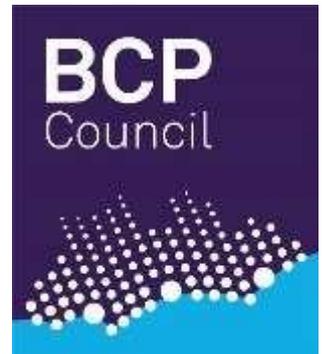


Highway Searches Charging Policy

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1. Purpose Statement

1.1 This policy sets out the proposed introduction, scope, governance and schedule of charges for Highway Searches undertaken by BCP Council. As the local Highway Authority, BCP Council regularly receives around 20 written highway search enquiries each week, typically from solicitors, developers and search agents. These searches require interpretation of highway adoption data, highway records, road schemes, rights-of-way layers and other statutory datasets.

The purpose of this policy is to:

Ensure full cost recovery in accordance with statutory regulations.

Align BCP with neighbouring authorities.

Provide a transparent, standardised and equitable service to customers.

Improve the Council's operational efficiency by formalising processes, payment mechanisms and workflow expectations.

2. Scope of the policy applies to

2.1 This Policy applies to all **written or electronic Highway Search enquiries**, including:

- Highway adoption status
- Maintenance responsibility
- Boundaries and highway extent
- Pending adoptions
- Traffic schemes and road proposals
- Rights of way affecting the site
- S38 / S278 enquiry checks
- Additional technical questions

Free **personal searches** will continue under the Environmental Information Regulations (EIR), consistent with Dorset Council's approach.

3. This policy replaces

- 3.1 This is the first version of the policy and does not replace any pre-existing Highway Search Charges policies.

4. Approval process

- 4.1 BCP Approval Process: Cabinet approves the policy and the portfolio holder and Director of Customer and Property are responsible for ensuring the annual updates are approved. The annual updates will be provided by the authors or their successors.
- 4.2 Legislative Framework:
- Local Authorities (England) (Charges for Property Searches) Regulations 2008, These regulations enable councils to recover reasonable costs for providing property search information. They also require councils to base fees on genuine cost recovery rather than profit generation.
 - Environmental Information Regulations 2004, Personal searches must remain free, as they constitute access to environmental information. Authorities may only charge for officer interpretation — not access.
 - Highways Act 1980, Personal searches must remain free, as they constitute access to environmental information. Authorities may only charge for officer interpretation — not access.
 - National authorities such as Hampshire publish detailed cost-recovery methodologies demonstrating compliance with these Regulations. [hants.gov.uk]

5. Links to Council Strategies

- 5.1 BCP Corporate Strategy & Corporate Policy Framework. To ensure the new policy aligns with corporate priorities, follows the approved policy development process and meets governance expectations for transparency, consistency and good decision-making.
- 5.2 BCP Council Constitution (including Scheme of Delegation & Charging Responsibilities). Relevant because the Constitution sets out:
- How fees and charges may be introduced
 - Which decisions require Cabinet or Council approval
 - Lead Portfolio Holder involvement
- 5.3 Corporate Charging and Income Generation Policies. The Cabinet report must align with BCP's overarching approach to charging, ensuring:

- Cost-recovery (not profit-making)
- Transparent fee setting
- Legal compliance

5.4 Equality Impact Assessment (EIA) Requirements. Completion of an EIA screening tool is required before any policy is adopted, per Democratic Services guidance.

5.5 Environmental Information Regulations (EIR) Compliance Policy. Because personal searches must remain free of charge and the policy must distinguish between environmental information access and chargeable interpreted work.

5.6 Financial Regulations & Fees and Charges Framework. To ensure:

- Fees are based on cost recovery
- Financial governance standards are followed
- Annual review of fees is built into the policy

5.7 Data Protection & Information Governance Policies. Because highway search responses may contain mapping, statutory records and environmental information, the policy needed to ensure:

- Secure handling of information
- No inappropriate disclosure of personal data

5.8 Highways-related statutory policies & duties. Including:

- Accuracy of statutory records (List of Streets)
- Duty to maintain and provide lawful information under the Highways Act 1980

5.9 Corporate Safeguarding Strategy (Low relevance but always considered). Ensuring no safeguarding risks arise from policy development that affects access to services or data.

5.10 Sustainable Transport. The Policy directly supports delivery of BCP's sustainable transport objectives by strengthening the quality, consistency and responsiveness of statutory highway information needed to plan, appraise and deliver sustainable travel schemes across the conurbation.

