

West Sussex County Council
Highways, Transport and Planning

The West Sussex Lane Rental Scheme Operational Guidance

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Introduction

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 street or road 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.

The Local Highway Authority Lane rental scheme has been introduced to enable the Local Highway Authority to support their duty to co-ordinate and manage all street and road works, also known as activities, on the highway, to minimise disruption.

This operational guidance document provides supplementary information that supports the Lane Rental Scheme Document detailing specific working scenarios and operational processes.

This document does not supersede the Scope of the Lane Rental Scheme Document and is intended to provide further guidance on the operation of the lane rental scheme to aid Promoters in their understanding.

The lane rental scheme and associated documents, including this Operational Guidance document, will be published on the local highway authority's website.

Updates to these documents will be communicated at appropriate forums, for example HAUC meetings; however, it is recommended that those operating under a lane rental scheme frequently check this webpage for updates.

Throughout this document, the terminology used assumes that a lane rental charge applies, i.e., the work is specified works, also known as activities, at a specified location, during specified times with carriageway impact, unless stated otherwise.

References

References within the Scheme to other documents, such as Regulations, Acts, Statutory Guidance or Codes of Practice, include all future revisions and updates.

Should any changes made to these documents reflect a fundamental change to the scope of the lane rental scheme, and associated definitions, the lane rental scheme will also be updated.

Diagrams

The diagrams provide a visual representation of working scenarios and the application of the lane rental scheme. The following diagram key is used for all diagrams within this document.

The diagrams used in this document are not intended to represent the setting out of a works site or use of temporary traffic control. Any reference to a worksite location or temporary traffic control is for illustrative purposes only.

'Worksite Area' includes all barriers and cones etc surrounding the work area.

'Plant and Materials Storage' includes site vehicles, welfare facilities and safety zones etc.

Example Diagrams and Key

Image of a verge



Image of a Footway



Image of a Carriageway



Image of a Cycle Track

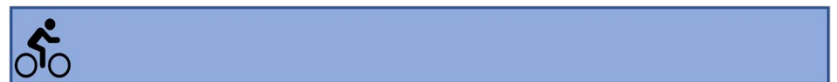


Image of a Temporary
Pedestrian Provision



Image of a Worksite Area

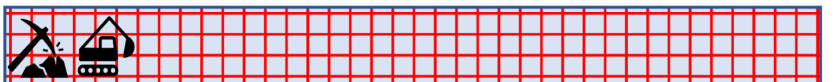


Image of a Vehicles,
Plant and Materials Storage

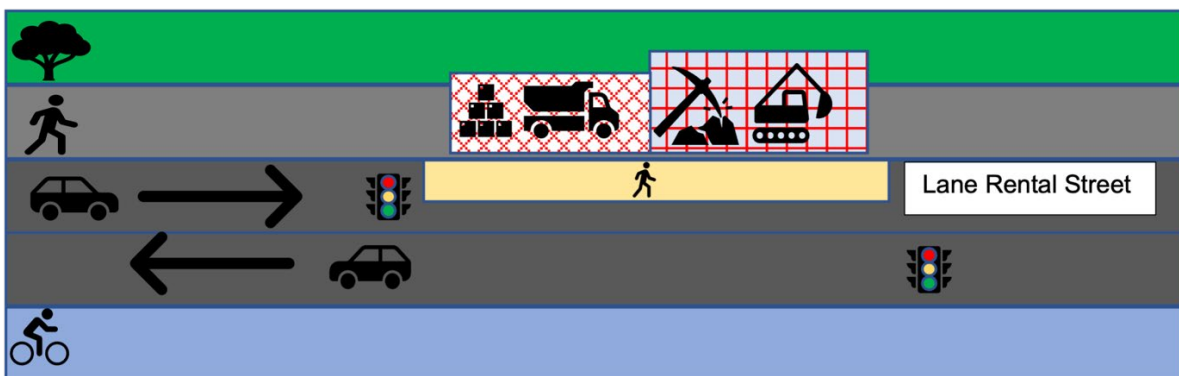


Image of a Temporary cycle or traffic control



Diagram 1

Example Diagram showing work area and vehicle / storage area, pedestrian provision, and temporary traffic control.



Lane Rental Logic Flow

The diagram below provides a simple logic flow to determine whether lane rental applies to activities and any associated charge. The slight exception to this is for Immediate activities, where the first two calendar days of the activities are without charge.

Diagram 2

The lane rental logic flow to determine whether lane rental applies to the activities.

- Do the activities require a Permit, Section 50 or Section 278 licence?
- If not, no Lane Rental Charge is applied.
- If yes, check if the activities are on a Lane Rental Street?
- If not, no Lane Rental Charge is applied.
- If yes, will the activities be undertaken at Lane Rental Times?
- If not, no Lane Rental Charge is applied.
- If yes, do the activities reduce the traffic capacity?
- If not, no Lane Rental Charge is applied.
- If yes, the appropriate Lane Rental Charge Band will be applied.

Lane Rental Charges and Discounts

Band 1 for road closures or single carriageway roads.

Discount applied 0%. Full day charge £2,500.

Band 2 for all carriageway remedial works.

Discount applied 0%. Full day charge £2,500.

Band 3 for single lane occupancy of multi lane or dual carriageway roads closures or single carriageway roads.

Discount applied 20%. Full day charge £2,000.

Band 4 for cycle tracks.

Discount applied 40%. Full day charge £1,500.

Core Process for Activities on a Lane Rental Street

Diagram 3 shows the core process for activities on a lane rental street, from the initial application through to work completion and payment of the lane rental scheme charge.

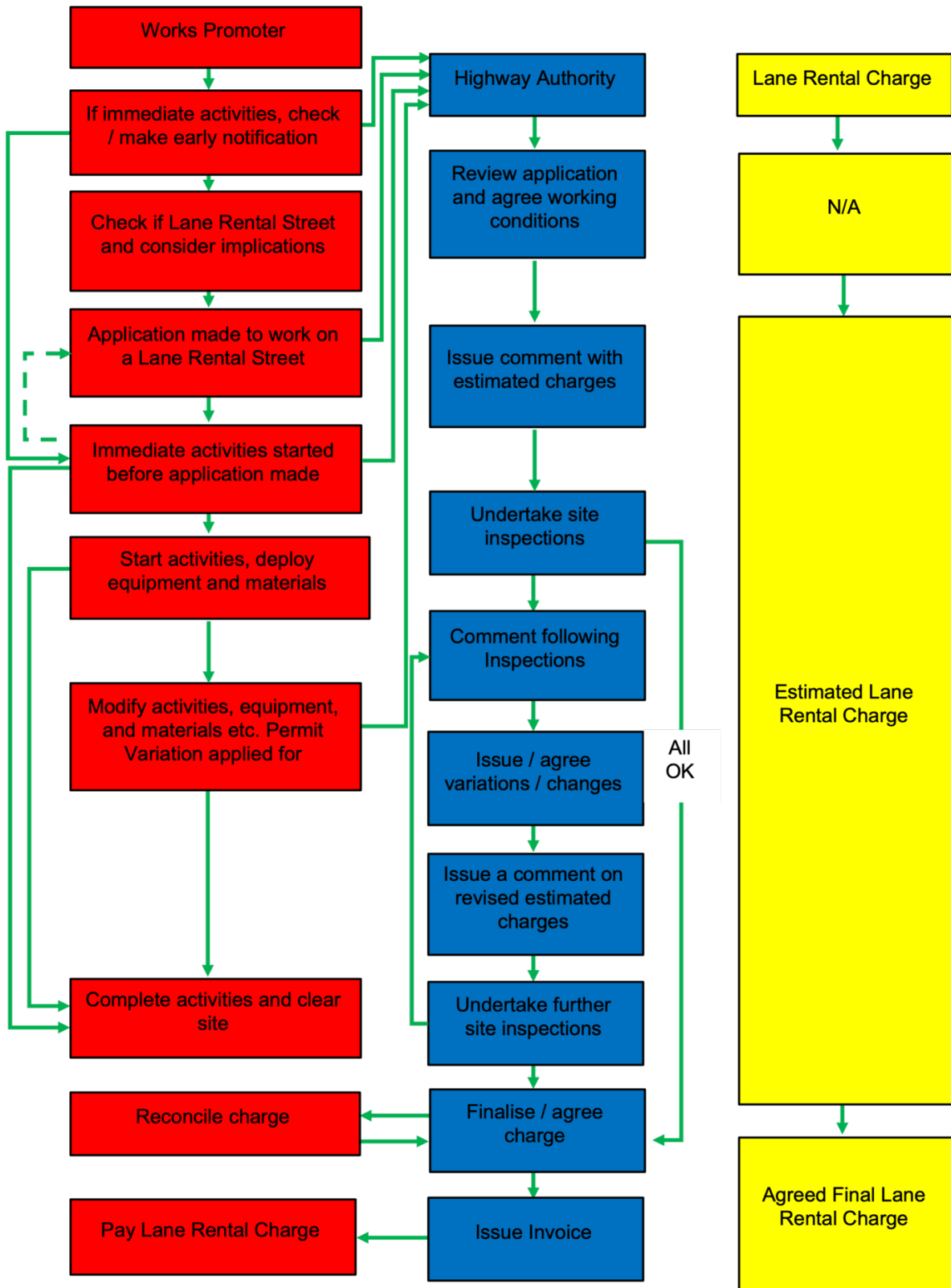
The key principles set out in this process are:

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- After the initial permit application and when the Permit has been granted, the Local Highway Authority will issue a comment to the promoter setting out the estimated lane rental charge for the activities based on the agreed permit conditions
- The Local Highway Authority will undertake site inspections to check the Promoter is working to the agreed permit conditions
- Any variation to the Permit which creates a change to the estimated lane rental charge the updated estimated charge will be notified to the Promoter via a Comment
- Once work is complete the Local Highway Authority will undertake a site occupancy inspection to verify the site is closed and clear
- After it is verified, the works are closed the Local Highway Authority will finalise the lane rental charge based on the actual occupation and then issue the Promoter confirmation of the lane rental charge or an estimated lane rental scheme charge reconciliation.
- Once any reconciliation is complete and agreed an invoice for the lane rental scheme charge will be sent to the Promoter for payment

Diagram 3

The core process for activities on a lane rental street, from the initial application through to work completion and payment of the lane rental scheme charge.



