

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Butters and Cllr Wright Cabinet Member for Highways and Traffic	
MEETING/ DECISION DATE:	On or after 15 th April 2021	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3273
TITLE:	Fees & Charges 2021/22 – Highways and Traffic	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 and 2 – Fee, Charges and Commuted Sums applied by Bath & North East Somerset Council, Environmental Services, Highways and Traffic -2021/22		

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.

2 RECOMMENDATION

The Cabinet member is asked to approve:

- (1) The recommendation for the new fees, charges and commuted sums for relevant services - as proposed in Appendix 1 and 2
- (2) That these are to be implemented on 1st May 2021.
- (3) 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 THE REPORT

- 3.1 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.
- 3.2 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.
- 3.3 Licence fee payments for skips, scaffolds, hoardings, cherry pickers, mobile cranes, building materials, containers, footway crossings, traffic surveys and banners are non-refundable. It ensures that all administrations costs are fully recovered and to discourage speculative applications. Applicants are given warning in advance of submitting applications.
- 3.4 Commuted sums are charge for new assets that are installed by third parties such as developers that are nonstandard items and will incur the Council additional costs. The commuted sums are used to pay for the additional maintenance cost incurred by the Highway Authority.
- 3.5 Fees and charges are designed to recover costs and are in line with comparable services offered by neighbouring Councils.
- 3.6 Some fees and charges are based on quotes depending on the length of time to undertake the task.

4 STATUTORY CONSIDERATIONS

- 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. Section 93 of the Local Government Act 2003 contains a mirror provision. Each section is relied upon to impose the discretionary charges.
- 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 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 This is an update to charges for existing services; no additional resources are required to implement the recommendations. There 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.

5.2 Communications with existing customers, where required, is to be undertaken within existing resources.

5.3 These charges also include statutory fees which cannot be varied.

6 RISK MANAGEMENT

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

7 EQUALITIES

7.1 In consultation with the Council's Equality Officer, it was agreed that an Equality Impact Assessment would not be required. The fees charges and commuted sums are for annual operational services provided, within the Highways and Traffic Service and support the service in maintaining the highway network.

8 CLIMATE CHANGE

8.1 Help support the council is providing a well maintained and managed network which is important in managing congestion and promoting active travel.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

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

Contact person	<i>Gary Peacock</i>
Background papers	<i>None.</i>
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