

Report to the Chief Officer (Highways and Transportation)

Date: 14 March 2017

Subject: Annual Review of Fees and Charges for Various Highway Functions and Services

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. In support of the 'Best Council Plan' objective of becoming a more efficient and enterprising council, the purpose of this report is to seek approval for the proposed level of fees and charges for services delivered by Highways and Transportation. The fees and charges relate to the issue of licenses, permits, the processing of temporary traffic regulation orders and the payment of commuted sums for developer funded highway schemes from 1 April 2017.

Recommendations

2. The Chief Officer (Highways and Transportation) is requested to approve the increase in fees and charges as set out in Appendices A; B and C to this report.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval for the revised level of charges to be applied from 1 April 2017 and until further notice.

2 Background information

- 2.1 The Local Authority (Transport Charges) Regulations 1998 gave the Authority the power to charge for specified functions. The regulations addressed the view that persons benefiting by the issue of licenses, permits etc. should pay the cost of the service, rather than this being borne by the community at large via the Council Tax.

- 2.2 Charges for the services shown in Appendix A have been introduced from 1999 onwards and have been reviewed at periodic intervals and more recently on an annual basis.
- 2.3 The charges have generally increased in line with income inflation and corporate guidelines recommended in the budget circular, unless exceptional circumstances have dictated otherwise. The underlying principle being that the charges reflect no more than the true cost to the authority in delivering the service.
- 2.4 On the 12th June 2012 the Leeds City Council Permit Scheme Order came into force. This order enabled the introduction of a permit scheme for road works in Leeds. The permit scheme allows for fees to be charged to utility companies for checking and approving their permit applications. A separate protocol for reviewing the permit fees has been specified and therefore they are not included in this report.
- 2.5 S278 of the Highways Act 1980 allows for highway authorities to charge for maintenance of works funded by others. In 2012 the policy on charging for additional and enhanced highway infrastructure was agreed. The updated schedule for commuted sum charges for 2017/18 is attached at Appendix B and the fees involved in S278 agreements are given in Appendix C.

3 Main issues

- 3.1 The proposed increases in charges to commence on 1 April 2017 are shown in Appendices A and B.
- 3.2 The increase is a direct result of applying general income inflation at 3%, to the 2016/2017 charges in line with corporate guidelines as recommended in the budget circular, for 2017/2018 and rounded to the nearest ten pence.
- 3.3 The table in Appendix A has been simplified for this update to group some of the Highways Act activities into two categories which have similar costs. Those which require a licence drafted by Legal Services to be signed by both parties, and those which require only a consent or approval from the highway authority. The proposed fees of £208.00 and £89.10 respectively, reflect the actual costs involved in processing each type.
- 3.4 Street Café licenses originated for the city centre area with a fee system devised by City Centre Management in partnership with Highways and Transportation. A small number of licenses have been granted for street café's outside of the city centre area using the same process and fee system. City Centre Management administers the applications for areas within the city centre, Highways and Transportation administers the applications elsewhere.
- 3.5 In previous years Highways and Transportation adopted the same fee structure as used for the city centre. For 2017/18 a review of the actual costs has been undertaken for the outer street cafes and a simplified revised fee structure is proposed. The proposed fee for processing the application and first year of

operation is £418.00 and an annual renewal fee of £140.00. The lower proposed fee is in part reflective of the reduced inspection frequency and intervention required outside of the city centre area.

- 3.6 Following guidance on the Environmental Information Regulations, the fees for Street Registry services are proposed to be held at the 2016/17 levels.
- 3.7 The commuted sum schedule in Appendix B has had rates rise by 3% in line with general income inflation. The fees for S278 agreements have remained the same as 2016.
- 3.8 The fee increases support the delivery of the Best Council Plan's objective of becoming a more efficient and enterprising council. An examination of the services supplied has been undertaken to ensure that all chargeable services are included and that the actual allowable costs involved are recovered. We have amended processes to become more efficient to ensure cost increases are at the lowest level and remain in line with general income inflation at 3%, which is seen as sustainable and inclusive for local businesses.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Internal consultation with City Development Finance team, Legal Services and those responsible for the chargeable services only. There were no objections to the content of this report.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality Diversity Cohesion and Integration screening has previously been undertaken and the process determined that no EDCI Impact Assessment was required.
- 4.2.2 The screening document identified that there will be no specific impact on people with mobility issues, carers [pram and wheelchair users], young and old people as the charges are minimal and mainly impact on business providers

4.3 Council policies and City Priorities

- 4.3.1 The proposal reflects Council Policy of an inflationary increase in income charges of 3%, in line with corporate guidelines as recommend in the budget circular, for 2017/2018. The fee increase supports the delivery of the Best Council Plan's objective of promoting sustainable and inclusive economic growth as it is seen as sustainable and inclusive for local businesses and partners operating in the Leeds area.

4.4 Resources and value for money

- 4.4.1 The services can be delivered within current staff resources.

4.4.2 Revenue Effects

The income from fees and charges support the current revenue budget allocation.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The report is not eligible for call-in as it falls below the relevant thresholds.

