

Birmingham City Council
Licensing And Public Protection Committee

Date of meeting: 13 March 2024



Subject: REVIEW OF HIGHWAY LICENSING FEES AND CHARGES 2024/25

Report of: Assistant Director, Highways & Infrastructure

Report author: Thomas Clarkson-Williams

Does the report contain confidential or exempt information? Yes No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 The Corporate Charging Policy and Financial Regulations require that fees and charges levied by the Licensing and Public Protection Committee be reviewed on an annual basis to ensure the continued full recovery of costs.
- 1.2 All fees and charges have been set with the objective of maximising net income to cover service cost and liabilities so far as is possible within legal constraints.
- 1.3 This report only deals with all Highways Specified Licences fees and charges for the provision of highway services.

2 Recommendation(s)

- 2.1 That the Committee approves:
 - 2.1.1 Changes to the fees and charges for Highway Services as detailed in Appendix 1 are approved to take effect from 1 April 2024.
 - 2.1.2 That authority be delegated to the Assistant Director of Highways & Infrastructure and Heads of Service to authorise the negotiation of variations to the fees and charges identified in this report, in the interests of commercial flexibility.

3 Background

3.1 The City Council's Corporate Charging Policy and Financial Regulations require that Chief Officers, at least annually, report to and seek approval from Committee on a review of all fees and charges levied for services provided. The last review for Highways Services was approved by the Licensing and Public Protection Committee on 15th March 2023.

4 Options considered and recommended proposal

4.1 The fees proposed in this report are calculated to maximise income to recover the full cost of carrying out the various services in line with City Council policy. This includes all overheads, administrative costs, expenses, and any appropriate recharge of officers' time.

4.2 The fees and charges covered by this report have been reviewed in line with the Corporate Charging Policy. The fees are to be increased by 10% to 100% to allow for process changes, inflation, national insurance and pay award. All the fee increases are within 10% except for three rates.

4.3 The reasons for the three rates with increases over 10% are:

Developments adjacent to the Highway requiring a bond		
Administrative Fee for processing Development Bond	100% (Revised from £56 to £116)	This is due to the time change in checking process before a bond is released. This brings in line with other administrative fees.
Fees for Skip Placements on the Highway		
Skip Permit Fee	50% (Revised from £24 to £36)	This is due to the change in the review process (including administration and abandoned skips). It has historically been kept low so that citizens are not discouraged to apply which may lead to an increase in illegal behaviour e.g. fly-tipping.
Fee charged for the removal of non-permitted skips	50% (Revised from £248 to £372)	This is due to the increase in costs by our disposal service providers. It also provides a deterrent to ensure that applicants adhere to the process. Where there is an internal service provider, we will use them instead of the external service provider.

4.4 These fees and charges, which have been rounded for ease of use and consistency, have been provided in Appendix 1– Highway Specified Licences Charges 2024/2025.

4.5 The fees and charges have been benchmarked to those of neighbouring West Midlands local authorities and other core UK cities offering similar services. The outcome of the benchmark shows that Birmingham rates are not significantly disparate to those of the other authorities.

- 4.6 Where new objects or structures are to be installed by third parties on the highway under s115E Highways Act 1980, a fee is added to cover the costs of this licence. Due to the wide variety of items that could be installed and the different locations, these are included simply 'at cost' that will be determined on a case-by-case basis.
- 4.7 Where fees are not covered by the Appendix 1 or a recovery of monies is to be levied then the full recharge will be based on hourly rates already approved by the committee or based on quotes received from service providers. This enables us to recharge for any unforeseen works in delivering our services e.g. the removal and disposal of obstruction or wastes.
- 4.8 During the year ahead the financial position will continue to be closely monitored and options identified to resolve budgetary pressures as necessary and alternative savings proposals developed to meet new and emerging pressures.

5 Legal Implications

- 5.1 The fees and charges in this report support the discharging of the Council's duties under the Highways Act 1980 and the New Roads & Street Works Act 1991.

6. Financial Implications

- 6.1 As part of the ongoing efforts to find significant savings to bridge the Council's budget deficit, the decision was made to seek a 10% increase to fees and charges where possible. This is reflected in the proposals presented in this report.

