

## **CABINET**

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| <b>DATE</b>                 | 16 February 2022   |
| <b>REPORT OF</b>            | Councillor Stewart Swinburn - Portfolio Holder for Environment and Transport |
| <b>RESPONSIBLE OFFICER</b>  | Sharon Wroot, Executive Director for Environment, Economy and Resources      |
| <b>SUBJECT</b>              | Streetworks Licence Charges: Skips, Scaffold and Portable Traffic Signals    |
| <b>STATUS</b>               | Open   |
| <b>FORWARD PLAN REF NO.</b> | CB 03/22/02  |

### **CONTRIBUTION TO OUR AIMS**

A Streetworks licence charge for the placing of skips, scaffold and portable traffic signals on the Highway will contribute to the Council's 'Stronger Economy' by enabling North East Lincolnshire Council (NELC) to manage, co-ordinate and regulate the placing of these items on the Highway more effectively, in addition to supporting economic growth by minimising disruption to road users. It will also contribute to the Council's 'Stronger Communities' objective by increasing accessibility and improving road safety for all Highway users.

### **EXECUTIVE SUMMARY**

This report seeks Cabinet approval to implement new Streetworks licence charges for the placing of skips, scaffold and portable traffic signals on the Highway.

### **RECOMMENDATIONS**

It is recommended that Cabinet:

1. Approves the introduction of Streetworks licence charges for the placing of skips, scaffold, and portable traffic signals on the Highway, subject to satisfactory the conclusion of the benchmarking exercise and IT implementation, as identified in paragraphs 1.12 and 1.3.
2. Delegates authority to the Executive Director for Environment, Economy and Resources, in consultation with the Portfolio Holder for the Environment and Transport, to implement an appropriate scheme.
3. Authorises the Assistant Director Law, Governance and Assets (Monitoring Officer) to execute all documents in connection with the above.

### **REASONS FOR DECISION**

Streetworks licence charges for the placing of skips, scaffold and portable traffic signals on the Highway will enable NELC to manage, co-ordinate and regulate the use of these items on the Highway more effectively.

## **1. BACKGROUND AND ISSUES**

- 1.1 Building on the success of the Streetworks Permit scheme, which was introduced in July 2021, now the scheme is operational the opportunity to commence works leading to the introduction of Streetworks licence charges for the placing of skips, scaffold and portable traffic signals exists.
- 1.2 The Traffic Management Act 2004 places a statutory duty of network management on highway authorities to manage their road network with the aim of '*securing the expeditious movement of traffic*' and ensuring the expeditious removal of any work or obstruction which hinders the free flow of traffic.
- 1.3 The placing of skips, scaffold or portable traffic signals on the Highway do not require a Streetworks permit. Permission is granted by the local Authority by the issuing of a licence.

### **Skips**

- 1.4 Permission to place a skip on the Highway is granted under Sections 139 and 140 of the Highways Act 1980.
- 1.5 Skip hire companies are legally required to obtain permission from the Highway Authority before placing a skip on the Highway. Within North East Lincolnshire, applicants must complete an initial one-off registration with the Council before applying for a licence.

### **Scaffold**

- 1.6 Permission to use the footway for scaffolding are granted under Section 169 and 172 of the Highways Act 1980.
- 1.7 Scaffold companies are legally required to obtain permission from the Highway Authority before placing scaffold on the Highway. Within North East Lincolnshire, applicants must complete an initial one-off registration with the Council before applying for a licence.
- 1.8 Sections 67 and 69 of the Traffic Management Act 2004 allows the Highway Authority to introduce charges for placing skips and scaffold on the Highway.

### **Portable Traffic Signals**

- 1.9 Permission to use portable traffic signals is granted under Part 6 of the Traffic Signs Regulations and General Directions 2016 (TSRGD 2016).
- 1.10 No registration process applies and any contractor can apply for permission to use portable traffic signals on the highway.
- 1.11 The charges will apply when portable signals are used for works undertaken by any person or organisation wishing to excavate in the public highway who is not a Statutory Undertaker and will not apply for works being undertaken under a Streetworks Permit.

