



Report of Traffic Manager (Acting)

Report to the Chief Officer (Highways and Transportation)

Date: 10 March 2020

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

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open 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

1. Main issues

- Highways fees and charges are reviewed and amended as required on a yearly basis as part of the Annual Review of Fees and Charges for Various Highway Functions and Services, in order to ensure they stay in line with corporate guidelines as recommended in the initial budget proposals.
- This report proposes changes for 2020/21 highways fees and charges, to be applied from 1 April 2020.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The changes support the delivery of the Best Council Plan's ambition of becoming an efficient and enterprising organisation and meeting its objective of promoting sustainable and inclusive growth.

3. Resource Implications

- Increasing fees and charges in line with general inflation ensures revenue generation is not impacted by other budget restraints.

- The services can be delivered within current staff resources and those that are proposed/approved for via various restructures.

Recommendations

- a) 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 2020 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 Yorkshire common Permit Scheme came into force. This enabled the introduction of a permit scheme for road works in Leeds. This permit scheme was subsequently amended in 2015 and has now been replaced by the Leeds City Council Permit Scheme, which covers all streets across the district, and which came into force on 4 March 2020. The permit scheme allows for fees to be charged to utility companies and other works undertakers for assessing and approving their permit applications. A separate protocol for reviewing the permit fees within the limits set by the Department for Transport has been specified and therefore they are not included in this report.
- 2.5 Section 278 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 2020/21 is attached at Appendix B and the fees involved in S278 agreements are given in Appendix C. This will be subject for further review to be undertaken in 2020/21 for the 2021/22 financial year.
- 2.6 In July 2018 a report was approved by the Chief Officer (Planning and Sustainable Development) to increase the Travel Plan Review Fees charged as part of the Travel Plans Supplementary Planning Document. This approval also allowed for annual fee increases in line with the rate of inflation for construction on 1 April each year. To ensure annual inflation is accounted for, the Travel Plan Review Fees will rise by 3% in line with other charges, and are included in Appendix A.

3. Main issues

- 3.1 The proposed increases in charges to commence on 1 April 2020 are shown in Appendices A and B.
- 3.2 The increase is a direct result of applying general income inflation at 3%, to the 2019/2020 charges in line with corporate guidelines as recommended in the Initial Budget Proposals for 2020/21 Executive Board Report and rounded to the nearest ten pence.
- 3.3 The commuted sum schedule in Appendix B has had rates rise by 3% in line with general income inflation. The fees for S278 agreements are also proposed to rise by 3% in line with general income inflation, these are given in Appendix C.
- 3.4 It has been proposed that the charge for repeat, small scale, local community events is a fee of £100, which is not subject to 2020/21 annual percentage uplift and then to be reviewed thereafter.
- 3.5 City Centre Management confirmed that the charge for Street Café Licence – Renewal (City Centre) will remain the same as 2019/20 charge, this is due to the unprecedented amount of schemes within Leeds this year, and its subsequent impact on street café areas. In order to provide a consistent approach across the city, Highways therefore propose that the Street Café Licence – Renewal (Outside of City Centre) will also remain the same, and not be subject to the 3% increase.
- 3.6 City Centre Management are proposing a 3% increase for the Street Café Licence fee (City Centre) for new applications, which is calculated based on rateable value. That will be subject to separate approval from the relevant Chief Officer and Executive Member. For consistency, Highways are proposing a 3% increase for the Annual Street Café Licence fee (Outside of City Centre).
- 3.7 It has been requested that the Section 116 – Stopping up orders charges are to be amended as part of the Annual Review of Fees and Charges for Various Highway Functions and Services. Three new categories have been introduced to replace the existing fee based charge of £3,800.00. The new categories' (A, B and C) charges are calculated in line with the following factors; the complexities and extents of the works required and the costs of staff time and resources. These new charges will ensure that a continued service can be provided.
- 3.8 The fee increases support the delivery of the Best Council Plan's ambition of becoming an efficient and enterprising organisation. 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. The service have amended processes over time, to become more efficient to ensure cost increases are at the lowest level and remain in line with general income inflation, which is seen as sustainable and inclusive for local businesses.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 Internal consultation has been undertaken with City Development Finance team, Legal Services and those responsible for the chargeable services. There were no objections to the content of this report, and all confirmed that they were content with the fee increases proposed.

