

ABERDEEN CITY COUNCIL

COMMITTEE: **Enterprise, Strategic Planning and Infrastructure**

DATE: **03 June 2014**

DIRECTOR: **Gordon McIntosh**

TITLE OF REPORT: **Review of Charges for Street Occupations**

REPORT NUMBER: **EPI/14/120**

1. PURPOSE OF REPORT

The purpose of this report is to consider a review of existing Charges for Street Occupations covered by the Roads (Scotland) Act 1984 and the New Roads and Street works Act 1991.

2. RECOMMENDATION(S)

That the committee

1. Note the charges detailed in the report and that these be applied from the 01 August 2014.

3. FINANCIAL IMPLICATIONS

These charges contribute towards the Council's expenditure on the Symology system, which is employed to notify Statutory Undertakers of work in accordance with NRSWA. Applicants will also be required to meet inspection charges in accordance with regulations issued under NRSWA.

4. OTHER IMPLICATIONS

None

5. BACKGROUND / MAIN ISSUES

In accordance with statutory obligations Aberdeen City Council, as the Local Roads Authority, has a responsibility to regulate and manage road occupations to ensure that essential or other works on the road have a minimal impact on the road network and that the infrastructure is protected in line with specification and guidelines. Considerable officer time is dedicated to the management of the road network and the

consideration of applications for various road work operations and occupations.

A scale of charges for this service was previously set by this Committee in March 2013 and is due for review in 2014.

Officers have reviewed the charging regime and have prepared a revised scale of charges which are detailed in Appendix A of this report.

In carrying out the review of charges the officers have concluded that, in general, the current charges remain relevant with only minor amendments considered appropriate. The principal changes take the form of minor modifications for which the permits are issued with no financial increases being applied across the full range of permits.

The main change will be the removal of the charge for works where permission has not been requested in advance of the road occupation and the contractor has taken possession of the road to carry out work without first obtaining written permission by permit. If an application for a permit is not made in good time, a greater amount of officer time may be needed to liaise with other road users and Services, and such administration work has to be done as a priority. Carrying out various works without a permit may be an Offence under the Roads (Scotland) Act 1984 and the New Roads and Street Works Act 1991. The revised change will therefore include for the introduction of a late permit, for an application made after the activity has occurred or is in place without prior written approval should this be deemed necessary.

The charges for these permits are highlighted in bold font in table appendix A.

Whilst no changes are proposed to the current charges under the Development/Construction rates for occupation of the carriageway to accommodate materials or site compounds an additional permit is proposed for the occupation of the road or footway where an area has to be closed off to the public for the execution of construction work in a safe manner and is wholly related to public safety.

Developers have been making representation for street occupations for long term use of roads or footpaths in order that the safety of both workforce and public during construction is not compromised. Time scales involved with these schemes can be considerable, and current permits do not fully cover this need or function. The scale of the costs under the current rates were excessive, considering that this was not for storage but required on the grounds of safety, therefore the scale of the charge has been modified to reflect this and will be charged on a weekly basis as opposed to the daily basis for material storage.

It is recommended that the charges detailed within Appendix A be adopted and come into operation on the 01/08/2014 if approved by the Finance, Policy and Resources Committee.

6. IMPACT

The subject of this report provides support to the economic and environmental well being of the city. It promotes safety and management of the local road infrastructure, with the intention of minimising disruption to the network, whilst maintaining delivery of essential transport services for the travelling public, and accommodating reasonably the need for essential repairs and the desire by contractors to undertake work for individual projects. The report supports service delivery and maintains positive operational outcomes to meet statutory obligations.

7. MANAGEMENT OF RISK

There are no risks at this time.

8. BACKGROUND PAPERS

None.

