

West Sussex Lane Rental Scheme Proposed Charges Policy and Table – August 2022

LANE RENTAL CHARGES

The New Roads & Street Works Act 1991 (NRSWA), as amended by the Transport Act 2000 and the Traffic Management Act 2004 (TMA), contains provision for highway authorities to operate lane rental schemes that involve charging Promoters for the time their works occupy the highway.

The regulations are the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 ("the Regulations") made under Section 74A of NRSWA.

In accordance with the Scope of the West Sussex Lane Rental Scheme (WSLRS), West Sussex County Council (WSCC) will apply a daily rate of charge for the duration of the specified activities carried out by the undertaker of the activities for the Promoter of the activities at the specified location during the specified times and days.

Section 74 overrun charges will apply in accordance with the Section 74 Regulations following the end of the agreed reasonable period, in addition to the WSLRS charges. The charge will consist of a single payment of £100 in the circumstances set out in paragraph (8) of the Regulations.

To calculate the daily rate of charge, other than for immediate activities, the duration of the activities shall begin on the date specified in the actual start of works notice and end on the date specified in the works clear, works closed or works stop notice, the date activities ended.

For all types of immediate activities, the charges will apply on and from the third calendar day of occupation – taking the works start as stated within the relevant permit application and ending on the date stated on the relevant Section 74 works clear, works closed or works stop notice.

LANE RENTAL CHARGES POLICY

Lane Rental charges will be applied to activities which obstruct the specified locations during the Lane Rental operational times.

Charges will **not** be payable in the following circumstances:

- i. Charges will not apply if the activities take place outside of the Traffic Sensitive Streets specified times;
- ii. Charges will be waived for the first **48** hours from the start of the activities beginning of genuine immediate activities;
- iii. Charges will be waived for activities undertaken on Sundays, Bank Holidays and Public Holidays, including Good Friday, Easter Sunday, Easter Monday, Christmas Day or Boxing Day.
- iv. Charges will not apply if the activities do not break up the street;
- v. Charges will be waived for activities which are confined to a verge or footway, footpath, bridleway, or byway.
- vi. Charges will be waived for activities that are diversionary works as defined in the WSLRS Glossary; and
- vii. Charges will be waived for activities required for replacing poles, lamp columns or signs;

If one of the above applies, the activity Promoter must record the appropriate Lane Rental Charge Exemption in the permit application and, if possible, works clear, works closed or works stop notice. Failure to do so will result in appropriate action being taken.

OPTION TO WAIVE OR REDUCE CHARGES

WSCC retains the option to waive or reduce lane rental charges at its discretion.

West Sussex Lane Rental Scheme Proposed Charges Policy and Table – August 2022

Consideration will be given to reducing charges for major works that deliver significant highway infrastructure improvements, substantially extend/renew the longevity of an asset, or future proof a highway to protect it from being excavated again.

COLLABORATIVE WORKING

Any opportunity for two or more Promoters to collaborate their activities to reduce the occupation of the highway is strongly encouraged.

Collaborative works that are carried out concurrently by two or more works Promoters at the same location can apply to have charges reduced for the period of collaboration.

In such circumstances, where works are carried out at the same location by two or more Promoters concurrently, the daily charge rate will be split between the associated Promoters following confirmation and acceptance in writing by all parties.

In some instances, charges may be reduced for collaboration where the works originate from two distinctively different operational divisions of the same organisation.

REVIEW OF CHARGES

The WSLRS will be evaluated on an annual basis. The first evaluation report will cover a full year from the commencement date specified in the Statutory Instrument / Lane Rental Scheme Order.

Part of the assessment of the WSLRS is a review of the WSLRS lane rental streets list.

It is anticipated that, depending on the extent of changes and developments to the West Sussex Highway Network, the list of streets will be reviewed every one (1) to three (3) years.

This is to ensure that the list is always appropriate and take account of changes to the highway network such as a bypass changing a congested high street into a quiet shopping area.

The methodology used to initially identify the list of lane rental streets will be repeated.

The WSLRS lane rental streets list review methodology is detailed in and part of the WSLRS Evaluation Plan even though it may not be undertaken every year.

The charges will not exceed the maximum charges as set by the DfT.

LANE RENTAL CHARGE AND DISCOUNT (LRC&D) TABLE

| Identified Lane Rental Charge Streets (Bands) | Lane Rental Charge Discount Applied | Full Day Charge |
|--|-------------------------------------|-----------------|
| Band 1 (Road Closure or Single Carriageway Road Occupancy) | 0% | £2,500 |
| Band 2 (All Carriageway Remedial Works) | 0% | £2,500 |
| Band 3 (Single Lane Occupancy of Multi Lane or Dual Carriageway) | 20% | £2,000 |
| Band 4 (Cycle Track) | 40% | £1,500 |

If an activity footprint spans more than one Band of charging at any time during the duration of the activities, then the higher Band daily rate of charge will apply for the days the activity footprint spans the higher charge Band.

END