7 Public Sector Equality Duty

- 7.1 There are no specific implications identified.

8 Other Implications

- 8.1 In carrying out this annual review of charges reference has been made to the requirements of the Corporate Charging Policy. Particular attention has been paid to the need to ensure that income is maximised insofar as possible to cover service cost and liabilities.
- 8.2 Based on estimated usage of services, it is envisaged that implementation of the proposed fees and charges will generate sufficient income to meet budgeted income levels for 2024/25.

9 Background Papers

- 9.1 Birmingham City Council – Corporate Charging Policy
- 9.2 APPENDIX 6 - REVIEW OF CHARGES FOR HIGHWAY SERVICES FOR 2023/2024 on LPPC Report of 15th March 2023.

Appendix 1 - Highways Specified Licences Charges 2024/25

Service/ Charge	Current Charge 2023/24	Proposed Gross charge 2024/25	£ change (24/25 - 23/24)	Diff %
Highway Licences				
New licence for private services in highway	£952.00	£1,048.00	£96	10%
Additional inspection fee for over 200 metres	£226.00	£249.00	£23	10%
New licence for overhanging canopies etc. on public highway	£921.00	£1,013.00	£92	10%
Amendment to existing canopy etc. licence	£508.00	£559.00	£51	10%
Street Café Specified Licences				
Up to 5 tables	£944.00	£1,039.00	£95	10%
5 tables or more	£1,384.00	£1,525.00	£141	10%
Transportation, Connectivity & Highways				
Specified Licence to plant trees, shrubs, etc., in a highway.				
New licence to plant and maintain vegetation in highway.	At Cost	At Cost		
Individual Specified Licence Fee				
Application Fee (non-refundable)	£105.00	£116.00	£11	10%
Specified Licences for Developments with a Value up to £1million:				
Scaffolding (up to 28 days)	£189.00	£208.00	£19	10%
Hoarding (up to 28 days)	£189.00	£208.00	£19	10%
Carting Over (Temporary Access) (up to 28 days)	£189.00	£208.00	£19	10%
Deposit of Materials (up to 28 days)	£189.00	£208.00	£19	10%
Crane - for one day only	£95.00	£105.00	£10	10%
Crane up to 2-28 days	£189.00	£208.00	£19	10%
Excavation (up to 28 days)	£189.00	£208.00	£19	10%
Licences for Developments with a Value up to £1million:				
Scaffolding (from 29 days over)	£452.00	£498.00	£46	10%
Hoarding (from 29 days over)	£452.00	£498.00	£46	10%
Carting Over (Temporary Access) (from 29 days over)	£452.00	£498.00	£46	10%
Crane (from 29 days over)	£452.00	£498.00	£46	10%
Excavation (from 29 days over)	£452.00	£498.00	£46	10%
Deposit of Materials (from 29 days over)	£452.00	£498.00	£46	10%
Additional Street Frontages				
Administration Fee per additional street frontage	£105.00	£116.00	£11	10%

Service/ Charge	Current Charge 2023/24	Proposed Gross charge 2024/25	£ change (24/25 - 23/24)	Diff %
Extension or Amendment to Specified Licence				
Administration Fee - up to & including a 4-week extension from date of original start	£105.00	£116.00	£11	10%
Large Development Highways Specified Licence				
Project Value ≥£1million and over 4 weeks	0.16%	0.16%		0%
Administrative Fee for processing Development Bond	£58.00	£116.00	£58	100%
Retrospective Specified Highway Licence issued				
Retrospective Highway Licence	2 x equivalent preapproved total permit value	2 x equivalent preapproved total permit value		
Skip Placements on the Highway*				
Registration Fee	No charge	No charge		
Permit Fee	£24.00	£36.00	£12	50%
Retrospective Permit Fee	£216.00	£238.00	£22	10%
Removal of non-permitted skips**	£248.00	£372.00	£124	50%

***Any additional costs for skip removal and/or tipping charges will be recharged as an additional fee to ensure the council recovers all its costs.*

Where there is an internal service provider, we will use this instead of the external service provider.