9. REPORT AUTHOR DETAILS

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Appendix A - Revision of charges from 01/08/ 2014

Temporary Traffic Restrictions

	Charge from 01/05/2013	Charge from 01/08/2014
For continuous period of up to 21 days:		
Application received 28 days or more prior to Order coming in to effect	£825	£825
Application received less than 28 days prior to Order coming in to effect	£1150	£1150
For continuous period over 21 days but not more than 6 months:		
Application received 28 days or more prior to Order coming in to effect	£1625	£1625
Application received less than 28 days prior to Order coming in to effect	£1925	£1925
For repeat posting of weekly or monthly notices per event	£165	£165

28 days is the minimum normally required to process an application for a temporary traffic order. While an application can be processed in less time, more expensive media will be required for the advertising. This additional cost is reflected in the new charges made to applicants.

Permanent Traffic Orders

	Charge from 01/05/2013	Charge from 01/08/2014
Charges for the promotion of permanent traffic orders	£2000	£2000

Temporary/Permanent Industrial Access

	Charge from 01/05/2013	Charge from 01/08/2014
Charge for visiting site, processing application and granting permission	£450	£450
Charge for a late permit	-	£1045

Consent for Excavating in the Road under Section 56 or 61 of the Roads (Scotland) Act 1984.

	Charge from 01/05/2013	Charge from 01/08/2014
Excavation not involving installation of private apparatus	£450	£450
Charge for a late permit	-	£1045

Consent for Excavating in a Road under Section 109 of the New Roads & Street Works Act 1991 (NRSWA)

	Charge from 01/05/2013	Charge from 01/08/2014
Charge for initial application and permission for works which are only one inspection unit	£450	£450
Charge for a late permit	-	£1050
Additional charge for works over one inspection unit	£99 per additional unit	£108** per additional unit
Charge for recording plant information in VAULT overlays.	£160	£160 per year *
For adopted plant further charges will be made over the maintenance period for year 2 and 3 where applicable at an appropriate rate	-	£50 per year.

These charges contribute towards the Council's expenditure on the Symology system, which is employed to notify Statutory Undertakers of work in accordance with NRSWA. Applicants will also be required to meet inspection charges in accordance with regulations issued under NRSWA.

*Charge issued on an annual basis for the life of the use of the apparatus to the owner / user for un-adopted apparatus (wholly private).

** Updated to come into line with the revised charges for works covered under the New Roads & Street works Act 1991 and Transport Scotland Act 2005.

Street Occupations

Scaffold/Hoarding permits (per street):	Charge from 01/05/2013	Charge from 01/08/2014
For a continuous period of up to 1 month (Under 25 metres in length):	£110	£110
(25 metres or over)	£170	£170
For each subsequent month of original application (Under 25 metres in length):	£75	£75
(25 metres or over)	£115	£115
For subsequent extension for up to 1 month (Under 25 metres in length):	£100	£100
(25 metres or over)	£145	£145
Charge for a late permit :		
For a continuous period of up to 1 month (Under 25 metres in length):	-	£460
(25 metres or over)	-	£520
For each subsequent month of original application (Under 25 metres in length):	-	£425
(25 metres or over)	-	£465
For subsequent extension for up to 1 month (Under 25 metres in length)	-	£450
(25 metres or over)	-	£495
Fixed penalty notice for non compliance with the conditions of a permit issued by Aberdeen City Council.	£120	£120
Mobile tower scaffolds (to be considered as a mobile scaffold it must be erected and dismantled daily otherwise see scaffold charges above)		
Charge per day per location:	£30	£30
Charge per week per location:	£60	£60

Mobile tower scaffolds continued		
Charge for a late permit :		
Charge per day per location:	-	£230
Charge per week per location:	-	£260
Fixed penalty notice for non compliance with the conditions of a permit issued by Aberdeen city Council.	£120	£120

Crane, Hydraulic Platform Permits:	Charge from 01/05/2013	Charge from 01/08/2014
Charge for granting permission (day permit, per site).	£75	£75
Charge for granting permission (week permit, per site)	£95	£95
Roaming permit (day permit up to 5 sites, max 90 minutes per site).	£110	£110
Charge for a late permit		
Charge for granting permission (day permit, per site).	-	£375
Charge for granting permission (week permit, per site)	-	£395
Roaming permit (day permit up to 5 sites, max 90 minutes per site).	-	£410
Defect inspection of traffic management for above work.	£35	£36**