Specified Activities

Non-excavation activities

The lane rental scheme applies to all activities that require a permit under the relevant section of the Local Highway Authority permit scheme, are executed under a NRSWA Section 50 licence, or are executed under an agreement pursuant to Section 278 of the Highways Act 1980 unless otherwise specified in the West Sussex Lane Rental Scheme Charges Policy and Table.

Diversions activities

Diversions activities are included within the lane rental scheme as “works for road purposes” which are maintenance and improvement works to the road itself carried out by, or on behalf of, the Highway Authority.

Activities undertaken under the Highways Act

Activities undertaken under a Highways Act licence, Section 278, are included within the lane rental scheme as a “works for road purposes” which are maintenance and improvement works to the road itself carried out by, or on behalf of, the highway authority.

No charge will apply for activities undertaken wholly within the footprint of another Highways Act activity, e.g., if a road is closed for a crane operation and a registerable activity takes place wholly within the closure for the crane and wholly within the dates required for the crane operation.

Specified Location

Maintaining traffic flow or capacity

The lane rental scheme states lane rental charges will only apply when there is either a road closure or a lane closure, where the term lane closure refers to any of the following.

- any form of traffic control is deployed on the carriageway or,
- any traffic management reduces the number of lanes of a carriageway which can be safely used or,
- there is any impact which reduces the traffic flow or capacity or operation of a junction.

Where a work site includes the carriageway, the impact on the traffic flow or capacity will need to be determined on a case-by-case basis and will be very specific to the dimensions of both the carriageway and the work site.

The lane rental scheme applies to activities in a carriageway or a cycle track, or where activities in a verge or on a footway encroach on a carriageway or a cycle track.

Diagram 3

Lane rental scheme charges will not be applied if the work site includes carriageway incursion but there is no reduction to traffic capacity or traffic flow.

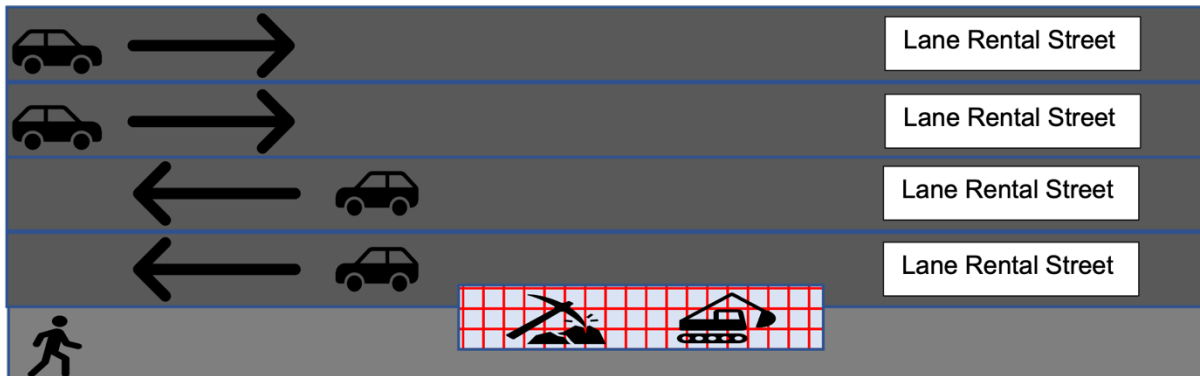
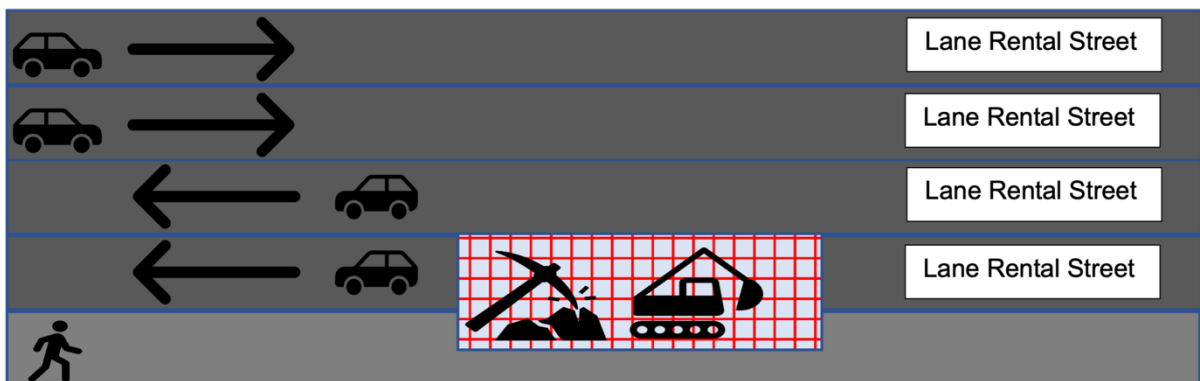


Diagram 4

Lane rental scheme charges will be applied if the work site includes carriageway incursion and there is a reduction to traffic capacity or traffic flow.

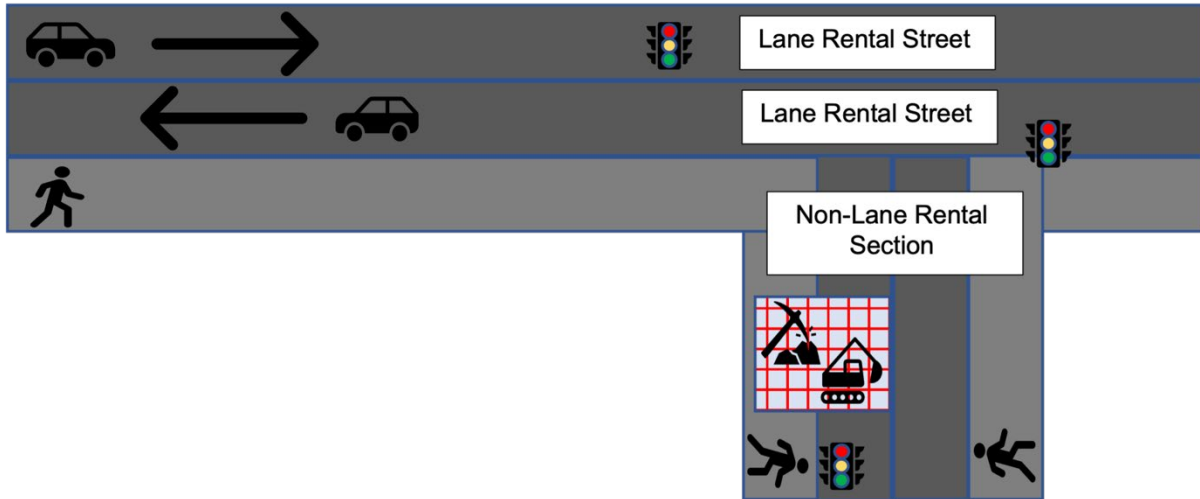


Only Traffic Control deployed on a Lane Rental Street

Where activities are not on a lane rental street, but traffic control needs to be deployed on a lane rental street, thereby reducing the traffic flow or capacity of that street, charges will apply. The Specified Work is located on a street without lane rental designation and the traffic control is deployed on a street with a lane rental designation.

Diagram 5

A lane rental charge will be applied when the site area is not on a lane rental street if temporary traffic control is deployed on a lane rental street and reduces the traffic flow or capacity on the carriageway, but this is not as a separate work site area.



Activities in the footway

Where activities are solely in the footway and there is no reduction to the traffic flow or capacity of the carriageway no charges will apply.

Where activities are solely in the footway allows safe pedestrian movement around the site with no reduction to the traffic flow or capacity of the carriageway no charge will apply.

Diagram 6

No lane rental charge will be applied when the site area allows pedestrians to pass safely while maintaining normal traffic flows or capacity.