- Enabling Local Transport Plan (LTP) delivery and Western Gateway STB priorities. LTP workstreams require robust, up-to-date highway adoption and extent data to scope, appraise and programme multi-modal schemes that reduce private car trips, improve air quality and enable growth. By formalising the search service, the Council improves the reliability and auditability of the highway datasets used in LTP option development and Strategic Transport Programme work with the Western Gateway Sub-National Transport Body.
- Supporting BSIP (Bus Service Improvement Plan) implementation. Bus priority schemes, timetable reliability interventions and stop/accessibility upgrades rely on precise highway status, boundary and TRO context to design, consult and implement efficiently. A resilient searches service underpins BSIP delivery (e.g., corridor

schemes, RTPI locations, accessibility upgrades) by accelerating due diligence and reducing rework in the statutory process.

- Improving readiness for corridor and junction schemes. Project briefs for priority bus corridors (e.g., Westbourne and Southbourne) require confirmed adoption status, frontage responsibilities and loading/parking designations to finalise layouts and legal orders. The charging policy sustains the officer capacity that supplies this information promptly to scheme teams and partners.
- Strengthening the LCWIP and active travel pipeline. Walking and cycling route feasibility work depends on accurate highway extents, PRow (Public Right of Way) interfaces and pending adoptions to determine feasible alignments, crossings and kerbside changes. The formalised service improves the speed and consistency of these inputs, supporting LCWIP scheme development referenced within Planning & Transport materials.
- Reducing abortive design and consultation risk. Early confirmation of highway responsibilities and constraints helps scheme teams avoid late design changes and reduces consultation risk, which is central to delivering LTP and BSIP benefits (e.g., mode shift, reliability, air quality). The structured searches workflow provides a single, auditable route to the information needed for business cases and statutory orders.
- Consistent customer experience for transport partners. Bus operators, developers and utility partners working on sustainable transport corridors receive a consistent, published service with clear turnaround times—improving programme certainty across the BSIP/E.P. (Bus Service Improvement Plan/Enhanced Partnership) governance model and capital programme.

6. The Policy

6.1 Service Description

6.1.1 Standard Highway Search

This includes:

- Identification of highways maintainable at public expense
- Confirmation of adoption status (adopted, pending adoption, or private)
- Highway boundary information if available
- Planned or proposed highway schemes
- Traffic schemes and TRO information known to the Highway Authority

6.1.2 Optional / Additional Components

- **Additional technical questions**, such as:
 - “Has any Section 278 work been undertaken on this frontage?”
 - “Is the visibility splay protected?”
 - “Are there future TROs under consideration?”
- **Additional plan requests** - Some agents require mapping at multiple scales or in both A3 and A4 formats. These incur additional officer time.
- **Searches relating to areas over 200m**, complex or extended frontage searches require broader GIS interrogation and dataset stitching.

- **S38 / S278 agreement queries** (e.g. queries such as Has any Section 278 work been undertaken on this frontage?) and all Legal agreement checks require liaison with internal engineering teams and legacy databases.
- **Expedited searches**, a premium option for customers requiring faster turnaround.

6.2 Charging Structure (2026/27)

6.2.1 Standard Search Fee

£75 including VAT

6.2.2 Optional Fees

Service	Fee
Additional technical question	£18
Additional plan	£20
Large site (>200m)	£85
S38/S278 enquiry	£15
Expedited turnaround (5 working days)	£95
Personal search	£0

6.2.3 Complex Site Quotation

It is standard practice, including in this authority to quote on request for complex site quotations.

6.2.4 Submission Requirements

Applicants must submit:

- Request for information via e-mail
- A site plan clearly outlining the search area
- Full payment at the time of submission (online card payment)
- Matches Dorset's requirements.

6.3 Processing Times

Standard: 10 working days

Expedited: 5 working days

6.4 Payment Methods

Online payment through the Council's digital portal

Required upfront at the point of request

Payment will be made via the [BCP payment page](#) An option will be added to select Highway Search and enter card details. Once payment is received a notification will be sent to the Searches Team via E-mail and they can then process the search.

6.5. Governance and Review

6.5.1 Cost Recovery

The service will recover costs associated with:

- Officer time (search, GIS, legal, admin)
- Overheads
- GIS/mapping (software licensing and mapping costs)
- IT systems
- Administration

6.6 Review

- Fees will be reviewed every February and updated from 1 April
- Review considers service volumes, inflation, technology costs and staffing changes
- Updates implemented each 1 April.