4.6 Risk Management

- 4.6.1 Failure to implement the recommended charge increases will result in an under funding of the service.

5 Conclusions

- 5.1 The annual review of fees and charges is in accordance with good financial and resource practice within the authority. The recommended increases reflect the true cost of delivering the services

6 Recommendations

- 6.1 The Chief Officer (Highways and Transportation) is requested to approve the increase in fees and charges as recommended in Appendices A; B and C to this report.

7 Background documents ¹¹

- 7.1 Appendix A – List of proposed fees and charges
- 7.2 Appendix B – Schedule of commuted sum charges
- 7.3 Appendix C - Fees for S278 agreements
- 7.4 Equality Diversity Cohesion and Integration Screening 2014

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Highway & Transportation Fees and Charges Review 2017/18 Appendix A

Proposed Fees and Charges from 1 April 2017

Activity	Charge 2016	Proposed Charge 2017/18	Notes
Skip permit	£22.70	£23.40	
Skip permit (email application)	£20.60	£21.20	
Skip permit (retrospective application)	£77.30	£79.60	
Highways Act Licences	£201.90	£208.00	Includes; Cultivation, Banners, Oversail, Projections, Structures
Notice posting (per site)	£61.80	£63.70	Applies to some structures licences
Highways Act Consent / Approval	£86.50	£89.10	Includes; Building materials, mobile cranes
Highways Act Consent / Approval (retrospective application)	£148.30	£152.80	
Hoarding licence (per street)	£148.30	£152.80	Licence plus first inspection fee - £89.10 + £63.70
Hoarding monthly inspection (per site)	£61.80	£63.70	
Hoarding licence (per street) (retrospective application)	£206.00	£212.20	
Scaffolding permit (per street)	£148.30	£152.80	Licence plus first inspection fee - £89.10 + £63.70
Scaffolding monthly inspection	£61.80	£63.70	
Scaffolding permit (per street) (retrospective application)	£206.00	£212.20	
Ironworks (repair following failure of utility to respond to S81 notice)	£388.60	£400.30	Minimum charge (charged at actual cost if higher).
NRSWA S50 street works licence including sewer connections	£370.80	£381.90	
NRSWA S50 Annual Renewal		£64.80	Previously charged at cost estimated at application
Making an excavation in the highway – Highways Act S171	£231.80	£238.80	
Temporary Traffic Management	£153.30	£157.90	
Temporary Traffic Management monthly inspection (per site)	£61.80	£63.70	
Vehicle crossing application – initial inspection and assessment	£22.00	£22.70	
Vehicle crossing application – processing of full application	£100.00	£103.00	
External search fee	£22.00	£22.00	
External search fee (same day response service)	£64.00	£64.00	

Temporary Traffic Regulation Order (TTRO)(one street)	£556.20	£572.90	
Extra over TTRO for each additional street	£30.90	£31.80	
Temporary Traffic Regulation Notice (TTRN) (one street)	£509.20	£524.50	
Extra over TTRN for each additional street	£30.90	£31.80	
TTRO/N extension	£120.50	£124.10	
Events and Processions on/affecting the highway legislated by either; Temporary Traffic Regulation Notice (TTRN), Special Events Act or Town Police Clauses Act	£509.90	£524.50 Major events and procession will be charged on an [agreed] time basis	
As above but existing event with no changes to previous arrangements	£100.00	£103.00	
Street Café licence (outside of city centre)	33% of (RV/internal floor area) x external street café floor area or £450 for independent business/ £1000 for a chain whichever higher cost. Plus £395 admin charge	£418.00	See report paragraph 3.5
Street Café licence – renewal (outside of city centre)	33% of (RV/internal floor area) x external street café floor area or £450 for independent business/ £1000 for a chain whichever higher cost. Plus £195 admin charge	£140.00	See report paragraph 3.5

Highway Services Fees and Charges 2017 Appendix B
Commuted Sums for maintenance liabilities (April 2017- March 2018)

	Element	Quantity	Unit	Unit rate (£)
1	Carriageway (a) All construction types maintenance category 1, 2, 3a, 3b and 4a (All road types except 4b below) (b) All construction types, maintenance category 4b (Local access road serving limited numbers of properties carrying only access traffic) (c) Extra over the above for a carriageway junction of any class (single charge per junction) (d) Extra over for application of red anti-skid coloured surfacing (e) Extra over for application of grey anti-skid coloured surfacing (f) Vehicle containment kerbs		m ² m ² No m ² m ² m	25.54 11.33 944.10 19.06 18.54 79.52
2	Footway and paved areas (a) All construction types		m ²	18.13
3	Street lighting (Standard) (a) Lighting column up to and including 7m in height (standard) (b) Lighting column over 7m and up to 15m in height (standard) Street lighting (Heritage or Enhanced) (chosen from availability list) (d) Lighting column up to and including 7m in height (heritage or enhanced) (e) Lighting column over 7m and up to 15m in height (heritage or enhanced) Street lighting (Bespoke)		No No No No	1470.94 1755.84 1479.60 1766.14 By quotation
4	Illuminated street furniture and signs			