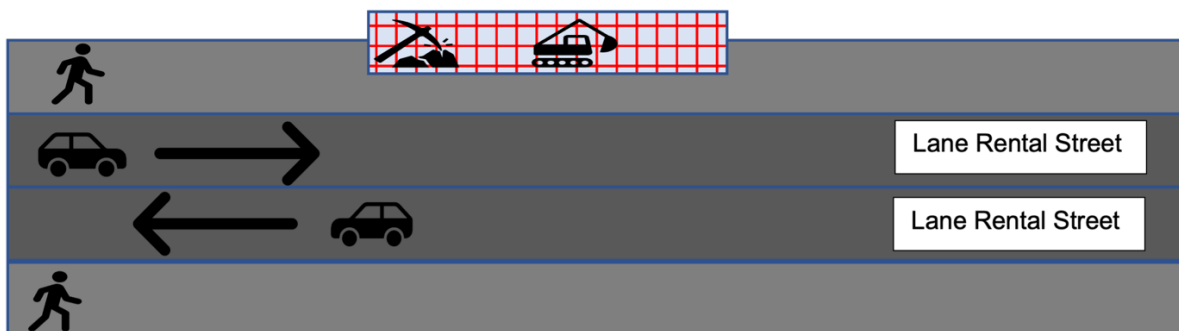


Diagram 7

Where activities are solely in the footway and a pedestrian walkway is put into the carriageway and there is a reduction to the traffic flow or capacity of the carriageway charges will apply.

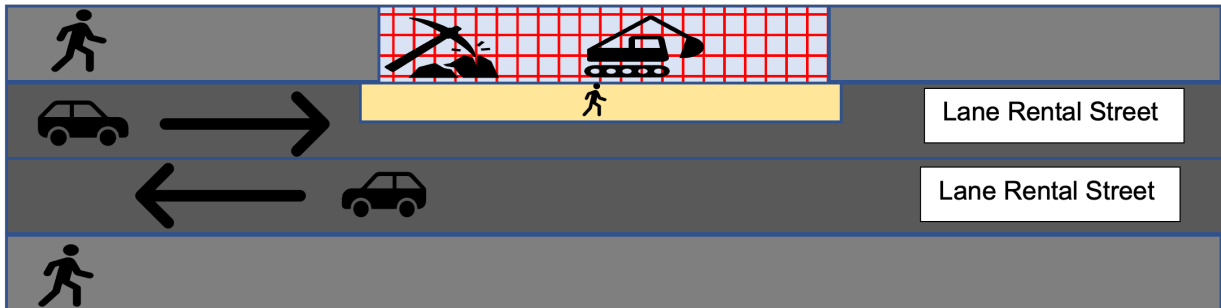


Diagram 8

Where activities are solely in the footway but requires a temporary pedestrian crossing that reduces the traffic flow or capacity on the carriageway, charges will apply.

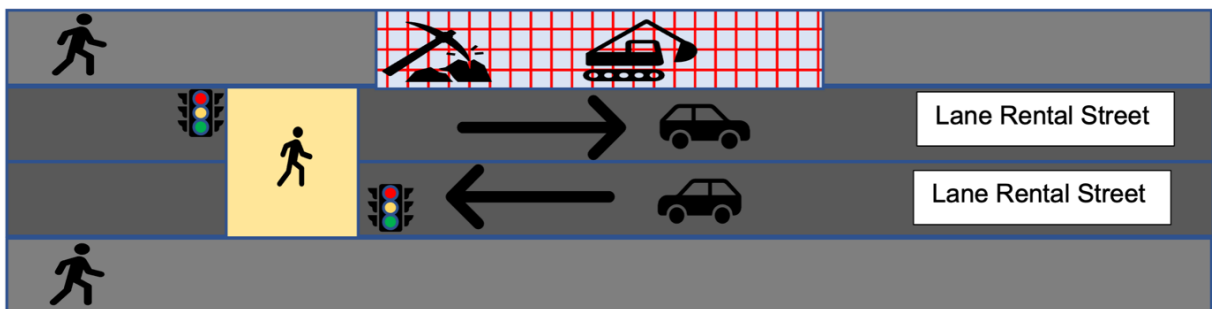
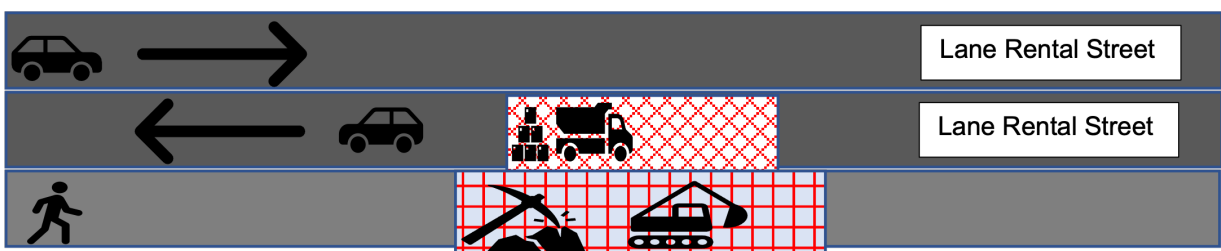


Diagram 9

Where activities are solely in the footway and has plant, materials and/or spoil located in the carriageway, charges will apply if there is a reduction to the traffic flow or capacity.



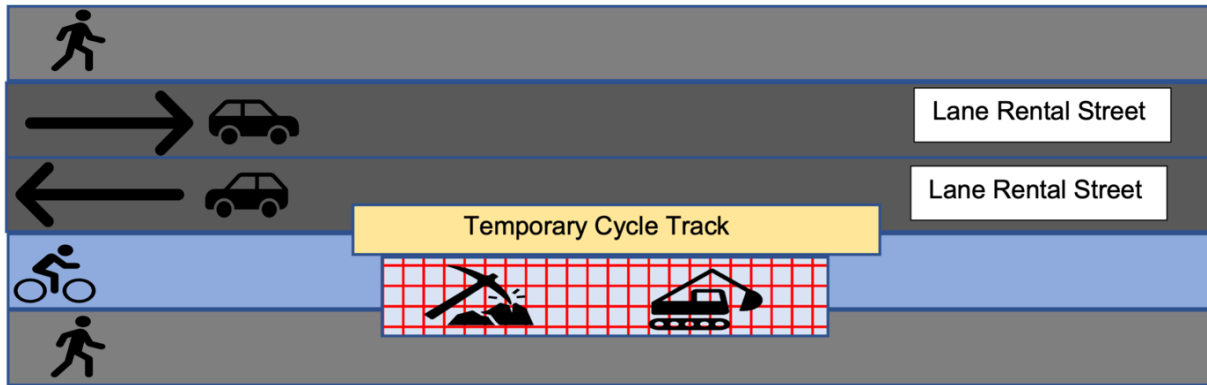
Cycle-track, Cycle-Lane, Cycle-Path or Cycle Route

Where a work site includes a cycle-track or cycle-lane no lane rental scheme charge will apply if the alternative temporary route does not reduce traffic flow or capacity of the carriageway.

A cycle-track is a way, constituted or comprised in a highway, over which there is a public right of way on pedal cycles, with or without a right of way on foot and over which there is no other right of way.

Diagram 10

Where the alternate cycle track reduces the traffic flow or capacity of the carriageway, charges will apply.



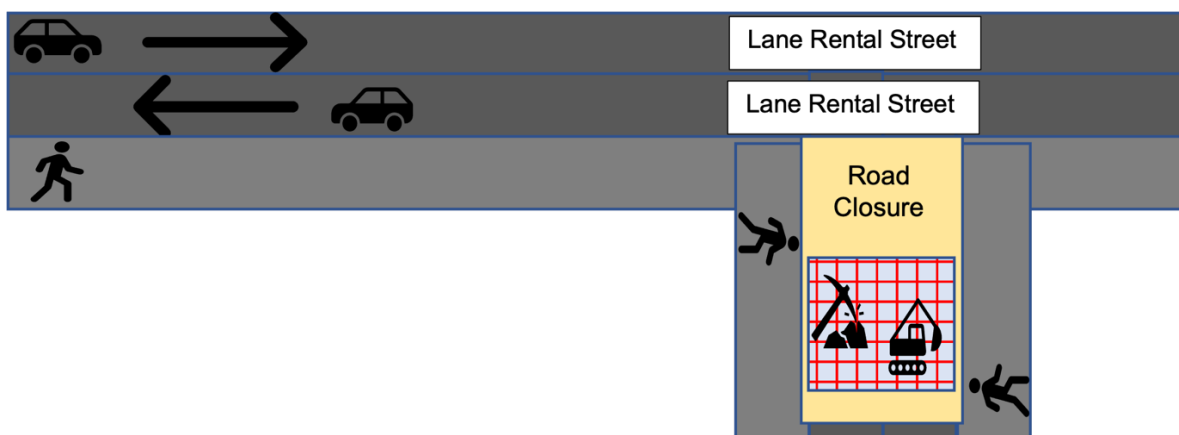
A Promoter may consider the use of ‘cyclists dismount’ signs to avoid impacting the carriageway with a temporary cycle-track. Such measures should be agreed in advance with the local highway authority.

Side road closures

Where a road closure is wholly contained within another street with a separate USRN which adjoins a lane rental scheme street, thereby not affecting traffic flow or capacity of the carriageway of the lane rental street, no lane rental scheme charges will apply.