6.7 Equalities and Accessibility

This section ensures compliance with equality law.

- No negative equality impacts have been identified.
- Information can be provided in alternative formats (e.g., large print, Easy Read, accessible PDF).
- Online submissions are accessible through standard Council digital accessibility tools.

6.8 Implementation

Internal

- Training for Highways, Customer Services, Land Charges, Legal
- Updated standard operating procedures
- Internal communications via intranet and team briefings

External

- Updated website content and fee table
- Notification to local conveyancers, search providers and developers
- Updated template responses and automated confirmations.

7. When and how to use this policy

7.1 When to Use This Policy

Use this policy whenever the Council receives a **written or electronic request** for highway-related information that requires officer interpretation, including:

- Confirmation of adoption status
- Highway extent/limits of maintainable highway
- Traffic schemes, TROs, or proposed changes
- Rights-of-way interfaces
- S38/S278 enquiries
- Large or complex site searches
- Requests requiring review of mapping layers and statutory datasets

If a customer requests information that is simply environmental data or already publicly available without interpretation, they should be directed to a **free personal search** under EIR rules.

7.2 Determining Whether a Request Is Chargeable

A request is **chargeable** if:

- It requires officer interpretation, checking, or consolidation of information
- A formal written reply must be issued
- Plans, boundaries, or mapped information must be produced or validated
- The customer requests confirmation “for legal, conveyancing or development purposes”

A request is **not chargeable** if:

- It is an EIR personal search
- The customer accesses publicly available datasets themselves
- It involves simple signposting to information already published online

When in doubt, apply the principle:

If officer time is required to interpret, collate, or verify information, the request is chargeable.

7.3 For further staff information, go to appendix C: Steps for Handling a Chargeable Search

7.4 For further customer information, go to appendix D: How Customers Should Use the Policy

8. Roles and responsibilities

8.1 Elected Members

- **Portfolio Holder for Climate Response, Environment and Energy**. Provides political leadership and oversight for Highways and Transport functions.
- Reviews and comments on the proposed Charging Policy before Cabinet submission.
- Ensures the policy aligns with wider transport priorities (LTP, BSIP, EP, sustainability).

- Supports communication of the decision to stakeholders, members and constituents.

Leader of the Council / Cabinet

- Makes the formal decision to approve the Policy and associated fees.
- Ensures alignment with corporate strategy, financial sustainability and statutory duties.

Overview & Scrutiny Board (where applicable)

- May review the report before Cabinet (depending on scheduling).
- Provides scrutiny assurance on policy rationale, fairness and compliance.

Senior Officers

Director of Planning and Transport

- Overall accountable officer for Highways and Transport services.
- Responsible for ensuring the policy is implemented effectively and legally.
- Holds delegated authority to make minor operational amendments to the Policy and fee schedule.
- Ensures the service remains compliant with charging regulations.

Director of Finance (Section 151 Officer)

- Oversees financial compliance with cost-recovery legislation.
- Ensures fee calculations are transparent, robust and properly recorded.
- Supports annual review of fees in line with the Fees & Charges Schedule.

Director of Customer & Property (if referenced in governance pathway)

- Ensures customer access routes (online forms, payments, web content) are effective.
- Oversees customer-facing elements and supports cross-service coordination.

Service-Level Officers

Head of Business Support

- Leads development of the Charging Policy and coordinates cross-service input.
- Ensures operational processes, templates, workflows and governance arrangements are in place.
- Oversees performance monitoring and reporting.

Business Support Service Manager – Transportation / Highways

- Responsible for the technical accuracy of highway information issued under the policy.
- Ensures teams follow the workflow, quality standards and statutory requirements.
- Supports annual review of costs, demand levels and process improvements.

Highway Technical Officers

- Undertake technical assessment of each Highway Search.
- Check adoption status, TROs, PRoW, planned schemes and boundary data.
- Prepare formal responses and mapped outputs.

Business Support Officers

- Act as the first point of contact for incoming search requests.
- Validate submissions, check documentation, issue payment links and log enquiries.
- Ensure searches are allocated promptly and meet turnaround expectations.

Public Rights of Way (PRoW) Officer

- Provides specialist input where PRoW intersect or constrain a site.
- Ensures statutory PRoW information is accurate and up to date.
- Flags any issues requiring separate PRoW processes or approvals.

