



OFFICER DECISION RECORD

This form should be used to record Executive decisions taken by Officers

Decision Ref. No:			
Service Area:	Infrastructure	Date:	9/1/2024
Contact Name:	Julian McLaughlin	Tel No:	
E-mail:	Julian.mclaughlin@bcpcouncil.gov.uk		
Subject:	Fees and Charges for Infrastructure for 2024/25		
Decision taken: To update the charges for services carried out by the Infrastructure Directorate, as shown in Appendix A, to be effective from 1 st April 2024.			
Reasons for the decision:			
The charges for services carried out by Infrastructure are typically reviewed on an annual basis.			
Background:			
<p>According to the Office of National Statistics the Consumer Prices Index rose rapidly by 7.0% in the 12 months to March 2022 and 10.1% to March 2023. In response, two increases were progressed between 2022 and 2023, one for a 7.8% increase that applied from 1st Sept 2022 and a further increase of 4.4% that applied from 1st April 2023 to date.</p> <p>In October 2023 the Government announced that Consumer Price Index year to September 2023 had risen to 6.7% showing inflation has reduced from its peak. Inflation is expected to ease further through 2024/25. In this context, a corporate direction was made to increase charges by approximately 5% for 2024/25. Therefore this decision is taken to ensure that the Council's income maintains its economic value in real terms in line with the corporate direction.</p> <p>The proposed increase in charges for 2023/24 is 7.05%. This is higher than 5% for a number of main reasons:</p> <ol style="list-style-type: none">1) Charges in some areas are based on passing on the Council's Term contract rates for services to recover costs incurred and in some cases these rates have increased by more than 5%, e.g. for traffic signal damage following a collision. This takes the overall percentage up beyond 5%.2) Charges for public transport services are not new but are being added to this review table for the first time. These were last increased in 2018 and			

therefore a higher percentage increase has been proposed to reflect 5 to 6 years of inflation. This also takes the overall percentage up beyond 5%.

- 3) Temporary Traffic Regulation Orders (TTROs) for events charges can have a big impact on community activities and therefore it is not proposed to increase those charges. This is also in the context that some legacy parts of BCP Council made no charge. This has the mathematical impact of slightly lowering the overall percentage increase.
- 4) Some charges are set by central government through legislation and the Council cannot increase these charges. For example, in the case of pavement licences, emergency covid legislation called the Business and Planning Act remains in place that sets an artificially low rate. However central government continue to partly subsidise this low rate by making an annual payment to the Council. This has the mathematical impact of lowering the apparent percentage increase.
- 5) Recently the Government has processed the Levelling Up and Regeneration Act that is expected to come into force from Sept 2024. This sets new tariffs for pavement licences. Businesses will still be able to use the Highways Act for the same purpose and therefore application and renewals under both parallel Acts have been aligned. This means the Highways Act renewal charges have been increased for the first time in a number of years. This and the impact of 4) takes the overall percentage up beyond 5% however the Council will no longer receive an annual subsidy payment from central government as above once the new legislation comes into effect.
- 6) In April 2023 the Government increased charges for Abandoned Vehicles. This is the first increase since 2008. This also takes the overall percentage up beyond 5% although it is noted that numbers of registered keeper/owners reclaiming their vehicles and paying these charges is low.

The overall impact of these factors, together with rounding of numbers is an increase of 7.05%.

It is worth noting that in some cases, for example, in regard to the removal of abandoned vehicles from the public highway, which is a statutory function, the Council's term contract rate has increased, but because the removal charges to the public are set by central government through their legislation, and these have not increased, the Council is not covering its costs. In response to this, the Council's Highway Enforcement team is prioritising removal of the most problematic vehicles to control its overall costs as tightly as it can whilst still delivering its statutory function.

At the current time, activity in these areas is mainly similar to pre-pandemic levels with the exception of roadworks (TTROs) and development led services that were mainly suspended during covid and are now reaching higher levels than before covid. This appears to be caused by the relevant industries catching up on a backlog of work.

These changes take time to implement and will be introduced from 1st April 2024.

Consultations undertaken:

Consultation:

Members Consulted:

Cllr Andy Hadley Portfolio Holder for Climate Response, Environment and Energy

Officers consulted:

- Julian McLaughlin – Service Director for Infrastructure
- Richard Pincroft – Head of Service, Transportation
- Richard Pearson – Transport Network Manager
- Daniel Suku – Finance Manager, Operations
- Jon Weaver – Head of Destination and Events
- Alexis Edwards – Transport Development Manager
- John McVey - Sustainable Transport Policy Manager
- Nick Philips - Operations Team Leader (Sustainable Transport)
- Andy Brown – Traffic Team Leader
- Robert Hotchkiss – Highway Enforcement Team Leader
- Michelle Fillingham – ITS and Traffic Signals Team Leader

There is no requirement to consult more widely as the Service Director has delegated authority to set these charges and the proposed changes reflect inflation and legislative and contract changes and are purely to recover the costs required to provide the services.

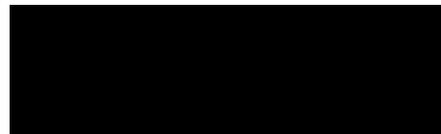
Finance and Resourcing Implications:

The proposed increase will increase the income in these areas by approximately £72k per annum. In some cases these increases reflect increases in the Council's Term contract rates and whilst the Council will receive more income it will also have to pay more for the services to its external contractors. In all cases the Council's costs for delivering services has increased and the overall increase is only intended to ensure the Council can continue to operate these services at a cost that is effectively reflecting inflationary increases and the cost of delivering the services. If the Council does not increase its charges then it would have to subsidise the services and it is not in a position to do that.

Name: Adam Richens

Date: 1/12/2024

Signature (of Chief Finance Officer):



Legal Implications:

The Council is entitled to levy charges in relation to the exercise of some of its functions either on a statutory basis, or on a discretionary basis. The review of the charges provided for by this decision should be reviewed in line with the relevant statutory requirements in each case, any general non-statutory duty to consult and with due regard to the Council's public sector equality duty pursuant to section 149 of the Equality Act 2010.

Any charges or review of charges specified by particular legislation (whether charged on a discretionary or mandatory basis) must be set and reviewed in accordance with that legislation.

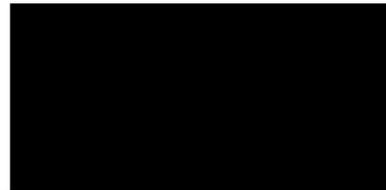
Where any other non-specified charges are levied on a discretionary basis, the provision of the service must be agreed by the recipient and the charges should not exceed the cost of delivery of the services from one financial year to the next in accordance with section 93 of the Local Government Act 2003.

The proposed changes comply with these requirements.

Name: Richard Jones

Date: 5/12/2023

Signature (of Monitoring Officer):



Risk Assessment:

There are no significant risks associated with these changes.

Name: Richard Pearson

Date: 6/11/2023

Signature (of Officer Completing Assessment):



Impact Assessments:

There are no significant Equalities impacts, the Equality Impact Assessment screening form is included as **Appendix B**. Some minor impacts have been identified and mitigated against as follows:

It could be considered that inflationary increases in charges have no impact as they merely maintain the real current costs of services. In regard to disabled bays it has been highlighted by the Equality Panel that disabled individuals may be adversely impacted by the cost of and also any increases in these charges. Blue Bladge Holders are entitled to apply for disabled bays and BCP Council offer different types of bay and whilst it is proposed to increase the cost of these services for 2024/25 it is noted that these have not always been increased in previous years in an attempt to keep these services as affordable as possible. Similarly charges relating to the use of public transport have not been increased for a number of years.

In addition, a major review and harmonisation of Temporary Traffic Orders for Events took place in 2020. Subsequently, community events effectively ceased in 2020/21/22 due to covid and this type of event is regarded as important to help our residents recover from the pandemic and return to normality. High charges can prevent events from taking place and therefore it has been decided not to increase

these charges to ensure that these activities remain as affordable and viable as possible to help foster community activity, cohesiveness and recovery.

Information for publication / not for publication

There are no reasons this decision should be withheld from publication.

Background Papers

None

Any declaration of interest by the Officer responsible for the decision

Nature of Interest

No

N/A

Note: No Officer having an personal financial interest in any matter should take a decision on that matter. Other interests of a non-disqualifying matter should be recorded here.

Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision

Name of Cabinet Member

Nature of interest

Details of any dispensation granted by the Monitoring Officer

No

Decision taken by: Julian McLaughlin (Service Director for Infrastructure)

Signature:

Date of Decision: 17/12/2023



Date Decision Effective: as soon as possible after the above date.

Date of Publication of record of decision: (to be inserted by Democratic Services)

Note: A record of this decision should be kept by the Service Area within which the decision falls.

Appendix A - Transport and Engineering Fees and Charges 2024

Item	Stage Application	Southof Application	Hoarding Licence	Call Licence - New application (Highways Act) (See note 1)	Call Licence - Renewal (Highways Act) (See note 1)	Call Licence - Levelling Up and Regeneration Act 2023 - New Application - 1 Yr (See Note 1)	Call Licence - Levelling Up and Regeneration Act 2023 - Renewal - 1 Yr (See Note 1)	Call Licence - Application for Renewal under Business and Planning Act (See note 1)	Stopping Up the Highway	Section 171 - Materials Storage (Maintenance Activities on the Highway Licence - In Force)	Overall Income	Traffic Regulation Order (TRO) Developer Fee	Temporary TRO's up to 5 days	Temporary TRO's over 5 days	Emergency Temporary Traffic Regulation Notification (up to 31 days - TTRN) (See note 4)	Sewery Party (See note 5)	Event Temporary TRO's (See Note 6)				Adoption Agreements								
																	Community of shared event	Commercial event	Community of shared event	Commercial event	Section 38 Agreement up to 270k (See notes 2 and 3)	Section 38 Agreement above 270k (See notes 2 and 3)	Section 278 Agreement up to 270k (See notes 2 and 3)	Section 278 Agreement above 270k (See notes 2 and 3)	Section 278 Agreement up to 270k (See notes 2 and 3)	Section 278 Agreement above 270k (See notes 2 and 3)	Other types of Ad Agreement		
Current charge for item	£200 per week	£200 per week	£200 per week	£200	£100 renewal	N/A	N/A	£100.00	At cost	£200 per week	£200*	£200 to £500 depending on type of TRO	£200 to £1,000 depending on type of TRO (+ £200 for 1 hour from 6 mins to 1 hour*)	£1000 for over 5 days (+ £200 for 1 hour from 6 mins to 1 hour*)	£200.00	£0.00	Community of shared event	Commercial event	Community of shared event	Commercial event	10% but subject to a minimum of £200	10% up to first £70k, plus 7% on remainder	10% but subject to a minimum of £200	10% up to first £70k, plus 7% on remainder	10% up to first £70k, plus 7% on remainder	10% up to first £70k, plus 7% on remainder	Other types of Ad Agreement		
Proposed charge for item April 2024	£250.00	£250.00	£250.00	£250.00	£125.00	£200.00	£175.00	£100.00	At cost	£250.00	£250.00	£250 to £500 depending on type of TRO	£250 to £1,000 depending on type of TRO (+ £250 for 1 hour from 6 mins to 1 hour*)	£1000 for over 5 days (+ £250 for 1 hour from 6 mins to 1 hour*)	£250.00	£0.00	Community of shared event	Commercial event	Community of shared event	Commercial event	10% but subject to a minimum of £200	10% up to first £70k, plus 7% on remainder	10% but subject to a minimum of £200	10% up to first £70k, plus 7% on remainder	10% up to first £70k, plus 7% on remainder	Other types of Ad Agreement			
Percentage increase in cost of item	25%	25%	25%	25%	25%	0%	75%	0%	0%	25%	25%	25%	25%	25%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Item	Disabled Vehicle Stop (General Use Fee) (See note 8)	Disabled Parking Stop Permit Day	Disabled Parking Stop Permit Week	Private (Council) Signage Application (See Signs Provided BS 6749)	Access Protection Marking	Administrative Charges for Public Path Closure (See note 9)	TPO adjustment related to proposed work applications (See note 9)	Accident Data	Traffic Data	Traffic Survey	Public Transport (See Note 10)							
											Section 50 Licence new application (No vehicle traffic Survey Appraisal sheet by vehicle)	Section 50 Licence existing application	Section 171 Licence - levelling up Highway	Left Luggage	Departure Charge (on account)	Departure Charge (non account)	24hours parking	Replacement Bus Pass
Current charge per item	£200.00	£60.00	£240.00	£20	£50	£300	£60	From £75 depending on the request and location	From £75 depending on the request and location	At cost, traffic surveys to cost minimum charge £200	£70.00	£40.00	£200.00	£ 3.00	£ 2.50	£ 3.00	£ 5.00	£ 10.00
Proposed charge for item	£250.00	£80.00	£320.00	£20	£60	£350	£60	From £75 depending on the request and location	From £75 depending on the request and location	At cost, traffic surveys to cost minimum charge £200	£75.00	£30.00	£270.00	£ 3.00	£ 3.00	£ 3.50	£ 6.00	£ 12.00
Percentage increase in cost of item	25%	33%	33%	0%	20%	17%	0%	0%	0%	0%	4%	25%	5%	0%	20%	17%	20%	20%

Item	Traffic Signals (See Note 11)								Abandoned Vehicle (See note 4)	Unroad Vehicle (See note 4)	
	Traffic Signal switch - smart (contract based)										
Current charge per item	Pedestrian Crossing £20	Signal Junction £20	Additional Ings £20	Pedestrian Crossing £20	Signal Junction £20	Additional Ings £20	Spire	Spire	Spire	£70 renewal fee not included for any per vehicle, as set prescribed by police (see 11)	£200 (does not include fee with other £200 removal fee and £20 per day storage per vehicle)
Proposed charge for item	Pedestrian Crossing £25.00	Signal Junction £25.00	Additional Ings £25.00	Pedestrian Crossing £25.00	Signal Junction £25.00	Additional Ings £25.00	Spire	Spire	Spire	Fixed amount, as per legislation (Revised April 2023)	Fixed by the DVLA
Percentage increase in cost of item	25%	25%	25%	25%	25%	25%	0%	0%	0%	0%	0%

Approx Number of Applications	150	25	N/A	10	10	N/A				300	300
Income per annum on existing fees	£70,500.00	£14,250.00	N/A	£2,000.00	£2,000.00	N/A				£ 1,500.00	£38,000.00
Typical Number of Applications	100	20	N/A	10	10	N/A				10	100
Income based on proposed fees	£87,500.00	£16,250.00	N/A	£2,000.00	£2,000.00	N/A				£1,500.00	£38,000.00
Projected increased income	£12,000.00	£2,000.00	N/A	£0.00	£0.00	N/A				£0.00	£0.00

Overall percentage increase	12%
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* 25% additional charge for retrospective applications
 ** Rates taken from Traffic Signals Maintenance Contract and subject to annual increase and an additional admin fee added to cover the cost of processing

Note 1) Set by Central Government. Business and Planning Act runs to Sept 2024 and then expires. Highways Act will be available but the new Levelling up and Regeneration Act comes into effect from Sept 2024 and the new rates applicable from then are shown above.
 Note 2) The number of S38 and S278 does not follow a consistent pattern and therefore no projected increase in income is shown but some fluctuations (possibly large) can occur on an annual basis.
 Note 3) No proposed increase in percentage because development values will increase with inflation and therefore, as a percentage charge applies, income may increase without increasing these percentage charges.
 Note 4) Rates are set by legislation and the DVLA not BCP Council (Figures summarised). The Government increased ABV fees in April 2024 and these increases are reflected in table above. Income dependant on vehicles that are released and days in storage. Income will vary on Yearly basis. Currently the cost of removal of ABVs exceeds the income generated because very few vehicles are reclaimed by their owners (approx 10 out of 300). In regard to untaxed vehicles, income dependant on vehicles that are released on the Highway or from the pound and days in storage. Income will vary on Yearly basis.
 Note 5) Disabled bays not increased in 2022/23 to address possible concerns about EIA and affordability.
 Note 6) TRO fees for Events were harmonised as part of a Transition paper that went to Cabinet in 2020. No proposed increase to foster community events.
 Note 7) Traffic under the new Levelling Up and Regeneration Act have been published and are effective from Sept 2024. The increase in the renewal under the Highways Act has been made to align with the new charges. It is noted that the Highways Act charges have not been revised for a number of proceeding years.
 Note 8) Formally introduced April 2023
 Note 9) Formally introduced in April 2023 - in exceptional circumstances CMB may waive this fee for national events.
 Note 10) Public Transport Rates have been added to this Fees and Charges Decision table for the first time in 2024, although charges have been in existence previously. Charges harmonised and increases backdated to 2018.
 Note 11) Traffic signal charges are based on current term contract rates. Out of hours charge same as core hours currently. Extra bag item not typically used as only applies to large junctions.
 Note 12) In complex cases the Council reserves the right to charge the additional costs of officer time based on their hourly rate.

Equality Impact Assessment: conversation screening tool

The Council is legally required by the Equality Act 2010 to evidence how it has considered its equality duties in its decision-making process.

The Council must have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to -

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

A link to the full text of [s149 of the Equality Act 2010](#) which must be considered when making decisions.

1.	Policy/Service under development/review:	Services Charges in Infrastructure
2.	What changes are being made to the policy/service?	Revision of the Fees and Charges for Infrastructure Services in 2024/25 to maintain their real terms value in line with inflation.
3.	Service Unit:	Infrastructure
4.	Persons present in the conversation and their role/experience in the service:	Richard Pearson – Transport Network Manager/Professionally qualified with more than 30 years’ experience. Richard Barnes

5.	Conversation dates:	7 and 10/11/23
6.	Do you know your current or potential client base? Who are the key stakeholders?	All service users.
7.	Do different groups have different needs or experiences in relation to the policy/service?	<p>All protected characteristics have been considered and the following are highlighted as being more at risk in the context of these proposals.</p> <p>Those with disabilities.</p> <p>Age, the elderly and the young.</p> <p>Potentially those that are pregnant and in maternity.</p> <p>Lower socio-economic groups – may impact women more and women with families. Women are historically lower paid and make up a significant proportion of the workforce in local tourism, retail and service industries.</p> <p>Also have a higher than average older population across the BCP Council Area. This may increase the number of people in the population with a disability.</p> <p>May impact on those who are disabled that don't have a blue badge may be negatively affected.</p>
8.	Will the policy or service change affect any of these service users?	<p>The proposed changes impact all service users, however the changes only seek to maintain the current value of services provided in real terms. There is a section relating to the charge for providing a disabled parking bay outside the home of a resident who meets the eligibility criteria. These individuals may also be economically disadvantaged. The charge aims to cover the cost of providing, maintaining, administering and subsequent removal of the bay and whilst an increase is proposed, this is only in line with inflation. It is noted that in some previous years no increase has been applied to these services to try and keep the costs as affordable as possible. Also, there are different types of disabled bay and some are more affordable than others.</p> <p>In regard to increases in public transport administration, it is possible that those with disabilities, the elderly, young and potentially those that are pregnant or in maternity make more use of public</p>

		transport and so could be impacted by changes in those charges more than other groups and these may include lower socio-economic groups.
9.	What are the benefits or positive impacts of the policy/service change on current or potential service users?	To enable the Council to continue to be able to deliver these services at cost. If the charges are not increased, then there is a risk the Council may not be able to provide these services at all and this would be likely to have a much bigger impact on users than an inflationary price increase.
10.	What are the negative impacts of the policy/service change on current or potential service users?	Affordability for the groups mentioned.
11.	Will the policy or service change affect employees?	Yes, where staff use the services.
12.	Will the policy or service change affect the wider community?	Yes. As described in the benefits and disbenefits above.
13.	What mitigating actions are planned or already in place for those negatively affected by the policy/service change?	The Council has previously not increased some of its charges for disabled bays and relating to public transport and this means that the charges are still somewhat lower than they would otherwise have been. There are different types of disabled bay and some are more affordable. The Council is not proposing to increase the charges for community events as such events can be important to a wide range of users and help promote community involvement and cohesion.
14.	Summary of Equality Implications:	The proposed changes impact all service users, however the changes only seek to maintain the current value of services provided in real terms. Those with disabilities, the elderly, young and potentially those that are pregnant or in maternity may make more use of public transport and so could be

impacted by changes in those charges as well as changes to the cost of disabled bays and may be more likely to face affordability issues. However the Council has held these charges lower in previous years and can only continue to provide these services if it is able to meet its costs. The proposed increases create some risk however this risk has to be set against the greater risk that the Council will no longer be able to provide these services if it cannot cover its costs. It is not proposing to increase the cost for Temporary Traffic Orders relating to community events due to the wider perceived social benefits of maintaining community events.