Diagram 11

No lane rental scheme charge will apply. The site area and traffic control (road closure) are not on a lane rental scheme street.



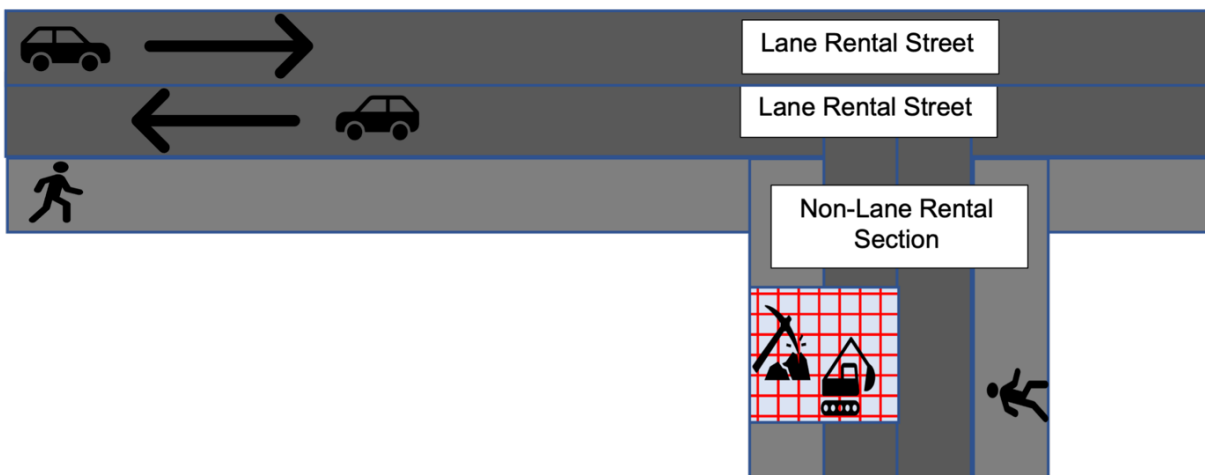
Activities on a lane rental street with a partial designation

If a lane rental scheme designation is not applied to the whole street, therefore the street contains partial sections with a lane rental designation, excluding slip roads, service roads and side roads. The NSG ASD contains the information on the partial designations, including a text descriptor.

Where activities are located on a partial section of a lane rental street not included within the lane rental designation, such as a side road, a lane rental charge will only apply when traffic control deployed reduces the traffic flow or capacity of a carriageway that is included within the lane rental designation.

Diagram 12

No lane rental scheme charge will apply. Lane rental is not applied to the section of the street where the work site is located.

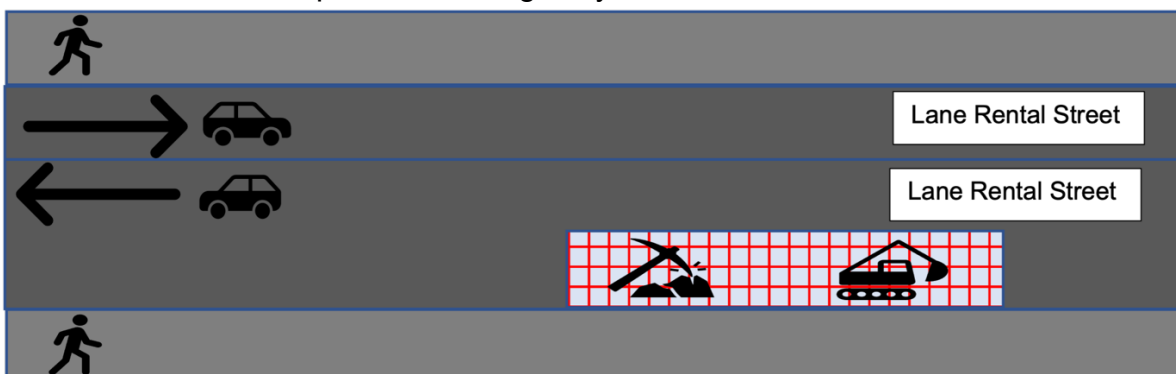


Partial or semi recessed road space

Where activities are wholly within a recessed area of the carriageway, thereby not reducing the traffic flow or capacity of the carriageway, no lane rental charges will apply.

Diagram 13

No lane rental scheme charge will apply. The site area is wholly within the recessed area and does not impact the carriageway.



Location of a works vehicle

A works vehicle may be parked in a works site provided that it is necessary for carrying out those works. A vehicle entirely within the coned off area of the site may require a larger coned off area than would otherwise be the case.

A vehicle may be parked outside a works site provided that it obeys the parking rules that apply to any other vehicle in that street. Outside the works site, the vehicle has no special status and no exemption from parking enforcement.

Diagram 14

No lane rental scheme charge will apply. The work vehicle is parked legally in a parking bay or bus layby and the site area does not reduce the traffic flow or capacity of the carriageway.

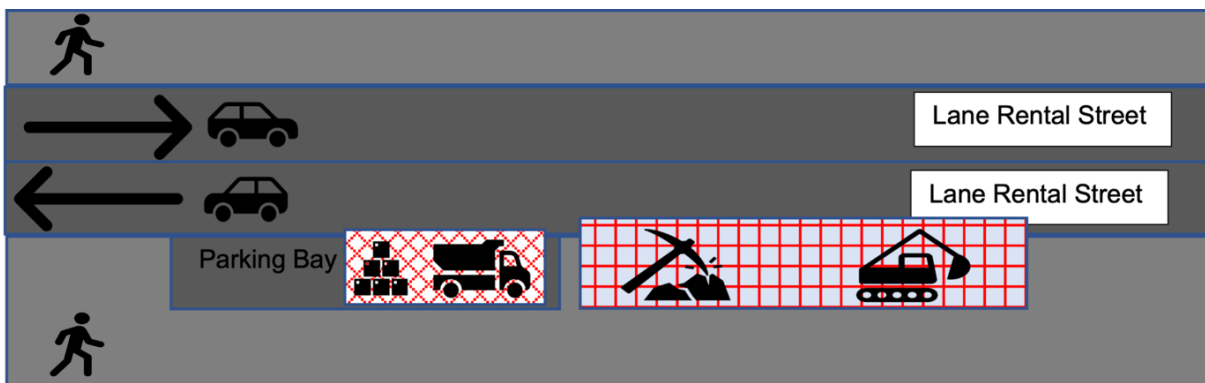
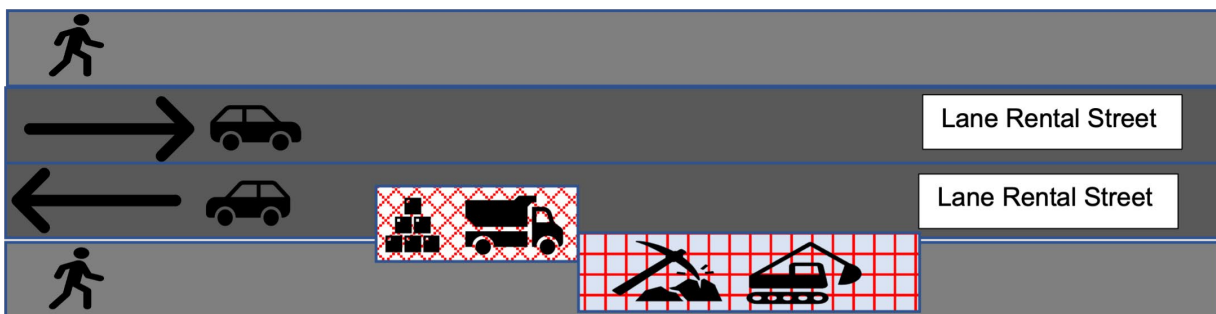


Diagram 15

Lane rental scheme charge will apply. The work vehicle is parked illegally on a lane rental street and reducing the traffic flow or capacity on the carriageway.

Where a works vehicle is parked in a works site and reducing the traffic flow or capacity of the carriageway Lane Rental charges will apply.



Work site deliveries

It is expected that work site deliveries will be scheduled outside of lane rental scheme times.

Where a work site delivery is scheduled during lane rental scheme times, and this creates a reduction in the traffic flow or capacity of the carriageway then a lane rental scheme charge will apply.

In addition, if the vehicle is not incorporated within the works site, all Promoters are expected to ensure the delivery vehicle is parked legally or in a safe manner in all instances.

Activities spanning more than one USRN

Where activities cover more than one USRN, and therefore a Permit is required for each separate USRN and the work site does not contain any form of junction, then the equivalent of one charge will apply for the entire activities. No permit fees will apply to those activities.

Diagram 16

Lane rental scheme charge will apply. The charges will be discounted on each works so that the total fee amounts to a charge for one work only. In this example 50% for each work.