4.2 Equality and diversity / cohesion and integration

4.2.1 An Equality Diversity Cohesion and Integration screening has been undertaken, and is attached at appendix D.

4.2.2 The screening document identified that there will be no negative impact on different equality characteristics, public concerns on the proposals, or impact on the activities or workforce of the Council. The charge increases are minimal and mainly impact on commercial business providers.

4.3 Council policies and the Best Council Plan

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 Initial Budget Proposals for 2020/2021 Executive Board report. The fee increase supports the delivery of the Best Council Plan's objective of promoting sustainable and inclusive growth as it is seen as sustainable and inclusive for local businesses and partners operating in the Leeds area. The proposals also support the Council's ambition of becoming an efficient and enterprising organisation, by ensuring that costs are recouped for the delivery of various highway services.

Climate Emergency

4.3.2 The fee increases helps support the Council's work to minimise delay and disruption from works and the impact of travel and development throughout the district by contributing to ensuring that services can be funded, subsequently resulting in a continued delivery of services including: co-ordination of Streetworks; enabling the maintenance of highways; ensuring sustainable development; and reviewing travel plans. The reduction in disruption and promotion of sustainable development and travel contribute to the Council's response to the climate emergency by contributing towards a reduction in carbon emissions. This will clearly also provide a benefit to public transport and active travel journeys.

4.4 Resources, procurement and value for money

4.4.1 The services can be delivered within current staff resources and those that are proposed/approved for via various restructures.

4.4.2 Capital Funding and Cash Flow.

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

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 and support the Best Council Plan 2020/21 and Climate Emergency Declaration.

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 documents¹

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 Appendix D – Equality Diversity Cohesion and Integration Screening

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 2020/21 Appendix A

Proposed Fees and Charges from 1 April 2020

Activity	Charge 2019/2020	Proposed Charge 2020/21	Notes
Skip permit	£24.50	£25.20	
Skip permit (email application)	£22.30	£23.00	
Skip permit (retrospective application)	£83.60	£86.10	
Highways Act Licences	£218.60	£225.20	Includes; Cultivation, Banners, Oversail, Projections, Structures
Notice posting (per site)	£67.00	£69.00	Applies to some structures licences
Highways Act Consent / Approval	£93.60	£96.40	Includes; Building materials, mobile cranes
Highways Act Consent / Approval (retrospective application)	£160.60	£165.40	
Hoarding licence (per street)	£160.60	£165.40	Licence plus first inspection fee - £96.40 + £69.00
Hoarding monthly inspection (per site)	£67.00	£69.00	
Hoarding licence (per street) (retrospective application)	£222.90	£229.60	
Scaffolding permit (per street)	£160.60	£165.40	Licence plus first inspection fee - £96.40+ £69.00
Scaffolding monthly inspection	£67.00	£69.00	
Scaffolding permit (per street) (retrospective application)	£222.90	£229.60	
Ironworks (repair following failure of utility to respond to S81 notice)	£420.60	£433.20	Minimum charge (charged at actual cost if higher).
NRSWA S50 street works licence including sewer connections	£401.20	£413.20	
NRSWA S50 Annual Renewal	£68.10	£70.10	
Making an excavation in the highway – Highways Act S171	£250.90	£258.40	
Temporary Traffic Management	£165.90	£170.90	
Temporary Traffic Management monthly inspection (per site)	£67.00	£69.00	
Vehicle crossing application – initial inspection and assessment	£23.90	£24.60	
Vehicle crossing application – processing of full application	£108.30	£111.50	
Temporary Traffic Regulation Order (TTRO)(one street)	£601.90	£620.00	
Extra over TTRO for each additional street	£33.40	£34.40	
Temporary Traffic Regulation Notice (TTRN) (one street)	£551.10	£567.60	

Extra over TTRN for each additional street	£33.40	£34.40	
TTRO/N extension	£130.40	£134.30	
Events and Processions on/affecting the highway legislated by either; Temporary Traffic Regulation Notice (TTRN), Special Events Act or Town Police Clauses Act	£551.10 Major events and processions will be charged on an [agreed] time basis	£567.60 Major events and processions will be charged on an [agreed] time basis	
As above but existing small scale local community event with no changes to previous arrangements	£100.00	£100.00	
Street Café licence (outside of city centre)	£439.20	£452.40	
Street Café licence – renewal (outside of city centre)	£147.10	£147.10	
Travel Plan Review Fees	£3090 to £24,720	£3183 to £25,462	Amount to be calculated using methodology in Travel Plans SPD
Item retrieval from gullies	£75.95 +VAT	£78.20 +VAT	
Stopping up orders – Section 116 Category A	£3,800.00	£5,054.38	Category A : Small site – area based up to 500m2 - fixed rates on legal & staff fees
Stopping up orders – Section 116 Category B	N/A	£10,054.38	Category B : Medium site – area based 500m2 - 1000m2 fixed rates on legal & staff fees
Stopping up orders – Section 116 Category C	N/A	£15,054.38	Category C : Large site – area based 1000m2 or greater- fixed rates on legal & staff fees

