

North Yorkshire County Council
Business and Environmental Services
Executive Member for Highways and Transportation

10 February 2023

Review of Highways Fees and Charges

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of report

- 1.1 To seek approval from the Corporate Director – Business and Environmental Services (BES), in consultation with the BES Executive Member for Highways and Transportation, to increase Highways and Transportation Fees and Charges for the Financial Year 2023/24, in line with a recent fees and charges report to the Executive and the Corporate Fees and Charges Strategy.

2.0 Background

- 2.1 Highways fees and charges were reviewed in 2022 and following a report to the Corporate Director and BES Executive Member, they were increased in line with inflation.
- 2.2 More recently, in November 2022, the Corporate Director - Strategic Resources presented a report to the Executive, subsequently approved, which set out the approach to be taken in determining the fees and charges for 2023/24.

3.0 Methodology

- 3.1 The methodology contained in the report to the Executive has been used in setting the fees and charges for Highways and Transportation for the next financial year; these are set out further in Appendix 1. They have all had a flat rate 6% uplift to account for the effects of inflation, unless specifically excepted, eg commuted sums, which have increased at a higher rate in order to reflect latest construction costs and market rates.
- 3.2 The November 2022 Executive report also recognised the existence of North Yorkshire Council from 01 April and beyond this date, that services will begin to transform and review their service levels and operating models and that a full review of fees and charges (where applicable) will form part of that work.

4.0 Financial Implications

- 4.1 The Corporate Fees and Charges Strategy 2020 establishes a requirement to review fees and charges within Directorates on an annual basis in order to help raise income and lower the burden to Council Tax payers and ensure that the fee charged for a council service is reflective of the council's costs of provision.
- 4.2 The proposed schedule attached as Appendix 1 does not include all Highways and Transportation fees and charges. For areas of the service that have been the subject

of more significant cost increases, eg the NYCC Permit scheme, detailed cost exercises are being carried out to establish the current cost of provision, in order to ensure fees and charges are set at the right level. The outputs from these more detailed reviews will be presented to the Corporate Director and BES Executive Members at a later date.

- 4.3 More generally, this report proposes that Highways and Transportation fees and charges estimated income will increase from £3.4M for the 22/23 financial year to £3.6M in 2023/24. In the main, these increases are due to applied inflation since the previous fee review.

5.0 Equalities Implications

- 5.1 No equalities implications are considered to arise as a result of the proposed changes to Highways and Transportation Fees and Charges. Any increase is reflective of the cost of delivering the service and/or in line with the Consumer Price Index inflation rate. All the rates have previously been benchmarked against comparator authorities. An Equalities Impact Assessment screening from has been completed, see Appendix 2.

6.0 Climate Change Impact Assessment

- 6.1 No climate change impact is considered to arise as a result of the proposed Highways and Transportation Fees and Charges, see Appendix 3.

7.0 Legal Implications

- 7.1 The methodology adopted for increasing the Highways and Transportation fees and charges is consistent with the November 2022 report to the Executive, which indicated that the Fees and Charging Policy applies to services where there is a legal power to charge for the service and discretionary services.
- 7.2 Section 93 of the Local Government Act 2003 and Section 3 of the Localism Act 2011 gives local authorities power to charge for discretionary services. Discretionary services are those services that a local authority is not required to provide but may do so voluntarily.
- 7.3 The charging powers do not apply where there is a power to charge for a particular service elsewhere in other legislation, or where other legislation expressly excludes an authority from charging.

8.0 Recommendations

- 8.1 It is recommended that the Corporate Director, Business and Environmental Services, in consultation with the BES Executive Member for Highways and Transportation, approve the revised set of Highways and Transportation fees and charges as set out in Appendix 1.

BARRIE MASON
Assistant Director – Highways & Transportation

Author: Allan McVeigh
Background Documents: None

Current and Proposed Fees and Charges

Title	NYCC Current price	New Price	Comment
Abnormal loads notification	No fee		Legislation states no fee applicable
Traffic speed and flow data (where available) Per site. Where non-standard reports are requested this fee will increase. Applicants will be notified prior to charges. Where the request is received from a member of the public and is straightforward the fee may be waived.	£55.07	£58.37	
Traffic speed and flow data (where available) Per hour (or part hour). Where non-standard reports are requested this fee will increase. Applicants will be notified prior to charges. Where the request is received from a member of the public and is straightforward the fee may be waived.	£46.60	£49.39	
Over-sail of the highway by crane and cable spanning the highway applications	£152.50	£161.65	
Officer time spent dealing with requests for commercial events on the highway	£46.60	£49.39	
Officer time spent dealing with applications from external organisations to carry out traffic surveys on the public highway	£46.60	£49.39	
Skip licences 2 week licence.	£76.25	£80.82	
Skip licences Early start fee (if licence is required within 3 days of request).	£29.65	£31.43	
Skip licences Failure to comply with the licence conditions will result in a further inspection fee.	£58.25	£61.74	
Skip licences No licence extensions. If a skip needs to be in situ for longer than 2 weeks then an additional fee will apply.	£76.25	£80.82	
Skip licences If an un-licensed skip is found on the highway.	£164.15	£173.99	
Scaffold / hoarding licences Standard (<10m height) Licence fee (4 weeks)	£210.74	£223.39	
Scaffold / hoarding licences Standard (<10m height) Early start fee	£29.65	£31.43	
Scaffold / hoarding licences Standard (<10m height) Extension fee	£93.19	£98.78	
Scaffold / hoarding licences Non-standard (> 10m height) Licence fee (4 weeks)	£210.74	£223.39	
Scaffold / hoarding licences Non-standard (> 10m height) Early start fee	£29.65	£31.43	
Scaffold / hoarding licences Non-standard (> 10m height) Extension fee	£93.19	£98.78	

Scaffold / hoarding licences Retention scaffold Licence fee (4 weeks)	£420.42	£445.65	
Scaffold / hoarding licences Retention scaffold Early start fee	£29.65	£31.43	
Scaffold / hoarding licences Retention scaffold Extension fee	£93.19	£98.78	
Scaffold / hoarding licences Tower scaffold (if removed daily) Licence fee (4 weeks)	£34.95	£37.04	
Scaffold / hoarding licences Tower scaffold (if removed daily) Early start fee	£29.65	£31.43	
Scaffold / hoarding licences Tower scaffold (if removed daily) Extension fee	£18.00	£19.08	
Scaffold / hoarding licences Hoarding (remaining width of footway 1.5m+) Licence fee (4 weeks)	£104.84	£111.13	
Scaffold / hoarding licences Hoarding (remaining width of footway 1.5m+) Early start fee	£29.65	£31.43	
Scaffold / hoarding licences Hoarding (remaining width of footway 1.5m+) Extension fee	£93.19	£98.78	
Scaffold / hoarding licences Hoarding (remaining width of footway <1.5m) Licence fee (4 weeks)	£210.74	£223.39	
Scaffold / hoarding licences Hoarding (remaining width of footway <1.5m) Early start fee	£29.65	£31.43	
Scaffold / hoarding licences Hoarding (remaining width of footway <1.5m) Extension fee	£93.19	£98.78	
Street café license Application fee Up to 5 tables or Up to 10m2 - plus works costs	£292.29	£309.82	
Street café license Application fee Over 5 tables or Over 10 m2 - plus works costs	£526.32	£557.90	
Street café license Application fee - Amount non refundable	£93.19	£98.78	
Street café license Annual renewal fee Up to 5 tables or Up to 10m2	£76.25	£80.82	
Street café license Annual renewal fee Over 5 tables or Over 10 m2	£134.49	£142.56	
Building materials licence	£76.25	£80.82	
Highway projection licence	£152.50	£161.65	
Cellar opening licence	£46.60	£49.39	
Temporary Traffic Regulation Orders up to and including 18-month closure - (plus advertising costs)	£468.08	£496.16	
Temporary Traffic Regulation Orders 5 day closure	£350.53	£371.56	
Temporary Traffic Regulation Orders Emergency closure	£350.53	£371.56	
Temporary Traffic Regulation Orders Event closure - for a new event	£350.53	£371.56	
Temporary Traffic Regulation Orders Recurring event (plus advertising at cost)	£175.79	£186.34	
Temporary Traffic Regulation Orders Additional charges will be applied where further work is required in relation to a temporary closure at an hourly rate of:	£46.60	£49.39	
Rechargeable works admin fee – Damage works Work costs <£500	£52.95	£56.13	
Rechargeable works admin fee – Damage works Work costs £500 - £1,000	£105.90	£112.25	