Customer Services Team

- Provides initial customer guidance on how to request searches.
- Supports accessibility enquiries and manages general customer contact.

Corporate Support Roles

Legal Services

- Advises on compliance with:
 - Local Authorities (England) (Charges for Property Searches) Regulations 2008
 - Environmental Information Regulations 2004
 - Highways Act 1980
- Ensures the policy and processes carry minimal legal risk.

Information Governance / Data Protection

- Ensures that responses issued under the policy comply with data protection requirements.
- Supports correct handling of EIR versus chargeable enquiries.

Digital / IT Services

- Maintains online request forms, payment links and automation.
- Supports updates when fee changes occur annually.

Communications Team

- Updates the Council website and manages external messaging to solicitors, developers and search companies.
- Ensures public-facing information is clear, accurate and accessible.

9. Enforcement and sanctions

The Highway Searches Charging Policy establishes clear rules for how written highway search enquiries must be requested, processed and charged. To ensure compliance, the following enforcement and sanctions framework applies.

9.1 Non-Compliance by Customers

The Council will take proportionate action where customers do not follow the required process.

9.1.1 Non-payment of Charges

- No highway search will be processed until full payment has been received.

- Requests submitted without payment will be placed on hold and the customer notified.
- Repeated non-payment or attempts to avoid charges may result in the Council declining to process future requests until outstanding matters are resolved.

9.1.2 Incomplete or Inaccurate Information

- Requests submitted without an adequate site plan or required details will be returned for clarification.
- If a customer repeatedly submits incomplete, unclear or misleading information, the Council may increase the assessment time or decline the request.

9.1.3 Misuse of Personal Searches (EIR)

- Personal searches (free under the Environmental Information Regulations) are strictly limited to access to raw environmental data.
- If a customer attempts to use an EIR personal search to obtain officer-interpreted information or avoids the charging process, the request will be refused and redirected to the formal fee-paying service.

9.1.4 Non Compliance by Third Parties or Agents

Where solicitors, developers, search providers or other agents consistently fail to follow the policy, the Council may:

- Require all future requests to be made through the formal online form
- Remove access to informal communication routes
- Refuse to process bulk requests until the correct procedure is followed.

This mirrors approaches used in other BCP compliance based policies where noncompliance triggers proportionate sanctions.

9.1.5 Internal Officer Compliance

To maintain accuracy, statutory compliance and financial accountability:

- All officers must follow the workflow, templates and charging schedule exactly as set out in this policy.
- Failure to follow the policy, repeatedly bypass processes, or incorrectly waive fees may be treated as a performance, conduct or capability matter and handled under the Council's established HR and disciplinary framework.
 - This is consistent with how enforcement and sanctions are applied in comparable BCP corporate policies.

9.1.6 Fraudulent or Abusive Behaviour

Any deliberate attempt to:

- Withhold required information

- Provide false or misleading plans
- Circumvent charging mechanisms
- Manipulate the process for financial gain

may result in:

- Refusal of the request
- Restriction on future submissions
- Referral to Legal Services
- Recovery of losses or investigation where fraud is suspected

This aligns with the Council's wider duty to protect public funds and maintain integrity.

9.1.7 Escalation and Dispute Resolution

- Customers who disagree with the fee assigned to their request may ask for a review by the Service Manager.
- Disputes relating to the accuracy of search results will be reviewed by a senior technical officer.
- Persistent disputes without grounds or abusive communication may result in restricted contact, applying the Council's Unreasonable Conduct / Behaviour policy framework.

9.1.8 Proportionality, Fairness and Transparency

In line with other BCP Council enforcement frameworks, the Council will apply this sanctions process:

- **Proportionately** – action will match the level of non-compliance
- **Fairly and consistently** – all customers treated equally
- **Transparently** – all decisions explained clearly and documented

10. Further information/Appendices

Appendix A – Equality Impact Assessment – key features associated with this policy

Appendix B – What Not to use the policy for

Appendix C - Steps for Handling a Chargeable Search

Appendix D: How Customers Should Use the Policy

Appendix E: How to Apply Optional or Complex Charges

Appendix A – Equality Impact Assessment – key features associated with this policy

1. Purpose of the Equality Impact Assessment

This EIA assesses whether the introduction of charges for highway searches could create unequal impacts for individuals or organisations with protected characteristics under the Equality Act 2010. The assessment ensures the policy is fair, proportionate and accessible.