Highway Services Fees and Charges 2020 Appendix B
Commuted Sums for maintenance liabilities (April 2020- March 2021)

	Element	Unit	Unit rate	Unit rate
			(£)	(£)
			2019-20	2020-21
1	Carriageway			
	(a) All construction types maintenance category 1, 2, 3a, 3b and 4a (All road types except 4b below)	m ²	26.83	27.63
	(b) All construction types, maintenance category 4b (Local access road serving limited numbers of properties carrying only access traffic)	m ²	11.91	12.27
	(c) Extra over the above for a carriageway junction of any class (single charge per junction)	No	991.87	1021.63
	(d) Extra over for application of red anti-skid coloured surfacing	m ²	20.02	20.62
	(e) Extra over for application of grey anti-skid coloured surfacing	m ²	19.48	20.06
	(f) Vehicle containment kerbs	m	83.54	86.05
2	Footway and paved areas	m ²	19.04	19.61
	(a) All construction types			
3	Street lighting (Standard)			
	(a) Lighting column up to and including 7m in height (standard)	No	1545.37	1591.73
	(b) Lighting column over 7m and up to 15m in height (standard)	No	1844.69	1900.03
	Street lighting (Heritage or Enhanced) (chosen from availability list)			
	(d) Lighting column up to and including 7m in height (heritage or enhanced)	No	1554.47	1601.10
	(e) Lighting column over 7m and up to 15m in height (heritage or enhanced)	No	1855.50	1911.17
	Street lighting (Bespoke)		By quotation	By quotation
4	Illuminated street furniture and signs			
	(a) Any item of illuminated apparatus standard	No	725.67	747.44
	(b) Any item of illuminated apparatus heritage or enhanced	No	1153.21	1187.81

5	Non-illuminated street furniture and signs			
	(a) Non illuminated advanced direction sign	No	437.72	450.85
	(b) Non-illuminated sign, bollard or other single point feature	No	437.72	450.85
	(c) Pedestrian Guardrail	m	47.19	48.61
6	Traffic signals (refer to UTMC)		By quotation	By quotation
7	Traffic calming features			
	(a) Speed table (by surface area)	m ²	171.30	176.44
	(b) Speed cushion	No	479.70	494.09
8	Landscaping			
	(a) Hard landscaping area (treat as footway)	m ²	19.70	20.29
	(b) Soft landscaping grass	m ²	5.84	6.02
	(c) Soft landscaping vegetation or shrub bed	m ²	26.83	27.63
9	Drainage			
	(a) Individual road or footway gully	No	275.72	283.99
	(b) Kerb drainage systems (not including outfall; treat each outfall as a gully)	m	55.84	57.52

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 2020/21 Appendix C

Fees for Section 278 agreements from 1st April 2020

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 - £2,122 for standard S278 schemes, increased to £3,183 for high value, complex agreements. £2,122 for minor S278 agreements.
- Fees for environmental study – at cost, varies but £530 for desk top study and £1,061 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
- £1,000 sum for Leeds City Council carrying out the role of the Principal Designer under the Construction (Design and Management) Regulations 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 Regulations 2015
- Payment of a commuted sum for future maintenance in accordance with the Third Schedule

Appendix D

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 or 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: Thomas Wragg	Contact number: 0113 378 7026

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 at the beginning of a financial year or as defined in the budget circular 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 and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or 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. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

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
James Smith	Traffic Manager (Acting)	12/02/2020
Date screening completed		12/02/2020

7. Publishing	
Though all key decisions are required to give due regard to equality the council only publishes those related to Executive Board, Full Council, Key Delegated Decisions or a Significant Operational Decision .	
A copy of this equality screening should be attached as an appendix to the decision making report:	
<ul style="list-style-type: none"> • Governance Services will publish those relating to Executive Board and Full Council. • The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions. • A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record. 	
Complete the appropriate section below with the date the report and attached screening was sent:	
For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: