

Lane Rental Schemes in England

Operational Guidance



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Lane Rental Schemes in England: Operational Guidance

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Lane Rental Schemes in England: Operational Guidance

Contents

INTRODUCTION

REFERENCES

DIAGRAMS

LANE RENTAL LOGIC FLOW

CORE PROCESS FOR ACTIVITIES ON A LANE RENTAL STREET

SPECIFIED ACTIVITIES

SPECIFIED LOCATION

SPECIFIED DAYS AND TIMES

TRAFFIC CONTROL

WORKING WITHIN A PERMIT SCHEME

LANE RENTAL INSPECTIONS

CHARGES

DISCOUNTS

REMEDIAL ACTIVITIES

TRANSITIONAL ARRANGEMENTS

GLOSSARY

Lane Rental Schemes in England: Operational Guidance

Purpose of this Document

Between September and October 2017 the Department for Transport consulted on the future for Lane Rental Schemes and announced its plans in February 2018 to allow highway authorities (Authorities) to bid for and to set up schemes.

The 'Lane Rental Schemes Guidance' for English Highway Authorities who wish to develop proposals to operate lane rental schemes was released by the Department for Transport in September 2018 and July 2021.

To provide the Street Works community with current and helpful advice HAUC England commissioned this guidance document. Lane rental involves charging Promoters who carry out road and street works for the time their works occupy the highway. Charges are focused on the busiest streets at the busiest times.

A lane rental scheme would involve an Authority charging any Promoter carrying out any applicable works in the street for the time those works occupy the highway. Charges can apply to works promoted by both Utility companies and Highway Authorities on the road network.

Charges only apply to works that affect traffic flows at the busiest times which are noted in an Authorities Street Gazetteer. Also to note how works are undertaken can and do enable a charging Authority to reduce or wave charges that may otherwise be applied.

Therefore a standard approach to these operational factors is sought to afford Promoters the support to avoid unnecessary lane rental charges therefore reducing disruption to travelling public.

The best outcomes for Highway Users can be achieved where Promoters and Authorities work together to achieve the common objective of planning and implementing work effectively so that it has the least possible impact. A Lane Rental Scheme can provide a powerful tool to help achieve this when it is applied consistently and in accordance with the regulations.

Lane Rental Schemes in England: Operational Guidance

Introduction

An operational guidance document is designed primarily to provide supplementary information that supports an Authority's Lane Rental Scheme Document, detailing working scenarios and operational processes where charges may or may not apply.

- The guidance document cannot supersede the Scope of the Lane Rental Scheme Document and is intended to provide further guidance on the operation of the lane rental scheme to aid Promoters in their understanding.
- The lane rental scheme and associated documents, including any Operational Guidance document should be made readily available to all Promoters.
- Throughout this document, the terminology used assumes that a lane rental charge applies, i.e., the work is specified works, also known as activities, at a specified location, during specified times with carriageway impact, unless stated otherwise.
- Daily charge levels, reductions and mitigations of charges are under the direct control of the Authority applying Lane Rental powers and the Promoters undertaking their works. This guidance is aimed at referencing basic scenarios where charges will or will not apply. Unique works set ups and or site conditions can and will cause variance from suggested outcomes but reference to why this is so should be offered in these circumstances.

Diagrams

Diagrams offered provide a visual representation of working scenarios and how a lane rental scheme charge may or may not be applicable.

The following diagram key is used for all diagrams within this document.

The diagrams used in this document are not intended to represent the setting out of a works site or use of temporary traffic control. Any reference to a worksite location or temporary traffic control is for illustrative purposes only.

'Worksite Area' includes all barriers and cones etc. surrounding the work area.

'Plant and Materials Storage' includes site vehicles, welfare facilities and safety zones etc.

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Example Diagrams

Diagram Key

Verge



Footway



Carriageway



Cycle Track

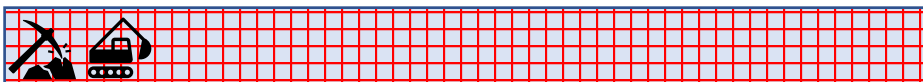


Temporary

Pedestrian Provision



Worksite Area



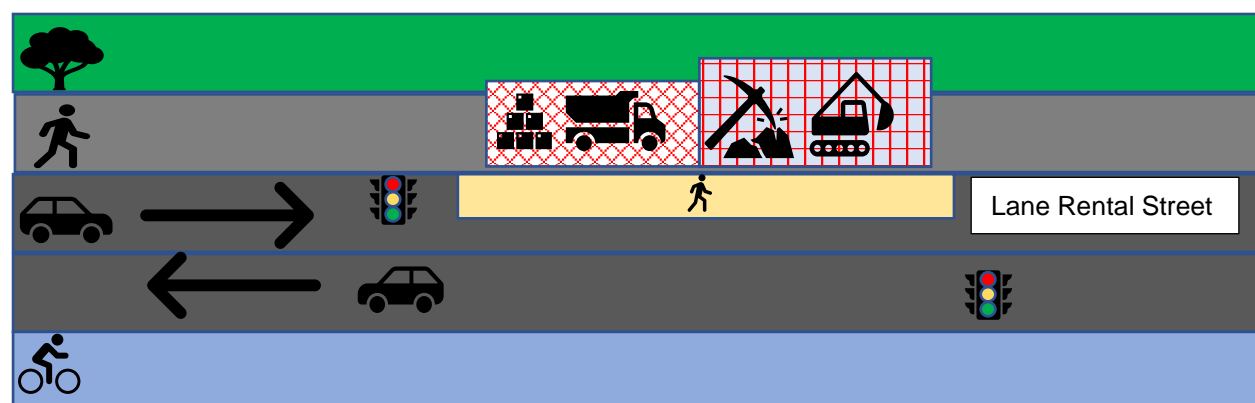
Vehicles, Plant and
Materials Storage



Temporary cycle or traffic control



Example Diagram showing work area and vehicle / storage area, pedestrian provision, and temporary traffic control.

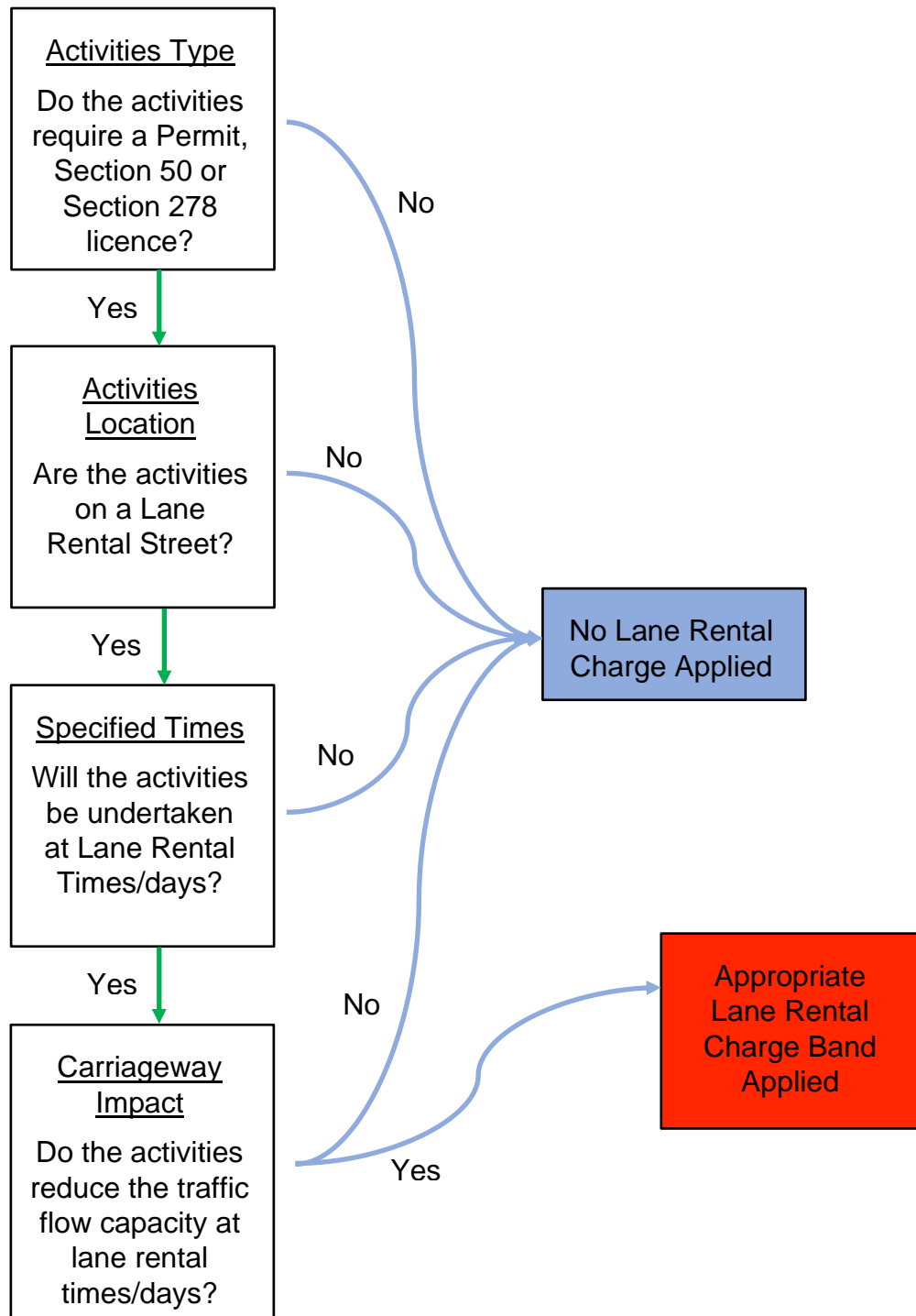


Lane Rental Schemes in England: Operational Guidance

Lane Rental Logic Flow

The diagram below provides a simple logic flow to determine whether lane rental applies to activities and any associated charge. The exception to this is for Immediate activities, where the first 48 hours of the activities are without charge, thereafter charges apply.

The lane rental logic flow to determine whether lane rental applies to the activities.



Lane Rental Schemes in England: Operational Guidance

Core Process for Activities on a Lane Rental Street



Lane Rental Schemes in England: Operational Guidance

Specified Activities

Non-excavation activities

The lane rental scheme applies to all activities that require a permit under the relevant section of the Authority permit scheme, are executed under a NRSWA Section 50 licence, or are executed under an agreement pursuant to Section 278 of the Highways Act 1980.

Diversionary activities

Diversionary activities are included within the lane rental scheme as “works for road purposes” which are maintenance and improvement works to the road itself carried out by, or on behalf of, the Authority.

Activities undertaken under the Highways Act

Activities undertaken under a Highways Act licence, Section 278, are included within the lane rental scheme as a “works for road purposes” which are maintenance and improvement works to the road itself carried out by, or on behalf of, the highway authority.

No charge will apply for activities undertaken wholly within the footprint of another Highways Act activity, e.g., if a road is closed for a crane operation and a registerable activity takes place wholly within the closure for the crane and wholly within the dates required for the crane operation.

Specified Location

Maintaining traffic flows

Disruption to traffic flows on carriageway can be described as either a road closure or a lane closure, where the term lane closure refers to any of the following:

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

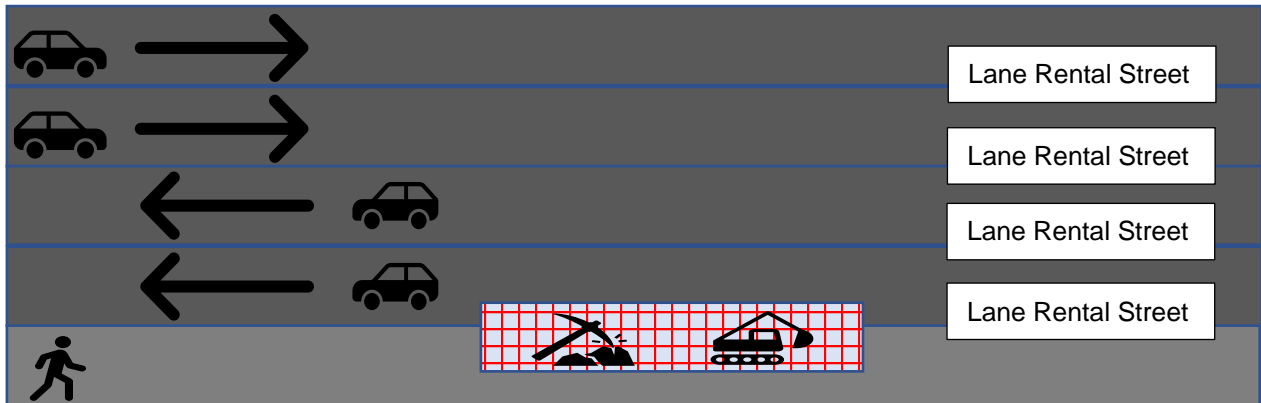
Where a work site includes the carriageway, the impact on the traffic flow capacity will need to be determined on a case-by-case basis and will be specific to the dimensions of both the carriageway and the work site.

A lane rental scheme can apply charges to activities in a carriageway, cycle track where disruption to traffic flows occur.