Rechargeable works admin fee – Damage works Work costs >£1,000 20% of total			
Con29 Highway Search, Standard Highway search (VAT included)	£50.40	£53.42	
CON29 Highway Search Optional Questions Q4	£15.62	£16.56	
CON29 Highway Search Optional Questions Q21	£4.32	£4.58	
CON29 Highway Search Optional Questions Q22	£21.72	£23.02	
Non-CON29 Highway Enquiry (inc a plan (upto 100m) and CON29 type questions but not in accordance with the Local Authorities (Charges for Property Searches) Regulations 2008	£62	£65.72	VAT not applicable
Section 6 of the 2006 Act CA1 Creation of a right of common over existing common land	£295	£312.70	
Section 6 of the 2006 Act CA1 Creation of a right of common over existing common land Creation of a right of common resulting in the registration of new common land	Free		Legislation states no fee applicable
Section 7 of the 2006 Act CA2, Variation of a right of common	£295	£312.70	
Section 7 of the 2006 Act, CA2, Variation of a right of common resulting in the registration of new common land	Free		Legislation states no fee applicable
Section 8 of the 2006 Act CA3, Apportionment of a right of common	£295	£312.70	
Section 10 of the 2006 Act, Attachment of a right of common	Free		Legislation states no fee applicable
Section 11 of the 2006 Act CA5 Reallocation of attached rights	£295	£312.70	
Section 12 of the 2006 Act, CA6, Transfer of a right in gross	£110	£116.60	
Section 13 of the 2006 Act CA7, Surrender or extinguishment of a right of common	£220	£233.20	
Section 4, paragraph 8 of the 2006 Act CA8, Statutory disposition pursuant to section 14 of the 2006 act (including the exchange of land for land subject to a statutory disposition)	£440	£466.40	
Section 15(1) or Section 15(8) of the 2006 Act CA9 Registration of a new town or village green by the owner or someone other than by the owner	Free		Legislation states no fee applicable
Section 19 of the 2006 Act CA10 Correction, for a purpose described in section 19(2)(d)	£50	£53.00	

Section 19 of the 2006 Act CA10 Correction, for a purpose described in 19(2)(b) or €	£295	£312.70	
Section 19 of the 2006 Act, CA10 Correction, for a purpose described in Section 19(2)(a) or (c)	Free		Legislation states no fee applicable
Schedule 1, paragraph 19(6)(b), to the 2006 Act CA11 Severance by transfer to public bodies	£75	£79.50	
Schedule 1, paragraph 3 (7)(b), to the 2006 Act CA12	£220	£233.20	
Schedule 2, paragraphs 6 - 9, to the 2006 Act CA13 Deregistration of certain land registered as common land or as a town or village green	£1,470	£1,558.20	
Schedule 2, paragraph 2 or 3, to the 2006 Act CA13 Non-registration of common land or town or village green	Free		Legislation states no fee applicable
Schedule 2, paragraph 4, to the 2006 Act CA13, Waste land of a manor not registered as common land	Free		Legislation states no fee applicable
Schedule 2, paragraph 5, to the 2006 Act CA13 Town or village green wrongly registered as common land	Free		Legislation states no fee applicable
Schedule 3, paragraph 2 or 4, to the 2006 Act CA14 Creation of a right of common, statutory disposition (including the exchange of land for land subject to a statutory disposition) and variation	£405	£429.30	
Schedule 3, paragraph 2 or 4, to the 2006 Act, CA14, Apportionment of a right of common (to facilitate any other purpose)	£370.00	£392.20	
Schedule 3, paragraph 2 or 4, to the 2006 Act CA14 Surrender or extinguishment of a right of common, severance of a right of common, transfer of a right in gross	£250.00	£265.00	
Regulation 43 of the Commons Registration (England) Regulations 2014 CA15 Declaration of entitlement to exercise a right of common	£70.00	£74.20	
Section 15A(1) of the 2006 Act, CA16 Deposits under section 31(6) of the Highways Act 1980 and section 15A(1) of the Commons Act 2006	£390.00	£413.40	
	Any additional notices		
	£30.00	£31.80	