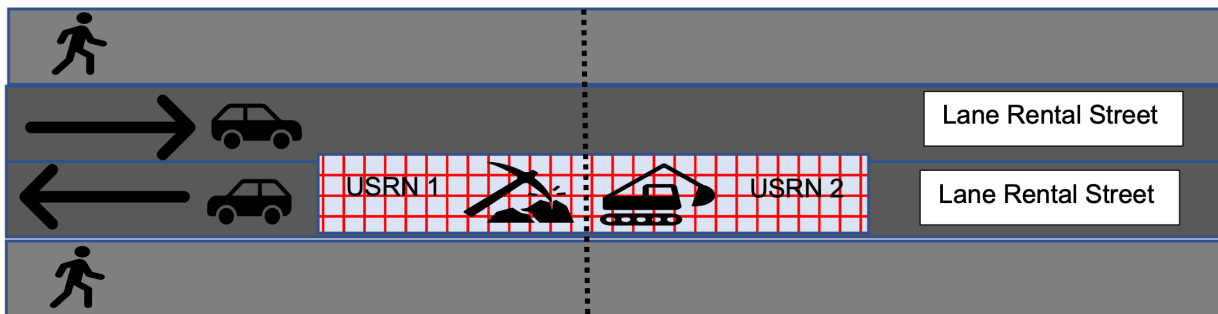
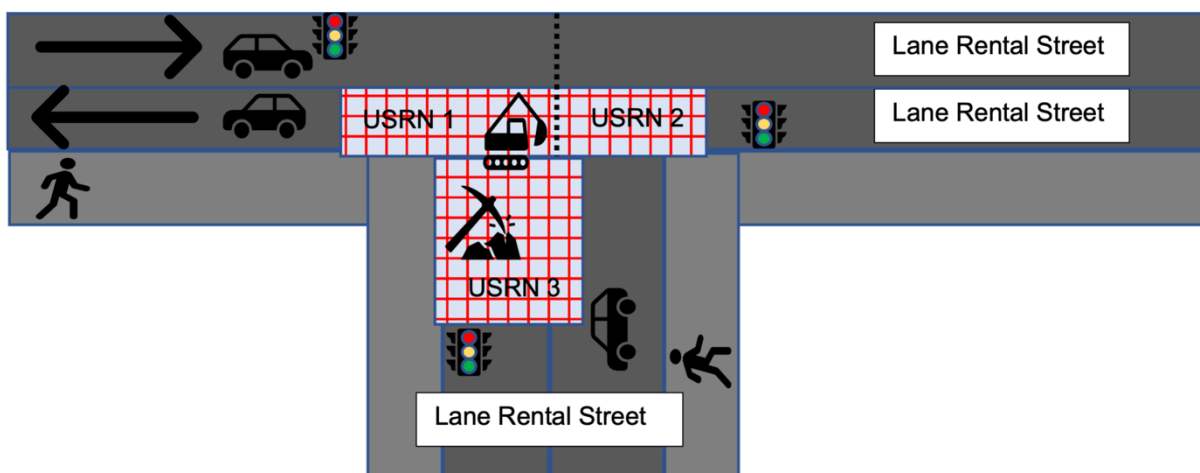


Diagram 18

Where a work site contains a junction, irrespective of whether a joining street is a lane rental street, then the Local Highway Authority will review this on a case-by-case basis.

Lane rental scheme charge will apply. The charge may apply for each USRN. A discounted charges may be considered by the Local Highway Authority on a case-by-case basis.

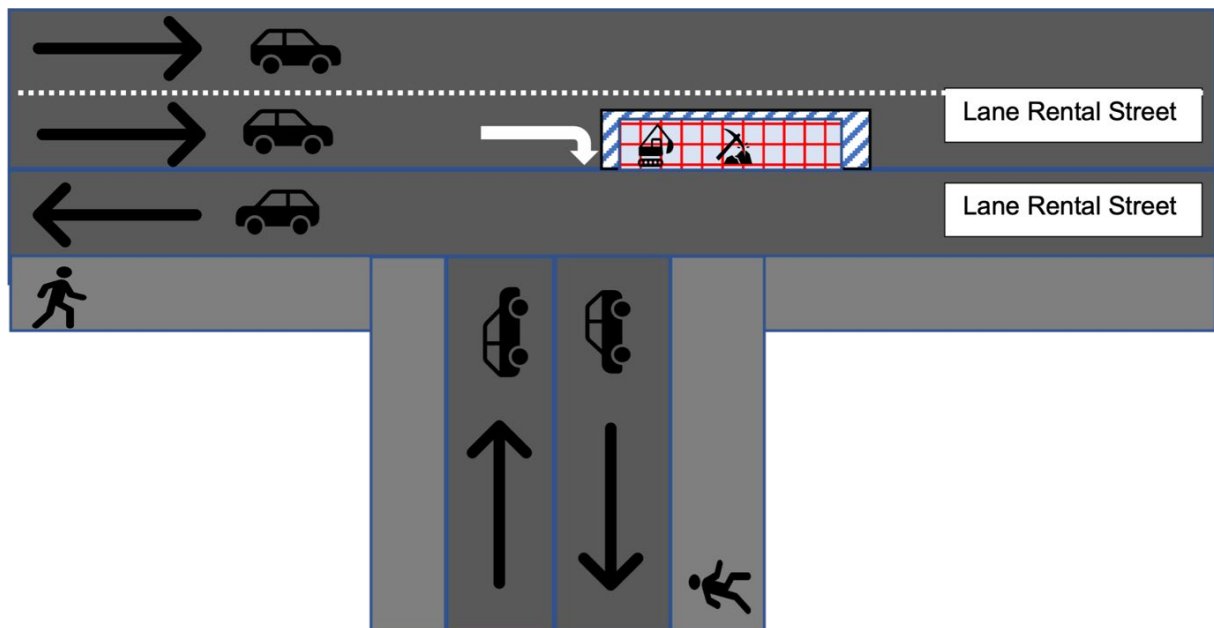


Work wholly contains within a white hatched area

No charge will apply where a work is wholly contained within a white hatched area (of the carriageway) with no encroachment onto the carriageway thereby reducing the traffic flow or capacity.

Diagram 17

No lane rental scheme charge will apply. The works site is wholly contained within the white hatched area with no impact to the carriageway.



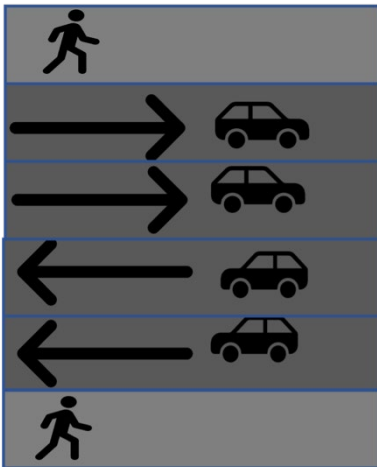
Redefined road space

Where the outcome of activities permanently redefines the street layout, the Local Highway Authority may consider a waiver or reduction of the charge for those activities.

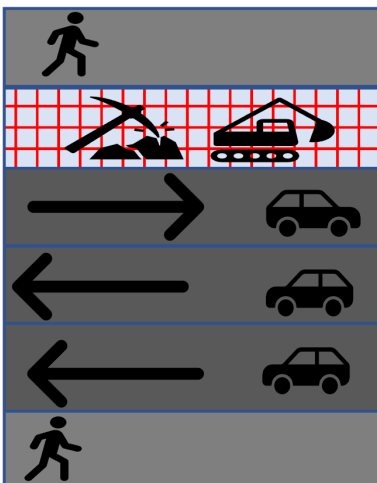
Diagram 18

Changes to the street layout.

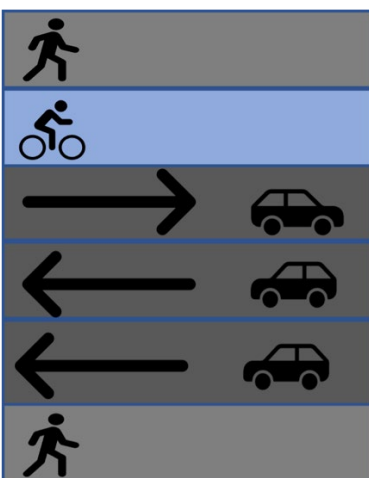
Existing Street Layout



Work Site



New Street Layout



Use of road plates and/or temporary materials

If suitable road plates and/or other materials can be safely used to avoid activities impacting on traffic flow or capacity at specified times, then charges will not be applied, even if such measures necessitate a speed limit reduction in order for their safe deployment.

For example, it may be possible for excavations to be safely covered during specified times thereby maintaining the carriageway traffic flow or capacity, with traffic control measures deployed outside of specified times only.

This process could be repeated each day throughout the duration of the activities. If such a solution were viable for activities the Local Highway Authority would consider the duration a reasonable period, recognising that the duration of the activities may be extended to accommodate these measures.

Road plates and/or other materials will need to comply to the tolerances for surface profile as set out in the Specification for the Reinstatement of Openings in Highways and with suitable skid resistance appropriate to the location. Such measures should be checked at regular intervals to ensure they remain in place and in good condition.

Specified Days and Times

Lane rental timings

The lane rental scheme streets document sets out the lane rental times (the 'specified times') for each street.

Short duration encroachments into lane rental times

The Local Highway Authority expects any Promoter planning to avoid specified times will allow sufficient contingency into the time needed to complete their work.

As such the Local Highway Authority will charge for any activities found to have continued into the specified time, even if only by a few minutes.

