

**9 February 2022****Agenda Item 8****REPORT OF THE CORPORATE DIRECTOR, PLACE****CHARGES FOR HIGHWAYS AND TRANSPORT SERVICES 2022/23****Purpose of the Report**

1. To seek approval from Committee for the proposed charges for highway and transport services for 2022/23

**Information**

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 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. Where appropriate, charges have been increased to account for inflation. This calculation is based on a 2% rise. However, charges are often rounded to the nearest £1 (or £5 for higher charges) and this means that some have increased by slightly less or more than 2% this year.

**Changes to Charging Structures**

5. Several areas of charging have been reviewed and these are outlined below:

**(a) Street Works Permit Scheme**

The cost for street works permits is set separately by NCC within nationally regulated limits. The appendix now indicates 'Refer to Street Works Permit Scheme' as these charges may be altered outside of this annual review.

#### (b) Cellar Construction Licences

There are currently three available licences relating to cellar construction. These are to construct a cellar, to install a cellar opening and to install a cellar light, where these impinge on the highway. All are the same cost, only one is applied for any given works, and they are very rarely required. For simplicity and efficiency, we are proposing combining these into a single licence of £175.

#### (c) Temporary Traffic Regulation Notice for Immediate Works

Following a review of costs after the introduction of the street works permit scheme, it is proposed that the charge for notices for immediate works should be differentiated from notices for planned works. Due to the short notice, immediate works are often dealt with by more senior staff. The proposed higher charge of £535 therefore more accurately reflects the costs of providing this service. The charge is usually incurred by Statutory Undertakers (Utilities) but can also be a charge to members of the public (for example if they have a dangerous tree on their property adjacent to the highway).

#### (d) Water Course Consents

Two new charges have been added to the standard £50 Land Drainage Consent. These are a Compliance Checking charge of £75 and a Fast Track Application charge of £200. Both new charges reflect the costs of providing the services.

#### (e) Parish and Community Support

It is the continuing intention of NCC to support Parishes' seasonal decorations and the use of CCTV for community safety. NCC currently 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. It is proposed that these continue unchanged.

### **Other Options Considered**

6. None. The completion of a review of charges for highway services is an annual requirement.

### **Reasons for Recommendations**

7. The annual review of charges ensures that the County Council, whether directly or through Via, is continuing to recover fair and reasonable costs for the provision of chargeable highway services.

### **Statutory and Policy Implications**

8. 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**

9. 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**

10. 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 2022 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**

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## **Constitutional Comments [SJE – 11/01/2022]**

11. Transport and Environment Committee is the appropriate body to consider the content of this report.

## **Financial Comments (SES 07/01/2022)**

12. The financial implications are set out in paragraph 10 of the report.
13. If the proposed charges are made there will be no adverse financial impacts on the Authority.

## **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