	(a) Any item of illuminated apparatus standard		No	690.72
	(b) Any item of illuminated apparatus heritage or enhanced		No	1097.67
5	Non-illuminated street furniture and signs			
	(a) Non illuminated advanced direction sign		No	416.64
	(b) Non-illuminated sign, bollard or other single point feature		No	416.64
	(c) Pedestrian Guardrail		m	44.92
6	Traffic signals (refer to UTMC)			By quotation
7	Traffic calming features			
	(a) Speed table (by surface area)		m ²	163.05
	(b) Speed cushion		No	456.60
8	Landscaping			
	(a) Hard landscaping area (treat as footway)		m ²	18.75
	(b) Soft landscaping grass		m ²	5.56
	(c) Soft landscaping vegetation or shrub bed		m ²	25.54
9	Drainage			
	(a) Individual road or footway gully		No	262.44
	(b) Kerb drainage systems (not including outfall; treat each outfall as a gully)		m	53.15

Notes:

- 1 Other special features, heritage materials, specialist materials or deviation from design standards should be estimated for separately.
- 2 Sustainable Urban Drainage Systems (SUDS) should be estimated for separately on a scheme specific basis.
- 3 Highway Structures / Retaining features should be estimated for separately on a scheme specific basis.
- 4 The liability period used for the calculation of the above rates is 20 years. Other site specific items will also be based on a liability period of 20 years apart from Structures which will have a liability period of 60 years.

Highway Services Fees and Charges 2017 Appendix C

Fees for S278 agreements from 1st April 2017

General:

- Fees for preparing legal documentation – at cost, varies but significantly higher if using external solicitors, generally in range £750 to £3,500.
- Fees for Highways Officer in preparation of S278 documentation, highways board report, design brief - £2,000 for standard S278 schemes, increased to £3000 for high value, complex agreements. £2,000 for minor S278 agreements.
- Fees for environmental study – at cost, varies but £500 for desk top study and £1000 for desk top plus noise surveys.
- All minor S278 agreements require the payment of fees at cost for design check and supervision. An upfront fee of 10% of estimated works costs will be obtained for design checking / inspection fee so that the Highways Engineer is not working at risk. A bond is obtained for the value of the highway works plus 20%.

For works of value up to £100k for a Standard Agreement:

- Consultation fee – at cost
- Design fees – actual cost incurred up to £10,500
- Supervision fees – actual cost up to £8,500
- Supervision fees for statutory undertakers works – 3% of cost of Statutory
- Undertaker diversions
- £1000 sum for Leeds City Council carrying out the role of the Principal Designer under the CDM Regs 2015
- Payment of a commuted sum for future maintenance in accordance with the Third Schedule

For works of value above £100k for a Standard Agreement:

- Consultation fee – at cost
- Design fees – 10.5% cost of the Highway Works
- Supervision fees – 8.5% cost of the Highway Works
- Supervision fees for statutory undertakers works – 3% of cost of Statutory
- Undertaker diversions
- 1% of cost of Highway Works for Leeds City Council carrying out the role of the Principal Designer under the CDM Regs 2015
- Payment of a commuted sum for future maintenance in accordance with the Third Schedule

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: City Development	Service area: Highways and Transportation
Lead person: Phil Mitchell	Contact number: 0113 3951993

1. Title: ANNUAL REVIEW OF FEES AND CHARGES FOR HIGHWAY PERMITS AND LICENCES

Is this a:

☐

Strategy / Policy

☐

Service / Function

☒

Other

If other, please specify Proposed annual increase in highway licence fees

2. Please provide a brief description of what you are screening

The Local Authority (Transport Charges) Regulations 1998 gave the Authority the power to charge for specified functions. The regulations addressed the view that persons benefiting by the issue of licences, permits etc, should pay the cost of the service, rather than this being borne by the community at large via the Council Tax.

The charges have generally increased in line with inflation to ensure that the charges reflect no more than the true cost to the authority in delivering the service.

The proposed increases in charges are to commence on 1 April 2014 to take account of inflation and in line with corporate guidelines.

The increases in charges are minimal and will have an insignificant impact across the board with the initial impact, in the majority of cases, being borne by the company providing the service who may or may not pass on the cost to their customers.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none">• Eliminating unlawful discrimination, victimisation and harassment• Advancing equality of opportunity• Fostering good relations		X X X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

- **Key findings**

(**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

- **Actions**

(**think about** how you will promote positive impact and remove/ reduce negative impact)

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.	
Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval		
Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Philip Mitchell	Traffic Manager	25/02/14

7. Publishing	
This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.	
If this screening relates to a Key Delegated Decision, Executive Board, full Council or a Significant Operational Decision a copy should be emailed to Corporate Governance and will be published along with the relevant report.	
A copy of all other screening's should be sent to equalityteam@leeds.gov.uk . For record keeping purposes it will be kept on file (but not published).	
Date screening completed	25/02/14
If relates to a Key Decision - date sent to Corporate Governance	
Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	25/02/14