Environmental Considerations (Potential Impacts of Noise, Vibration, Dust, Lighting)

The Local Highway Authority will take responsibility to apply a balanced approach to the needs of the Promoter, the Local Highway Authority's network management duty and District and Borough Councils' Environmental Health Departments, when determining an application to work at a specified location.

Care shall always be taken to minimise the potential for disturbance from noise, vibration, dust and lighting. It is recognised that the potential for disturbance is heightened for works taking place outside of normal working hours. As such, where potential disturbance is likely for out of hours works, the Promoters shall be required to submit completed pro-forma detailing the nature of the works and the mitigation measures that shall be in place to minimise disturbance to a practicable minimum. The District and Borough Environmental Health Departments shall review and provide feedback to the Promoter and Local Highway Authority in relation to the pro-forma submission.

If the Local Highway Authority considers that a Promoter has made a genuine attempt to plan work outside of Specified Times but is prevented from doing so by environmental impacts, the Local Highway Authority may consider applying a discount to a charge, provided all other means of avoiding the charge have also been adequately explored.

Data & Systems

List of Lane Rental Streets

The Lane Rental List of Streets contains the list of streets that have a lane rental designation, together with the extent of the designation, *i.e. if it applies to the whole road or part of the road, and the timings for that street.*

The National Street Gazetteer (NSG) Additional Street Data (ASD) contains a copy of the information in the Lane Rental List of Streets, which is accessible through many different systems.

The Lane Rental List of Streets is available in a table form from the local highway authority's website, in either MS Excel or PDF format. The Lane Rental List of Streets contains the following information, which forms part of the NSG ASD:

- Unique Street Reference Number (USRN)
- Town
- Street Descriptor – name of the road
- ASD Whole USRN – if lane rental is applied to the whole of the street (Yes) or partial sections of the street (No)
- ASD Description – text description of the extent of lane rental
- ASD Timing – the specified days and times when lane rental applies

Local Street Gazetteer – Additional Street Data

The Local Street Gazetteer (LSG) and Additional Street Data (ASD) Type 63 record will identify whether a street has a lane rental designation, and the associated timing. The ASD will also define the extent of the USRN where lane rental is applied, *i.e.* the whole street or only partial section of the street.

Where the lane rental designation is not applied to the whole street additional text will be included in the ASD record to describe the location of the designation.

Any uncertainty on the extent of lane rental on a USRN where the designation is not applied for the whole street should be discussed with the Authority.

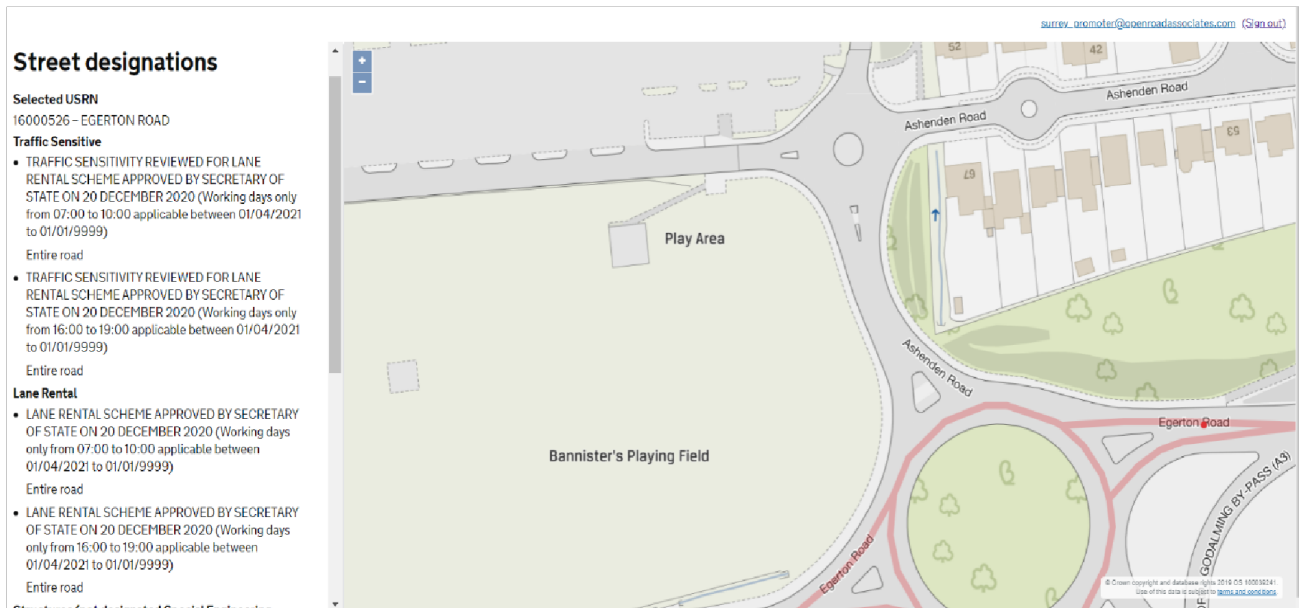
Operational information on Street Manager

The Local Highway Authority recognises that all activities related information must be sent between the Promoter and Local Highway Authority through Street Manager. The lane rental specific functionality within Street Manager is outlined within the Street Manager Business Rules.

This functionality does not feature in the API specification and as such the Local Highway Authority need to use other non-lane rental specific functionality to support the operation of the Lane Rental Scheme, for example the use of Comments and Live Site inspection categories, in order to ensure that all Promoters can receive relevant lane rental content.

A Promoter may choose to use the functionality within Street Manager, such as selecting a lane rental assessment charge type, and the processes set out within this document will not supersede or conflict with this.

Image from Street manager showing Lane Rental Street designations.

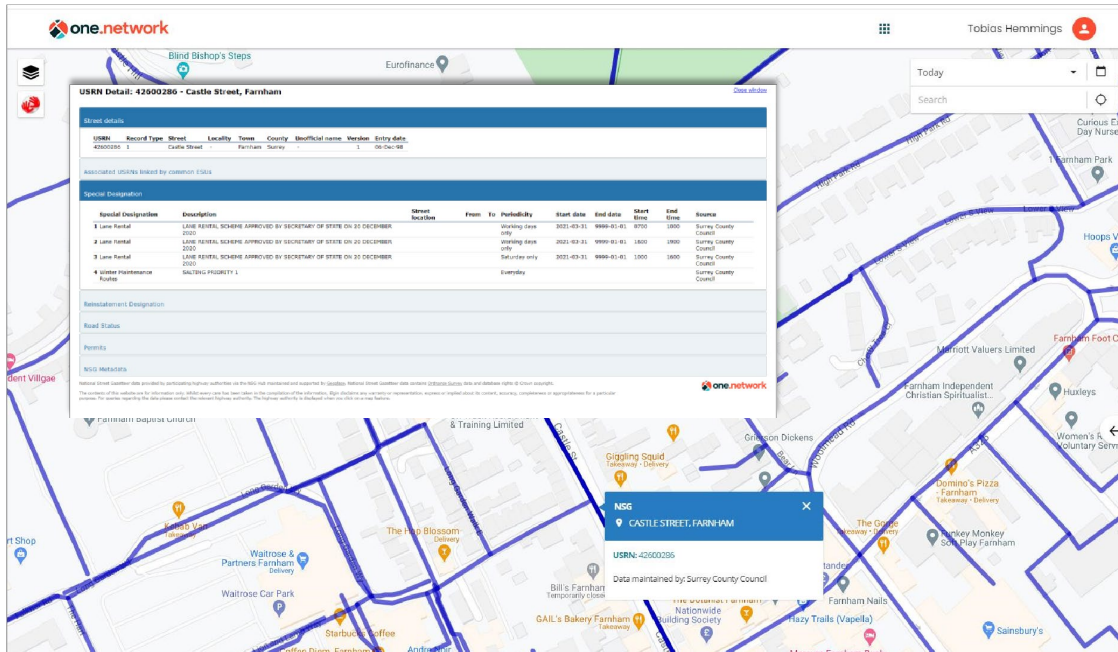


Operational information on one.network

The lane rental NSG ASD information can also be viewed on one.network under the Operational info within Data layers.

A user can select to view the Lane Rental Scheme network or the NSG ASD data within the USRN Detail section.

Image from Street manager showing Lane Rental Street designations.



Local Highway Authority Lane Rental Network

A map view of the lane rental streets is also available on the local highway authority's website.

Traffic control

Temporary traffic signals

Use of temporary / portable traffic signals constitutes a 'lane closure' for the purposes of calculating charges and charges will always apply if they are deployed during the specified times.

It may be possible for works to avoid charges by deploying temporary traffic signals outside of the specified times, whilst continuing work during the specified times without any form of traffic control, for example by using road plates and/or temporary materials.

Shuttle Lane lengths for temporary traffic signals

For long length activities, the length of the shuttle lane for any temporary traffic signals can directly affect the scale of the disruption and/or congestion caused by the activities.

The Local Highway Authority will give careful consideration as to the most appropriate length of shuttle lane permitted, with regards day-to-day level of disruption against overall duration of the activities.

For example, for activities involving a maximum allowed 100-metre-long shuttle lane resulting in a duration of two weeks, it may be considered preferable to allowing a 200-metre-long shuttle lane, which would have allowed activities to be completed within one week.