2. Policy Overview

The Highway Searches Charging Policy introduces fees for written and digital highway search enquiries requiring officer interpretation.

Personal searches requested under the Environmental Information Regulations (EIR) remain **free of charge**, ensuring essential information is still accessible without cost.

3. Stakeholders Considered

The following groups may engage with the Highway Search service:

- Solicitors and conveyancers
- Developers and planning agents
- Utility providers
- Commercial and residential property purchasers
- Members of the public

None of these groups are disproportionately represented by individuals with protected characteristics.

4. Assessment of Potential Impacts

4.1 Age

No negative impact anticipated. The service is typically used by professionals or individuals purchasing property; no group is excluded by age.

Online systems are user-friendly and accessible.

4.2 Disability

Potential impact where individuals have accessibility needs (visual impairments, reading difficulties, or neurodiversity).

Mitigation:

- Provide search responses in alternative formats (large print, accessible PDF, plain text).
- Ensure online forms meet WCAG 2.1 AA* accessibility standards.
- Offer telephone support via Customer Services for those unable to use digital channels.

(* **WCAG 2.1 AA** refers to the *Web Content Accessibility Guidelines*, version 2.1, at **Level AA** compliance).

4.3 Gender Reassignment, Marriage & Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, Sexual Orientation

No adverse impacts identified.

The service applies equally to all users, with no variation in eligibility, cost or process.

4.4 Socio-Economic Considerations

Fees are charged on a cost-recovery basis to professional users *or* to individuals purchasing property.

The policy does not restrict access to core environmental information since personal searches remain free.

5. Positive Impacts

- Standardised, transparent information helps conveyancers and property buyers make informed, safe decisions.
- The availability of free EIR searches ensures that cost is not a barrier to basic access.
- The introduction of fees supports council financial sustainability without disadvantaging protected groups.

6. Equality Conclusion

No negative or disproportionate impacts have been identified.

With standard mitigations in place (accessible documents, alternative formats), the policy fully complies with equality duties.

The EIA supports implementation of the Highway Searches Charging Policy.

Appendix B – What not to use the policy for

The policy must **not** be used for:

- FOI/EIR requests for raw data (these remain free)
- Standard planning consultation duties
- Requests to confirm PRow status where the PRow Team is conducting statutory work
- General technical advice outside the scope of a defined search
- Informal “quick checks” or speculative enquiries (these should be directed to the formal process)

Appendix C - Steps for Handling a Chargeable Search

Step 1 – Confirm the Request Type

Identify whether the customer requires:

- Standard search
 - Additional questions
 - Additional plan(s)
 - Large site search (>200m)
 - S38/S278 check
 - Expedited service
- Use the fee schedule to determine the total cost.

Step 2 – Request Necessary Documentation

The customer must provide:

- A clear site plan showing boundaries
- Contact details
- The specific items/add-ons required

Step 3 – Issue Payment Link

Send the customer the secure online payment link and unique search reference number. Processing cannot begin until payment has been received.

Step 4 – Log and Allocate the Request

Enter the request into the workflow system and allocate it to the appropriate officer.

Step 5 – Complete the Technical Assessment

Officers should:

- Check adoption status, TROs, PRoW, schemes and mapping layers
- Consult relevant datasets (List of Streets, GIS, TRO system, PRoW records)
- Prepare written findings using the standard template
- Produce any additional plans or annotated mapping
- Record all sources used to ensure auditability

Step 6 – Quality Assurance

A second officer undertakes a light touch check for accuracy, clarity and completeness.

Step 7 – Issue Final Response

Return results electronically, including:

- Final written search document
- Plans or diagrams
- Any purchased add-ons

Step 8 – Archive and Record for Performance Monitoring

Store the search, log turnaround time and record income for monthly reporting.

Appendix D: How Customers Should Use the Policy

Customers should:

- Review the fee schedule before requesting a search
- Provide clear, accurate plans to avoid delays
- Pay promptly via the online system
- Clearly state if they require additional questions, plans, or expedited service

The policy ensures transparency on cost, scope and turnaround times so customers know exactly what to expect.

Appendix E: How to Apply Optional or Complex Charges

Optional fees (additional questions, plans, or large sites) should be applied when:

- Customers request clarification beyond the standard search
- Multiple plans or scale variations are needed
- The frontage or site exceeds 200m
- Legal agreement checks (S38/S278) are required

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For highly complex, multi-parcel or multi-phase developments, issue a **bespoke quotation**, aligning with the policy.