## **Implementation**

- 1.12 In order to determine the scale of charges to be introduced, a benchmarking exercise with neighbouring local authorities is being progressed with findings ready to be considered prior to the implementation of the scheme.
- 1.13 A review of the current IT system including the NELC web site is required to enable charges to be brought into operation and payment to be made at the time of licence application.
- 1.14 Consultation with stakeholders (Skip Hire Companies, Scaffold Companies and Traffic Management Contractors) will be required in advance of charges being introduced.
- 1.15 Once all operational and recruitment matters have been completed, it is anticipated that the scheme will commence no later than the 1<sup>st</sup> July 2022.

## **2. RISKS AND OPPORTUNITIES**

- 2.1 The income received from the Streetworks licence charges is variable and subject to the volume of applications received.
- 2.2 Charging for licences will ensure that the placing of these items on the Highway is managed, co-ordinated and regulated more effectively.
- 2.3 The processing of skip, scaffold or portable traffic signals (for works outside of the Streetworks Permit scheme) applications does not sit within the Streetworks Permit scheme. Recruitment of additional staff resources will be required to manage these licences and the associated income. Requirements and costs, based on learning from the introduction of the Streetworks Permit Scheme, will be identified and scrutinised prior to implementation of the scheme.

## **3. OTHER OPTIONS CONSIDERED**

- 3.1. The Council could choose not to implement the proposed licence charges and do nothing. However, this would result in the placing of skips and scaffold on the Highway remaining unregulated and equipment not being removed in a reasonable timescale, potentially resulting in road safety issues for all highway users.

## **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1. It is unlikely that there will be any negative communication from Skip Hire, Scaffold and Traffic Management Companies as there is an expectation that charges will be introduced. Many other local authorities are already charging for the placing of these items on the highway network. The scheme will require proactive communication and relevant stakeholders will be informed of the charges and commencement date in advance of being introduced.
- 4.2. The introduction of charges for skips, scaffold and portable traffic signals will not adversely impact residents. Similar schemes have been shown to coordinate and regulate the placing of this equipment on the Highway and ensuring these are removed in a reasonable timescale

## **5. FINANCIAL CONSIDERATIONS**

- 5.1. Short term non-recoverable investment may be required during the initial development and set up period, which will include staff recruitment, training and any additional IT hardware / software that may be required.
- 5.2. The income received from these licence charges is variable and based on the number of skip, scaffold and portable traffic signal applications received by the Council and will assist in funding the additional inspection and enforcement activity to ensure that equipment is placed on the highway in accordance with the requirements and timescales of the licence, ensuring greater control of activities on the highway.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 6.1. It is unlikely there will be any significant impact on children and young people. However, siting of skips on the Highway needs to be carefully planned and managed ensuring safe access/egress in and around the Highway for residents.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 7.1. A Streetworks licence charge for the placing of skips, scaffold and portable traffic signals on the Highway will contribute to reducing the environmental impact of traffic by enabling NELC to manage, co-ordinate and regulate the placing of these items on the Highway more effectively, minimising traffic congestion.

## **8. CONSULTATION WITH SCRUTINY**

- 8.1. No consultation has been undertaken with Scrutiny on this proposal

## **9. FINANCIAL IMPLICATIONS**

- 9.1. This proposal was agreed as part of the commissioning plans in the current approved Medium Term Financial Plan 21-22 to 23-24, with a net income expectation of £30,000 per annum, with staffing and additional one off costs being funded via the generated revenue stream.

## **10. LEGAL IMPLICATIONS**

- 10.1. The legislative basis for the introduction of the licence charges is contained within the body of the report.
- 10.2. The recommendations and delegations sought are appropriate for a scheme of this nature.

## **11. HUMAN RESOURCES IMPLICATIONS**

- 11.1. There are no direct HR implications

## **12. WARD IMPLICATIONS**

- 12.1. The introduction of Streetworks licence charges for skips, scaffold and portable traffic signals will apply to all streets within the adopted Highway in

North East Lincolnshire and therefore will have implications for all Wards.

**13. BACKGROUND PAPERS**

[Highways Act 1980](#)

[Traffic Management Act 2004](#)

[New Roads and Streetworks Act \(NRSWA\)1991](#)

[Traffic Signs Regulations and General Directions 2016 \(TSRGD 2016\)](#).

**14. CONTACT OFFICER(S)**

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