Reviewing any activities featuring temporary traffic signals these options will be carefully considered for each location as would the reasonable period for any activities using temporary traffic signals.

The Local Highway Authority may consider reducing charges in some instances where a Promoter had reasonably proposed longer shuttle lane lengths in their traffic management proposals to achieve a shorter activities duration, but where it is determined that that a shorter shuttle lane over a longer period was more preferable from an overall network impact assessment.

The Local Highway Authority will not however consider reducing charges in any instance where a clearly unreasonable and unrealistic shuttle lane length is being proposed. Promoters should not seek to use this provision to artificially reduce charges by proposing a shorter overall activities duration in the knowledge that the Local Highway Authority would not agree to such shuttle lane lengths and may reduce actual lane rental charge liabilities as the final reasonable period agreed would no doubt be longer than the duration originally proposed for the unrealistic traffic control proposals.

Temporary traffic signal proposals converted to a road closure by the local highway authority

There may be instances where a Promoter proposes use of temporary traffic signals, but the Local Highway Authority considers a road closure preferable, to the use of temporary traffic signals, in consideration to the network management impact. In such instances the Local Highway Authority will instruct the Promoter accordingly and will amend the charge category to that of a lane closure. This is to avoid penalising a Promoter for the local highway authority's traffic control preference.

The Local Highway Authority will not however consider reducing charges in any instances where a Promoter is proposing a clearly unreasonable and unrealistic temporary traffic signals configuration as a means to attempt to artificially reduce charges instead of a more suitable road closure.

Use of temporary traffic signals to replicate permanent signals

Where temporary traffic signals are used at a location where permanent signals are usually in operation, the Local Highway Authority will consider reducing the charge dependent on how closely the temporary traffic signals have been designed and programmed to replicate the intelligent operation of the permanent signals.

If the temporary traffic signals fully replicate all aspects of the permanent signals being replaced, and the junction can effectively continue to operate without any detrimental impact to the traffic flow or capacity, the Local Highway Authority will waive all charges.

Working within a permit scheme

Permit or licence application

For every application on a lane rental street a Promoter is encouraged to detail:

- if a charge will or will not apply

- any reason why a charge will not apply

Examples of this may include

- Activities outside of the specified lane rental times
- Discount for collaboration with another Promoter
- Traffic control on the carriageway will not reduce the traffic flow or capacity
- Activities location outside of the lane rental designated section of the street where the designation is not whole street

The Local Highway Authority recognise that this however is not a mandatory requirement within the regulations, but the provision of this information will enable a more efficient processing of an application on a lane rental street.

For all applications, the Local Highway Authority will consider not only if the activities will be subject to lane rental, but if the activities could be subject to lane rental.

For example, an application may state that activities are entirely on the footway, however the proper traffic control for pedestrians may encroach onto the carriageway, thereby potentially making the activities subject to lane rental charges.

The Local Highway Authority may request a traffic management plan be included for any activities on the lane rental network, dependent on the location and the complexity of traffic management measures.

Permit Conditions

There are no specific permit conditions related to lane rental, however where appropriate permit conditions will be used to specify any working arrangements in relation to the lane rental for the activities, i.e., the times specified on the Permit or the traffic management arrangement.

This is to ensure clarity on the working arrangement and remove any potential ambiguity.

Lane Rental Inspections

The Local Highway Authority will undertake live site inspections of activities on lane rental streets to check that the activities are being undertaken in accordance with the agreed working arrangements.

There is no specific lane rental inspection category within Street Manager, therefore a Live Site type with Site occupancy category will be used to record a lane rental compliance inspection.

For each inspection an appropriate outcome for the inspection type will be selected to indicate the status of the activities.

- Works stopped – apparatus remaining
- Work in progress – no carriageway incursion
- Works in progress
- Works stopped

- Unable to complete inspection

In addition, a code will be added within the text description field to denote the specific results of the lane rental compliance inspection, i.e., whether the activities are adhering to the working arrangements or is not adhering to the working arrangements.

Inspection failure categories and definitions

- Code LR-A The activities are adhering to the working arrangement for lane rental as defined in the Permit or Licence.
- Code LR-NA-CI. There is non-adherence – Carriageway Impact. The activities are not adhering to the working arrangement in relation to avoiding impact to the carriageway.
- Code LR-NA-TIM. There is non-adherence – Timing. The activities are not adhering to the working arrangement in relation to avoiding working at lane rental times.
- Code LR-NA-EI. There is non-adherence – Environmental Impacts. The activities are not adhering to the working arrangement in relation to avoiding environmental impacts.
- Code LR-NA-DIS. Non-adherence – Discount. The activities are not adhering to the working arrangement in relation to discounts.
- Code LC-NA-WIP. Non-adherence – Work in Progress. An active site should be closed or has been notified as closed.
- Code LR-NA-OTH. Non-adherence – Other. The failure reason is not covered by the defined categories, detailed above.

Where a non-adherence is recorded the Local Highway Authority will also send a Comment to the Promoter to inform them of a change to the charge status as appropriate.

Charges

Lane rental charge status

For all activities on a lane rental street the Local Highway Authority will issue a Comment, using topic 'General', on the activities record which will contain the estimated charge status for reference.

- The estimated charge does not denote the charge that will be applied but provides an indication of the charge that may be applied for the detail of the activities as agreed at that time.

The Local Highway Authority will use a code to define the charge, similar in use to codes for permit conditions. These codes and example use of these codes are shown below.

Codes to denote the charges to be applied to works

- Code LR0, Activities on a lane rental street but no charges will apply. The code must be applied with an appropriate suffix (letter) to signify the reason(s) why no charges will apply. If more than one reason is appropriate then each suffix must be added to the code, e.g., LR0 AB. Where the code D for other is used, a short text description will be given as to why charges do not apply.
- Code LR0A, Activities outside of lane rental times.
- Code LR0B, No reduction of traffic flow or capacity on the carriageway.
- Code LR0C, Activities outside of lane rental section where whole road is not included.
- Code LR0D, Other reason.
- Code LR1, Activities on a lane rental street with charge. The duration and charge category will be added to the Permit or Licence details.
- Code LR2, Activities on a lane rental street with a discounted charge. This code will be applied with an appropriate suffix (letter) to signify the relevant discount and also the amount of discount, i.e. LR2 A30 where a 30% discount is being applied for major infrastructure improvement. If more than one discount is to be applied, then each suffix must be added to the code with the total discount to be applied.
- Code LR2A, Activities on a lane rental street with a discount applied for major infrastructure improvement.
- Code LR2B, Activities on a lane rental street with a discount applied for collaboration.
- Code LR2C, Activities on a lane rental street with a discount applied for innovation.
- Code LR2D, Activities on a lane rental street with a discount applied for other cases, as agreed with the Local Highway Authority.

Examples for the use of charge codes

- Code LR0 A or B, Planned activities on the footway with no impact to the carriageway and outside of lane rental times.
- Code LR1, Immediate activities under a road closure where the expected duration is 5 days.
- Code LR2B30, 10 times a Lane Closure Charge with a 30% discount. Planned activities with a lane closure for 10 days with a 30% discount for collaborative working.
- Code LR2, 7 times a Lane Closure Charge and 3 times a Road Closure Charge. Planned activities under a lane closure for 7 days and then a road closure for 3 days.

At any stage of the work, after grant, and before works are closed and this is verified, any change to the estimated charge will be stated in a Comment from the Local Highway Authority to the Promoter.

The application of lane rental charges and permit fees

As set out in the Local Highway Authority's Lane Rental Scheme. If activities are liable for a lane rental charge no permit fee will be applied.

The next section shows the three different scenarios for the application of permit fees and charges based on this scope.

Options following an application grant with or without a lane rental charge

- No Lane Rental Charge Applies. Applicable Permit fee is charged. Comment with LR0 charge code. Charging enquiry is zero.
- Lane Rental Charge applies without any discount. No permit fee is charged. Comment with LR1 charge code. Charging enquiry to reflect charge.
- Lane Rental Charge applies with discount. No permit fee is charged. Comment with LR2 charge code. Charging enquiry to reflect charge.

Charges applied to Immediate activities

As set out within the Lane Rental Scheme Document, for all Immediate activities, lane rental charges will apply 48 hours from commencement of the works.

Therefore, no charges apply for the first 48 hours of immediate activities regardless of whether these days are days when charges would apply.

Where the 48 hours of the immediate activities is not subject to lane rental, for example a Sunday, these hours still count towards the activities.

If work is still underway after 48 hours, the activities become liable for a charge.

Diagram showing three immediate activities scenarios and the charges that would apply

Scenario 1 - Immediate activities with a duration of 6 days, starting on a Thursday at 12:00pm and finishing on a Tuesday at 14:00pm.

Lane Rental Street Times and Dates – Monday to Friday Busy Periods.

- Day 1 Thursday. Charge Waived for the first day.
- Day 2 Friday. Charge Waived for the second day.
- Day 3 Saturday. No Lane Rental Charge on this day.
- Day 4 Sunday. No Lane Rental Charge on this day.
- Day 5 Monday. Charge applied for this day.
- Day 6 Tuesday. Charge applied for this day.

