

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cllr Shelford, Cabinet Member for Transport and Environment	
MEETING/ DECISION DATE:	On or after 24 <sup>th</sup> February 2018	EXECUTIVE FORWARD PLAN REFERENCE:
		E3023
TITLE:	Fees & Charges 2018/19 – Highways and Traffic	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendices 1 and 2 – Fee, Charges and Commuted Sums applied by Bath & North East Somerset Council, Environmental Services, Highways and Traffic -2018/19		

## 1 THE ISSUE

- 1.1 The purpose of this report is to obtain agreement to the fees charges and commuted sums for specified services provided, within the Highways and Traffic Service (Service), and obtain approval for the license fee application to be non-refundable.

## 2 RECOMMENDATION

- 2.1 The Cabinet Member approves;

- (1) The recommendation for the new fees, charges and commuted sums for relevant services - as proposed in Appendix 1 and 2
- (2) The License fees listed in Appendix 1 will be non refundable.
- (3) That these are to be implemented on 1st April 2018.
- (4) That delegated authority be given to the Highways and Traffic Group Manager in consultation with the Cabinet Member for Transport to agree fees and charges which vary from the standard inflation clause, if the cost base changes or new services are introduced, and that this can be done at 6 month intervals if external factors influence the cost base significantly throughout the financial year.

### **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 3.1 This is an update to charges for existing services; no additional resources are required to implement the recommendations. This is a regular annual review that is needed to support existing revenue budgets. If a bi annual review is deemed necessary, it will reflect the change in the cost to ensure income budget are achieved.
- 3.2 Communications with existing customers, where required, is to be undertaken within existing resources.
- 3.3 These charges also include statutory fees which cannot be varied.

### **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

- 4.1 The Localism Act 2011 section 1 (Act) sets out the general power of competence (GPC). The GPC is the means where by a local authority has the power to generally do anything an individual may do. The GPC enables local authorities to charge for discretionary services and supports innovation. Section 3 of the Act permits local authorities to recover the costs of provision, but not to make a profit, when taking into account all elements of service provision.
- 4.2 The Service has a statutory duty to safely manage the highway network under the Highways Act 1980, the New Roads and Streets Works Act 1991 and the Traffic Management Act 2004. These Acts allow both statutory charges and discretionary charges for the placing temporary plant on the highway such as skips and scaffolds.

### **5 THE REPORT**

- 5.1 The Service undertakes a wide range of statutory and non-statutory functions to ensure that the highway network is managed, maintained and developed to specified standards.
- 5.2 The fees for a number of the functions delivered by the Service are statutory and are therefore set by legal Regulations. Other fees and charges are discretionary and have been set to ensure that cost recovery is achieved.
- 5.3 Making license fee payments for skips, scaffolds, hoardings, cherry pickers, mobile cranes, building materials, containers, footway crossings, traffic surveys and banners, non-refundable is currently undertaken by a limited number of Councils. Adopting a non-refund system in B&NES will have several benefits, it will ensure that all administrations costs are fully recovered; discourage speculative applications and remove the need for manual payment processes to be retained when switching to online payments. Applicants will be given warning in advance of submitting applications and all terms & conditions will be changed to reflect this policy.
- 5.4 Commuted sums are charged for new assets that are installed by third parties, such as the developer, that are nonstandard items and will incur the Council additional costs. The commuted sums will be used to pay for the additional maintenance cost incurred by the Highway Authority.

## **6 RATIONALE**

- 6.1 Fees and charges are designed to recover costs and are in line with comparable services offered by neighbouring Councils.
- 6.2 Some fees and charges are based on quotes depending on the length of time to undertake the task.
- 6.3 As the cost base for fuel, plant and materials and other items can change throughout the year, the Service requires the ability to review prices at 6 month intervals to ensure full cost recovery.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 None

## **8 CONSULTATION**

- 8.1 The Council's Divisional Director for Environmental Services, Strategic Director for Place, Cabinet Member for Transport, Monitoring Officer and Section 151 Officer have had the opportunity to input to this report.

## **9 RISK MANAGEMENT**

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

<b>Contact person</b>	<i>Gary Peacock</i>
<b>Background papers</b>	The Localism Act 2011
<b>Please contact the report author if you need to access this report in an alternative format</b>	