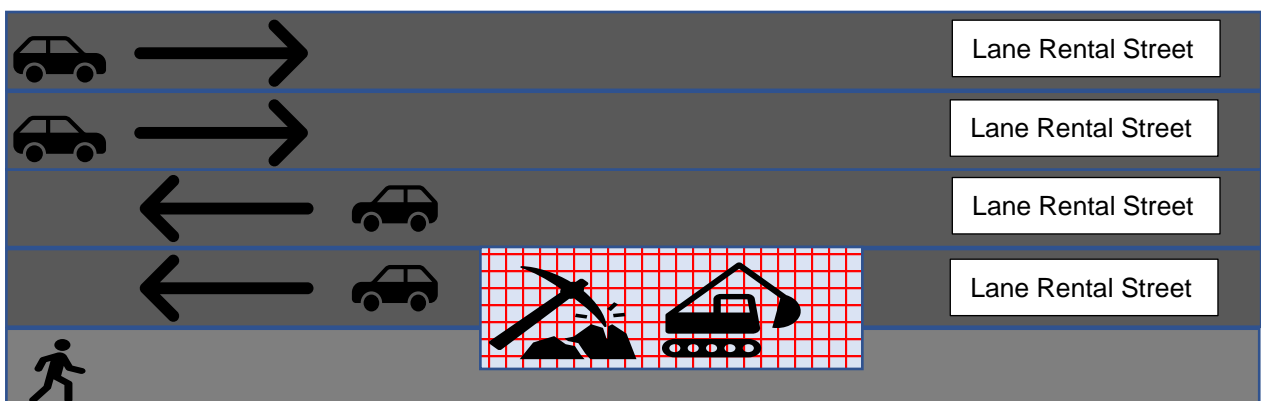
Lane Rental Schemes in England: Operational Guidance

Where there is impact on a high usage footway that forms part of an authority's lane rental network charges can apply.

Lane rental scheme charges will not apply if the work site includes carriageway incursion but there is no reduction to traffic capacity or traffic flow i.e. desirable Lane widths as prescribed in the Safety at street works and road works code of practice are maintained.



Lane rental scheme charges will apply if the work site includes carriageway incursion and there is a reduction to traffic capacity or traffic flow.

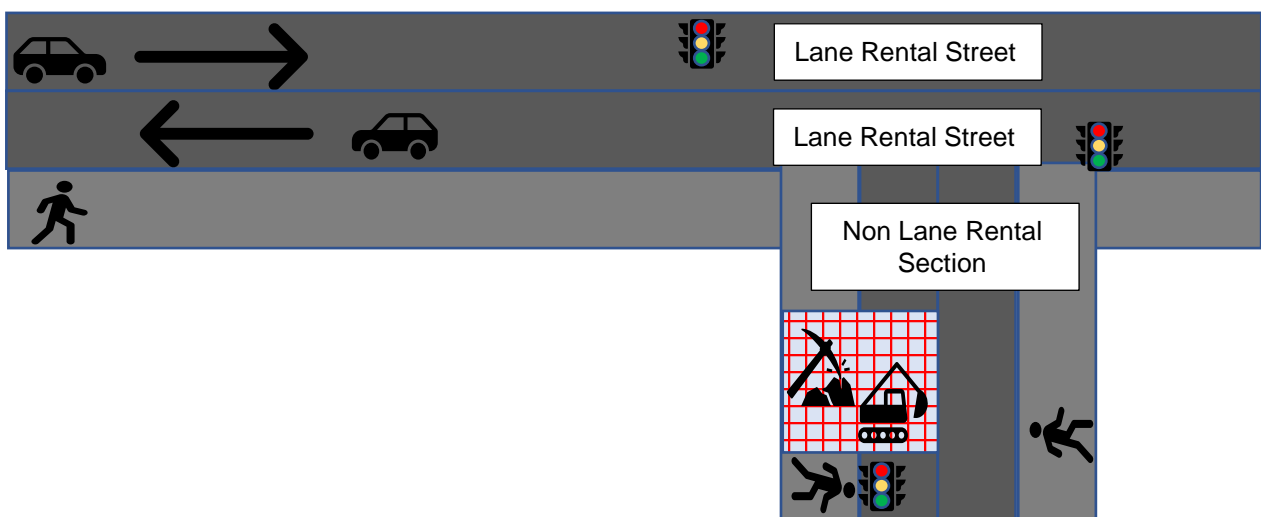


Lane Rental Schemes in England: Operational Guidance

Only Traffic Control deployed on a Lane Rental Street

Where activities are not on a lane rental street, but traffic control needs to be deployed on a lane rental street, thereby reducing the traffic flow capacity of the junction, charges will apply. The Specified Work is located on a street without lane rental designation and the traffic control is deployed on a street with a lane rental designation.

