

REPORT TO: Cabinet

DATE: 6th April 2011

SUBJECT: Network Management Fees and Charges 2011/12

**WARDS
AFFECTED:** All

REPORT OF: Peter Moore – Environmental and Technical Services
Director

**CONTACT
OFFICER:** Jeremy McConkey
Network Manager
0151 934 4222

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To seek approval of the Cabinet to revise fees and charges levied by Network Management in accordance with the Transformation process.

REASON WHY DECISION REQUIRED:

Any revision to fees and charges must be approved by Cabinet prior to implementation

RECOMMENDATION(S):

That Cabinet approve the revised fees and charges for 2011/12 set out in Annex A of the report

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: 1st May 2011

ALTERNATIVE OPTIONS:

Maintaining the existing fees and charges will not address the requirements identified to members in the prioritisation and transformation process

IMPLICATIONS:

Budget/Policy Framework: Proposals will have a positive effect on budgets
Financial:

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure	Nil	Nil	Nil	Nil
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	Nil	Nil	Nil	Nil
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: The Council has the legal right to set fees and charges as outlined in this report.

Risk Assessment: Failure to revise the fees and charges will have a detrimental effect on requirements approved by Members as part of the 2011/12 budget setting process.

Asset Management: The fees and charges assist the Council in delivery of the statutory network management duty

The Head of Corporate Finance & ICT has been consulted and has no comments on this report. **FD736/2011**

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Background

- 1 Cabinet will be aware that the Council has a statutory Network Management duty imposed by central Government. This duty states:

“It is the duty of a local traffic authority to manage their road network with a view to achieving, as far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

- a) *Securing the expeditious movement of traffic on the authority’s road network;*
and,
- b) *Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority”*

- 2 Part of this duty is to maintain, as far as possible, a free flowing highway network. In order to do this, there is a need to either ban everything from the highway or to regulate and manage all circumstances which affect the availability of the road network for the highway user. To ban everything would not be practical and would have a severely detrimental effect on the economy. However to regulate such activities creates a cost for the Council which should be mitigated by charging companies and individuals for the space and duration a temporary obstruction is proposed to occupy the highway and also set a charge for non-compliance with Council requirements. Cabinet have in previous years approved charges for temporary works and obstructions such as skips, scaffolding/hoardings, cranes, open air cafés etc. Within existing resource availability, enforcement action is taken against those who fail to comply with Council requirements to apply for permits and licences to occupy the highway.
- 3 The transformation and prioritisation process identified the desire to ensure that the costs of providing this service are met by fees and charges, specifically saving CM42 requires the generation of an additional £30,000 income, over and above the projected income levels for 2010/11, in order to achieve this it is necessary to increase the level of fees and charges applied. Members should be aware that the income can not be guaranteed as it determined by the level of demand from third parties to temporarily occupy the highway.

Proposals

- 4 It is proposed to revise existing fees and non-compliance charges and also to introduce new initiatives which will help the authority to more fully comply with the statutory network management duty. The new initiatives will also increase the opportunity for businesses and individuals to apply for permits where previously they were unable to and were therefore the subject of enforcement action with no alternative solution.
- 5 In general terms, the fees and charges proposed reflect the extent to which the particular occupancy of the highway causes potential disruption to the highway user. With the greater potential disruption leading to a higher charge so as to discourage unnecessary or prolonged occupancy. This approach is consistent with the approach to charges for Traffic Management Act noticing. The penalties for non-compliance are set at such a level as to encourage compliance.

- 6 The proposed list of revisions and additional initiatives are attached at Annex A. Members will see that it is proposed to increase the charges for builders skip permissions, scaffolding and hoardings, open air cafés (this increase has been agreed previously and is included for information) cherry pickers/cranes and the administration costs added to the construction costs for the installation of a vehicle crossing.
- 7 New charges are proposed for the placement on the highway of containers of building materials, storage/welfare containers and advertising 'A' boards. In the case of building materials, they will have to be completely contained on a pallet or within a bulk "Builders Bag", loose material will not be permitted.
- 8 Members should be aware that fees and charges are compared through a benchmarking initiative with our Merseyside colleagues and whilst there are variances, they are generally comparable.
- 9 It is hoped that collectively these initiatives and revisions will meet the target agreed as part of the budget setting process.

Annex A - Network Management Duty - Licensing Charge Increases

Licensing Activity	Criteria	Current Charge 2010/2011	Charge 2011/2012
Builders Skip Permissions	Permission per week per skip	£10	£12
	Illegal Placement per occurrence	£50	£60
	Permission in a high amenity area per week per skip*	£10	£24
Scaffolding / Safety Hoardings Licenses	First week / Subsequent weeks (<10m)	£50 / £15	£100 / £50
	First week / Subsequent weeks (>10m & <20m)	£75 / £25	£125 / £60
	First week / Subsequent weeks (>20m & <30m)	£100 / £35	£150 / £75
	First week / Subsequent weeks (>30m & <50m)	£150 / £45	£200 / £100
	First week / Subsequent weeks (>50m)	£200 / £55	£250 / £125
Open Air Cafes	RPI Increase per table per annum	£58.50	£61.25
Cherry Pickers / Cranes	Licence Fee / Daily Inspection Charge	£75 / £75	£100 / £100
Vehicle Crossing Fee	Per crossing installed	£30	£55
Building Materials*	Per container per week	£0	£10
	Illegal Placement per occurrence	£0	£30
Storage Containers / Welfare Facilities*	Permission per week per container	£0	£100
	Illegal Placement per occurrence	£0	£500
Portable 'A' Boards*	Permission per annum per board (Initial Licence 1 year / Renewal per annum)	£0	£100 / £50
	Non compliance per occurrence	£0	£25
* New charges for 2011/12			