated by the retained client function within NCC. The proposal for this was presented separately to the February 2019 meeting of the Communities and Place Committee.
21. The scheme will give the County Council better awareness of activity on the highway network, enable it to deal with queries more efficiently, and reduce the need to undertake duplicate surveys in-house.
22. The Department for Transport, HS2 Limited, Highways England, and Via East Midlands when working on behalf of the County Council will not be charged the fee but must still obtain the permit.
23. Charges are to be set at £125, or £75 if a copy of the data is subsequently provided to the County Council. Surveys undertaken without a permit will incur a retrospective charge for the permit of £200.

## **Statutory and Policy Implications**

24. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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**

25. 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**

26. If the proposed charges for these licenses and permits is accepted, it will ensure that the Authority covers the cost of staff time involved in processing.

## **RECOMMENDATION/S**

- 1) Approval be given for the proposed charges for highways services, documents and data for the financial year commencing 1 April 2019 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 [SJE 08/02/2019]**

27. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to the planning, management and maintenance of highways has been delegated.

## **Financial Comments [SES 29/01/2019]**

28. The financial comments are contained within 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