Scenario 2 - Immediate activities with a duration of 4 days, starting on a Friday at 12:00pm and finishing on a Monday at 14:00pm.

Lane Rental Street Times and Dates – Monday to Friday Busy Periods.

- Day 1 Friday. Charge Waived for the first day.
- Day 2 Saturday. No Lane Rental Charge on this day.
- Day 3 Sunday. No Lane Rental Charge on this day.
- Day 4 Monday. Charge applied for this day.

Scenario 3 - Immediate activities with a duration of 5 days, starting on a Thursday at 12:00pm and finishing on a Monday at 06:00am.

Lane Rental Street Times and Dates – Monday to Saturday Busy Periods.

- Day 2 Thursday. Charge Waived for the first day.
- Day 3 Friday. Charge Waived for the second day.
- Day 4 Saturday. Charge applied for this day.
- Day 5 Sunday. No Lane Rental Charge on this day.
- Day 6 Monday. No Lane Rental Charge on this day.

Discounts

Collaborative activities

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

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

In such circumstances, where activities 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 activities originate from two distinctively different operational divisions of the same organisation.

For all collaboration each Promoter will require a relevant permit for their activities (no permit fees will be applied), and it is essential that the permit application clearly highlights in sufficient detail the collaboration taking place.

Major Infrastructure Improvement /Future proofing the road network

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.

Remedial activities

The Local Highway Authority considers any remedial work to be avoidable activities, regardless of whether the nature of the repair itself constitutes urgent or emergency (Immediate) activities and regardless of whether the defective reinstatement requiring the remedial activities was identified by the Local Highway Authority or by the Promoter. Therefore, all remedial activities will be subject to a maximum lane rental charge.

Charges will apply from the first day for any such remedial activities, including any remedial activities required following activities which were themselves originally urgent or emergency activities.

Change of Promoter

Where activities are liable for charge changes responsibility from one Promoter to another relevant charges will be applied to the initial activities until such time as either the responsible Promoter (who owns the defect) takes over the work site or creates their own work site to undertake repairs, thus allowing the initial Promoter to clear site.

An example is where a defect / safety issue is made safe by the Local Highway Authority in the first instance whilst the responsible Promoter is identified for the necessary remedial activities.

The responsible Promoter should submit the appropriate permit to cover their activities on site and this work will be liable for charge.

The initial Promoter may recover their reasonable costs from the responsible Promoter, which may include any charges which were applied for the initial period during which they were occupying the highway, prior to the responsible Promoter taking over the activities.

In such instances the Local Highway Authority expects the initial Promoter to make best endeavours to mitigate the charges, rather than seek to pass on the charges without having given consideration as to how they might have been avoided or reduced.

Damage to apparatus by third parties

In situations where damage to apparatus is due to another Promoter's activities there are two scenarios;

- Scenario 1: Promoter A has left site and promoter B has to excavate to repair apparatus – these activities would be charged against the permit for promoter B in the expectation that promoter B would pass charges / costs onto promoter A who caused the original damage
- Scenario 2: Promoter A is still on site and promoter B undertakes repair works in their excavation – these would be charged against the permit for promoter A already in place.
- In an instance where unreasonable delays in Promoter B's attendance to effect repairs cause Promoter A to be liable for further Lane Rental charges over and above those that would already have applied (i.e. Promoter A's activities duration is extended solely as a result of any unacceptable delay in repair) the Local Highway Authority considers that any financial reconciliation will take place directly between Promoter A and Promoter B to agree any distribution of charges received which may be dependent on a variety of factors, many of which the Local Highway Authority would not have clear sight of as they would not be a requirement of any permit content.
- Where damage to apparatus is as a result of other third parties, such as damage to apparatus as a result of a Road Traffic Collision, charges will still be applied and it will remain the responsibility of the Promoter to recover their reasonable costs incurred, including applicable Lane Rental charges.

In such instances the Local Highway Authority expects the Promoter to make best endeavours to mitigate the charges, rather than seek to pass on the charges without having given consideration as to how they might have been avoided or reduced.

Charges directly caused by actions of the local highway authority

Where a Promoter can clearly evidence that the action of the Local Highway Authority has resulted in activities becoming liable for a charge, where it would not have been liable for a charge, then the Local Highway Authority will consider waiving the charge.

For example, where a Promoter can clearly evidence that the Local Highway Authority have completed carriageway resurfacing works without correctly raising any existing frames and covers during or before the resurfacing works, and subsequent access to maintain or operate apparatus, e.g. valves, now requires a registerable activity which becomes liable for a charge.

In such instances the Local Highway Authority still expects the Promoter to make best endeavours to minimise the impact of their activities on the traffic flow or capacity.

In instances where the Local Highway Authority has temporarily made safe a sunken frame/cover in the carriageway instead of deploying traffic control to make the situation safe, works required by a Promoter to make a permanent repair or replacement of the frame and cover, and/or to operate any valves may still be liable for charges where applicable.

Payment and reconciliation of charges

The Local Highway Authority will issue two separate accounts to the Promoter. One for permit fees and one for Lane Rental charges.

The payment and reconciliation process will follow a similar process to the Permit Scheme fee payment process, following a monthly cycle with a reconciliation period.

The Local Highway Authority will only issue accounts to a Promoter or their agreed representative and reconcile the account with that organisation, not a contractor or third-party.

The activities reference number will be included which is based on the numerical reference generated by the permit system.

Payment and reconciliation of permit fees

As there is a direct relationship between permit fees and lane rental charges but different timescales to collect payment for either, the Local Highway Authority will undertake the following process to ensure the payments are aligned:

- Permit fees will be applied according to the fees table at the time of granting the PAA, Permit or Permit Variation
- Where payment of a permit fee has been collected and activities did incur a lane rental charge the collected permit fees will be credited to the Promoter
- These permit fees will be identified clearly on the reconciliation issued to the Promoter
- Where a permit fee has not been charged for activities subject to lane rental charges and the activity was either (a) cancelled, (b) did not proceed, or (c) did not become subject to lane rental charge, the permit fee will be charged and collected on the next available billing cycle

An example of the application of this process is detailed below

- Permit application on 25th April with activities not subject to a lane rental charge
- Permit granted on 26th April - a permit fee is generated
- Payment of the permit fee is collected in May
- Activities commence on the 1st June and completed on 5th June, and did become subject to a lane rental charge
- Permit fee paid in May will to be credited to Promoter on the next applicable permit fee billing cycle

Transitional Arrangements

- For existing planned activities not started before the Lane Rental Scheme start date
 - Major activities with a permit that start within three months.
 - Planned for December 2022. No Lane Rental Charges.
 - Planned for January and February 2023. No Lane Rental Charges.
 - Planned up to the end November 2024. Lane Rental Charges apply.
 - Major activities varied after the start date.
 - Planned for December 2022. Lane Rental Charges apply.
 - Planned for January and February 2023. Lane Rental Charges apply.
 - Planned up to the end November 2024. Lane Rental Charges apply.
 - Standard, Minor and Planned Immediate Activities.
 - Planned for December 2022. No Lane Rental Charges apply.
 - Planned for January and February 2023. Lane Rental Charges apply.
 - Planned up to the end November 2024. Lane Rental Charges apply.
 - Standard, Minor and Planned Immediate Activities varied after the start date.
 - Planned for December 2022. Lane Rental Charges apply.
 - Planned for January and February 2023. Lane Rental Charges apply.
 - Planned up to the end November 2024. Lane Rental Charges apply.
 - For Activities under Section 50 or Section 278 of the Highways Act 1980.
 - Planned for December 2022. No Lane Rental Charges apply.
 - Planned for January and February 2023. No Lane Rental Charges apply.
 - Planned up to the end November 2024. Lane Rental Charges apply
 - For Major schemes with a valid forward planning notice on the permit system.
 - No lane rental charges if activities start within 24 months of the Lane Rental Scheme start date.
- For existing activities (in progress) at the Lane Rental Scheme start date.
 - No Lane Rental Charges apply.
- For new activities planned after Lane Rental Scheme start
 - Lane rental charges

Glossary

The letters ASD stand for Additional Street Data.

The term Charge means a lane rental daily charge.

The term Council refers to the Council in their capacity as a Local Highway Authority and as a Permit Authority.

The term Day means all days including Saturdays, Sundays and Bank Holidays unless explicitly stated otherwise.

Fee Means a permit fee as set out within the Local Highway Authority permit scheme.

The letters NSG stand for National Street Gazetteer.

The term Permit Scheme means the Local Highway Authority Permit Scheme.

The term Promoter means a person or organisation entitled by virtue of a statutory right to carry out street works or works for road purposes.

The term Traffic control is defined and is set out in the Safety at Street Works and Road Works – A Code of Practice and the Traffic Signs Manual Chapter 8.

The term Traffic Capacity means Traffic Capacity expressed as the maximum number of vehicles in a lane or a road that can pass a given point in unit time, usually an hour, i.e., vehicles per hour per lane or roadway.

The term Traffic Flow means the total number of vehicles passing a given point in a given amount of time. Traffic flow is expressed as vehicles per hour.

The term Activities means works on the highway, street works or works for road purposes.

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