General Enquiry Requesting a copy of a register/ plan	£15.89	£16.84	
S38 Superintendence fees, 10% of calculated bond value. Minimum fee for both Section 38 and 278 Agreements £2,000.	10% of bond value		Subject of a separate review
S278 Superintendence fees, 10% of calculated bond value. Minimum fee for both Section 38 and 278 Agreements £2,000.	10% of bond value		Subject of a separate review
S278 Supervision fees for 278 agreement work where the Highway Development Service has been used - 8.5% of bond value	8.5% of bond value		Subject of a separate review
Stopping up order Officer time spent dealing with an application will be charged at an hourly rate as listed. Other external costs incurred by the County Council will be recharged to the applicant.	£46.60	£49.39	
Stopping up order Other external costs are also charged to the customers.	Variable	Variable	
Stopping up order Initial fee the applicant must pay with the initial request, the balance must be settled prior to the application to the Magistrates Court.	£876.86	£929.47	
H-Bar Markings	£234.04	£248.08	
Request from consultants / private companies for 'new' information	£46.60	£49.39	
Structures approval Hourly rate of officer time spent assessing new structures proposed by developers	£46.60	£49.39	
Structures approval Initial request fee the applicant must pay (the balance must be settled with the request for signature of the Approval in Principle (AIP))	£116.49	£123.48	
Application from developer for a Traffic Regulation Order amendment	£46.60	£49.39	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (one day or less) There is no charge for mobile mechanical plant machinery that is on site for one day or less.	No fee		
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) £144.00 for a 2 week licence	£152.50	£161.65	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) Early start fee (if licence is required within 3 days of request).	£29.65	£31.43	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) If mobile mechanical plant machinery needs to be in situ for longer than 2 weeks then an additional weekly extension fee will apply:	£93.19	£98.78	
Mobile mechanical plant machinery e.g. cherry picker, scissor lifts and cranes (more than one day) Failure to comply with the licence conditions will result in a further inspection fee of:c	£58.25	£61.74	

Tourist Traffic Signs Initial assessment fee (non-refundable).	£174.74	£185.22	
Tourist Traffic Signs Additional charges will be applied where further work is required in relation to an application at an hourly rate:	£46.60	£49.39	
Road safety audits	£46.60	£49.39	
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Total	£331.00	£352.03	
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Licence fee	£181.00	£193.03	
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Inspection fee x 3	£150.00	£150.00	Unable to raise as statutory fee figure
Temporary excavation in the Highway (s171 HA) and licence to place and maintain/repair apparatus in the Highway (s50 NRSWA) Coring fee	£92.00	£97.85	
NYCC Permit Scheme			BES Executive Members' report pending
Attachment of New Christmas Displays to NYCC street lighting columns			BES Executive Members' report pending
Attachment of new CCTV, ANPR, wi-fi, IoT Sensors to NYCC street lighting columns			BES Executive Members' report pending
Ongoing, annual fee for attaching displays, CCTV/ANPR, flower baskets, banners, wi-fi, bunting, VAS, IoT Sensors, temp signs to NYCC street lighting columns. Covers additional structural testing requirements.			BES Executive Members' report pending
Commuted sums	As per existing commuted sums fees schedule	30% increase on existing fees schedule	Existing fees schedule can be found at: https://www.northyorks.gov.uk/site/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/28%20

			Commuted%20Sums Interim%20Guidance%20Note Highway%20Design%20Guide%20Publication%20-%20accessible.pdf
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Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Business and Environmental Services		
Service area	Highways and Transportation		
Proposal being screened	Highways Fees & Charges Review		
Officer(s) carrying out screening	Allan McVeigh		
What are you proposing to do?	Amend the Highway Fees & Charges Rates		
Why are you proposing this? What are the desired outcomes?	Corporate requirement to review fees and charges on an annual basis, in order to ensure full cost recovery.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Yes	No	Don't know/No info available
Age		No	
Disability		No	
Sex (Gender)		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
NYCC additional characteristic			
People in rural areas		No	
People on a low income		No	
Carer (unpaid family or friend)		No	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No.		

Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:
Reason for decision	To allow the County Council to recover all costs associated with the delivery of Highways Services,		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	31/01/23		



Climate Change Impact Assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Review of Highways Fees and Charges
Brief description of proposal	Review of Highways Fees and Charges to ensure the County Council charges the correct rate for its services
Directorate	Business & Environmental Services
Service Area	Highways and Transportation
Lead Officer	Allan McVeigh
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	January 2023
Options appraisal	
The Highways Fees and Charges need to be revised to reflect the actual cost of services to the County Council	
What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?	

The review and implementation of the new fees and charges should have a positive effect on council budgets ensuring the correct fee or charge is received for that service. It will be cost neutral

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel		X				
	Emissions from construction		X				
	Emissions from running of buildings		X				
	Other		X				

APPENDIX 3

Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic		X				
Reduce water consumption		X				
Minimise pollution (including air, land, water, light and noise)		X				
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		X				
Enhance conservation and wildlife		X				
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape		X				
Other (please state below)		X				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

n/a

Summary

In summary, no climate change impact is considered to arise as a result of the proposed Highways and Transportation Fees and Charges.

Sign off section

This climate change impact assessment was completed by:

Name	Allan McVeigh
Job Title	Head of Network Strategy
Service Area	Highways & Transportation
Directorate	Business & Environmental Services

Signature	
Completion Date	09/01/23
Authorised by relevant Assistant Director (Signature)	<i>Barrie Mason</i>
Date	31/01/23