Temporary Traffic Lights Permits:	Charge from 01/05/2013	Charge from 01/08/2014
For a continuous period of up to one week, charge for granting permission	£85	£85
Charge for a late permit	-	£585

Skip Permits:	Charge from 01/05/2013	Charge from 01/08/2014
For continuous period of 7 days	£35	£35
Fixed penalty notice for illegal occupation of the road. This can also be issued for non compliance with the conditions of a permit issued by Aberdeen city Council.	£120	£120
Additional daily charge for a skip sited within a Pay and Display area.	£30 for zones ABCEF & G £15 for all other zones	£30 for zones ABCEF & G £15 for all other zones

The Fixed Penalty Notice is payable where a skip is placed without a permit first being obtained or is non compliant with regards to permit conditions.

The daily charge for Pay and Display contributes to the loss of revenue from parking charges and the amount equates to standard charges, for which there has been no increase, made by the Council for daily occupation of a Pay and Display space for the purposes of loading etc.

Development / Construction – Occupation of Road Space:	Charge from 01/05/2013	Charge from 01/08/2014
<p>Occupation of Road Space The area enclosed by the outer edges of the following roads; Holburn Street, Willowbank Road, Springbank Terrace, Wellington Place, South College Street, Guild Street, Regent Quay Virginia Street, Commerce Street, East North Street, West North Street, Mounthooly Roundabout, Gallowgate, Spring Garden, Maberly Street, Rosemount Place, Esslemont Avenue, Rose Street, Union Street and all traffic sensitive roads listed on the Scottish Street Works Register (data retained on the Street Works Gazetteer contact the Roadworks Co-ordination Unit for more information).</p> <p>This is based on the area of a parking bay of 15sq.metres for parallel parking where an average charge would be £30 for all day parking.</p> <p>Screened areas created for safe construction(work areas)purpose in above area listed:</p> <p>All other roads not included above area list:</p> <p>This is based on the area of a parking bay of 15sq.metres for parallel parking where an average charge would be £15 for all day parking.</p> <p>Screened areas created for safe construction(work area) purpose not included in above area listed:</p> <p>Fixed Penalty Notice for failure to comply with the permit conditions above.</p>	<p>Footprint area of occupation charged at £2 per square metre per day for storage of materials.</p> <p>-</p> <p>Footprint area of occupation charged at £1 per square metre per day for storage of materials.</p> <p>-</p> <p>-</p>	<p>Footprint area of occupation charged at £2 per square metre per day for storage materials.</p> <p>As above £2 per square metre per week.</p> <p>Footprint area of occupation charged at £1 per square metre per day for storage of materials.</p> <p>As above £1 per square metre per week.</p> <p>£120</p>

Promotional events for commercial purposes:	Charge from 01/05/2013	Charge from 01/08/2014
<p>St. Nicholas Street, Castlegate, the Green, and other pedestrian priority areas are charged as follows;</p> <p>Minimum invoice charge will be £50 per day to cover Administration costs.</p>	Footprint area of occupation charged at £10 per square metre per day or part day	Footprint area of occupation charged at £10 per square metre per day or part day

Pavement Café Licence	Charge from 01/05/2013	Charge from 01/08/2014
<p>Application for permission to site temporarily, tables & chairs on the footway. Validity period from 1 May – 30 April</p>	£100 Per year or part.	£100 Per year or part.

Licensed hot / cold food units:	Charge from 01/05/2013	Charge from 01/08/2014
<p>Licensed hot / cold food unit across the City would be charged at a rate (Note, this exceeds the fees for pavement cafes which are currently £100 per annum).</p>	£250 per annum for lease of the road space	£250 per annum for lease of the road space

Day rates for the use of the road space for commercial purposes, for profit.	Charge from 01/05/2013	Charge from 01/08/2014
<p>These charges apply to semi-permanent units within the city Centre.</p>	Footprint area of occupation charged at £0.67 per square metre per day. (minimum charge of £10 per day)	Footprint area of occupation charged at £0.67 per square metre per day. (minimum charge of £10 per day)