

4 March 2021

Agenda Item:6

REPORT OF THE CORPORATE DIRECTOR, PLACE

CHARGES FOR HIGHWAYS AND TRANSPORT SERVICES 2021/22

Purpose of the Report

1. To seek approval from Committee for the proposed charges for highway and transport services for 2021/22.

Information

Reasons for Recommendations

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 1st, 2016, Via East Midlands was tasked with delivering most of the highway 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. Charges have been increased by an amount up to 2%, where appropriate, to account for salary inflation. There are a number of charges which are below the level of full cost recovery and these may be the subject of a future review.

Changes to Charging Structures

5. Several areas of charging have been reviewed and these are outlined below:
6. Traffic Survey Permits
 - (a) Due to the impacts of Covid-19 safeguarding advice/restrictions on traffic flows, traffic surveys to be used in the assessment of the transport impacts of proposed developments will not normally be undertaken whilst Nottinghamshire residents (or potentially those in neighbouring highway authorities) are advised to work from home and/or when schools are not fully open.

- (b) If, however, a developer (or their agent) considers that there is an urgent reason for a traffic survey to be undertaken whilst such advice/restrictions are in place, each request will be considered on its own merit. In such cases the developer/agent should discuss the survey with the highways development control team who will determine if the survey can proceed, or if an alternative method of assessment is appropriate.
- (c) As the county has been subject to these Covid-19 safeguarding advice/restrictions for the majority of 2020/21 traffic surveys have been restricted during this period and it is therefore proposed that the cost of the licence to undertake such surveys is not increased in 2021/22.

7. Property Searches for Public Right of Way

- (a) Land charges or searches form part of the conveyancing process when someone is re-mortgaging, buying or selling property. The search request, usually undertaken by a solicitor or conveyancer, is a series of standard questions designed to give a potential buyer as much information about the property or land they're interested in. Several questions are answered by the County Council's Highways and Rights of Way Teams.
- (b) With reference to Rights of Way, there are three questions to respond to. To answer these questions accurately is an increasingly time consuming and complex process, often complicated by subsequent correspondence between the Authority and the customer's Solicitor. Several documents are checked, sometimes requiring detailed and lengthy research and clarification from the Authority's Senior Definitive Map Officers. Therefore, it is proposed to increase the cost of Rights of Way searches to reflect the time and resource required to provide an accurate and informed response. Following a review, it is proposed to increase the cost of a search from £10.50 to £18.00 (this is in line with a Highways District Search). Where a search is positive there will be no charge for the provision of an official plan, as in previous years.

8. Parish and Community Support

- (a) It is the continuing intention of NCC to support Parishes' seasonal decorations and the use of CCTV for community safety. NCC 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.

Statutory and Policy Implications

- 9. 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

10. 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

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

RECOMMENDATIONS

- 1) Approval be given for the proposed charges for highways and transport services, documents and data for the financial year commencing 1 April 2021 as detailed in the appendix to the report.
- 2) All charges for highways services continue to be reviewed annually

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 – 09/02/2021)

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

Financial Comments (RWK 01/02/2021)

14. Financial Regulations, section 3.1.5, require that where external income arises from a set scale of charges or fees the level of charges and fees should be reviewed at least once a year. The report and appendices set out revised fees and charges for a range of highways and transport services for 2021/22. It is proposed to increase most fees and charges by around 2% which it is expected will result in an increase in income in 2020/21.

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.

- Report to Portfolio holder for Transport and Highways, Bus station departure charges 07/02/2012.

Electoral Division(s) and Member(s) Affected

- All