

## East Sussex Lane Rental Scheme Charges Policy and Table April 2023 FINAL

### LANE RENTAL CHARGES

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

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

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

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

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

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

### LANE RENTAL CHARGES POLICY

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:

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

Works are **exempt** from Lane Rental charges in the following circumstances:

- iv. If the activities take place outside of the Traffic Sensitive Streets specified times;
- v. If the activities take place on Christmas Day or Boxing Day.
- vi. If the activities are confined to a verge or footway, footpath, bridleway, or byway.

If one of the above applies, the activity Promoter must record the circumstances along with the permit application and, if possible, works stop notice. Failure to do so may result in appropriate action being taken.

Charges are **waived** in the following circumstances:

- i. Charges will be waived for a period of 48 hours from the start of Immediate Works beginning; after which time the normal lane rental rules for the location will apply.

### OPTIONS TO WAIVE OR REDUCE CHARGES

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

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.

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### COLLABORATIVE WORKING

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

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

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

This equates to a minimum of a 50% charge reduction for collaborative working for each Promoter.

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

### REVIEW OF CHARGES

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

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

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

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

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

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

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

### LANE RENTAL CHARGE TABLE

Specified Location	Traffic Control	
	Road Closure	Lane Closure
All	£2,500	£1,500

Remedial Works required to put right defective reinstatements may be subject to the maximum daily charge of £2,500.

If an activity footprint spans more than one Traffic Control Type at any time during the duration of the activities, then the higher daily rate of charge will apply for the days the activity footprint includes that Traffic Control Type.

END