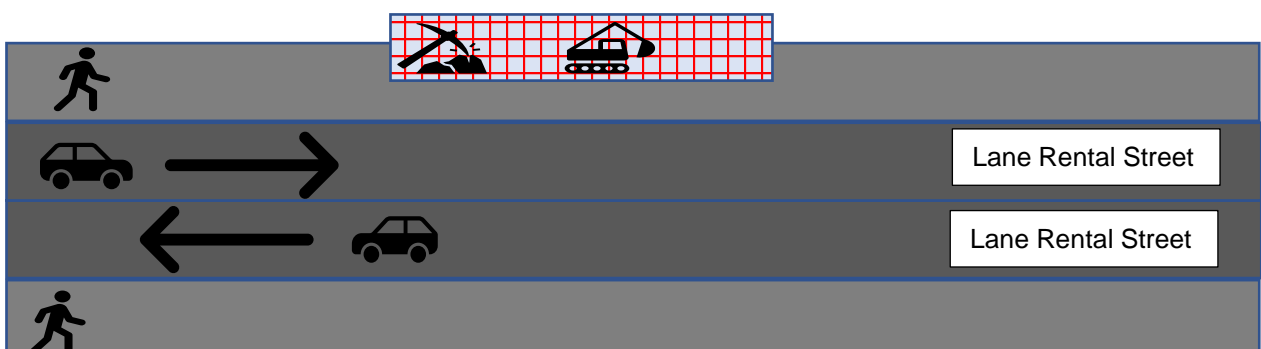
A lane rental charge will be applied when the site area is not on a lane rental street if temporary traffic control is deployed on a lane rental street where capacity of the junction is affected, but this is not as a separate work site area.



Activities in the footway

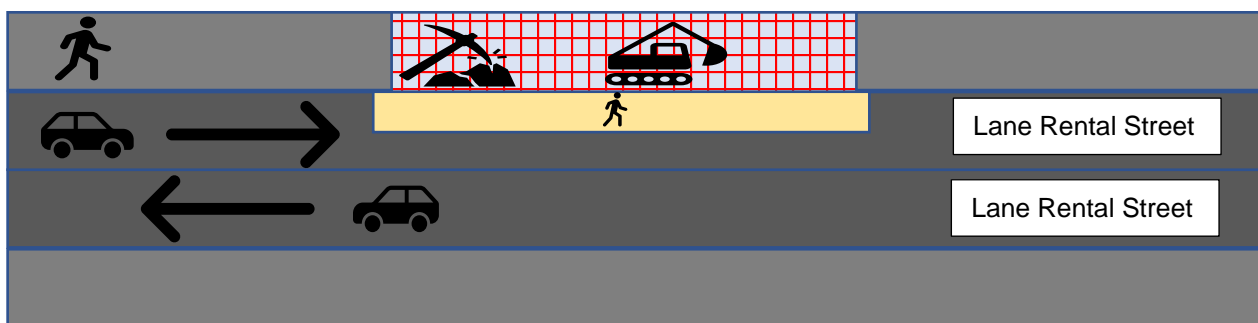
Where activities are solely in the footway and there is no reduction to the traffic flow capacity of the carriageway or footway no charges will apply. Where there is any impact which reduces the traffic flow of a high usage footway (if part of the scheme) then charges will apply.

No lane rental charge will be applied when the site area allows pedestrians to pass safely while maintaining normal traffic flows.

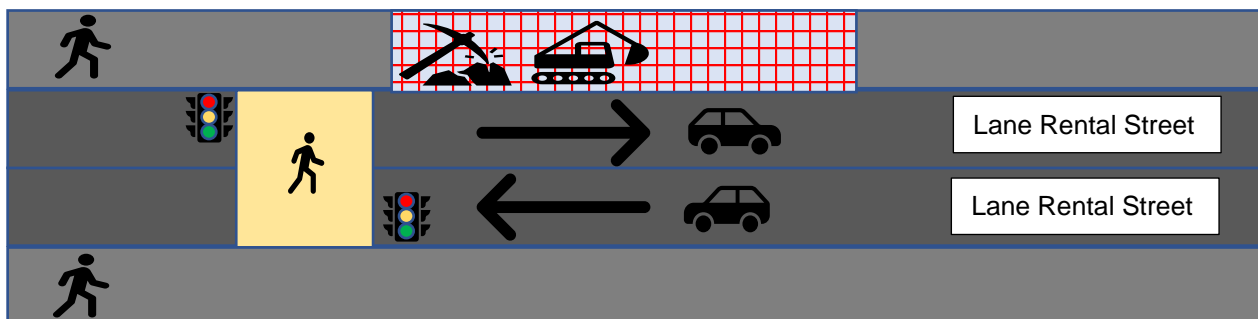


Lane Rental Schemes in England: Operational Guidance

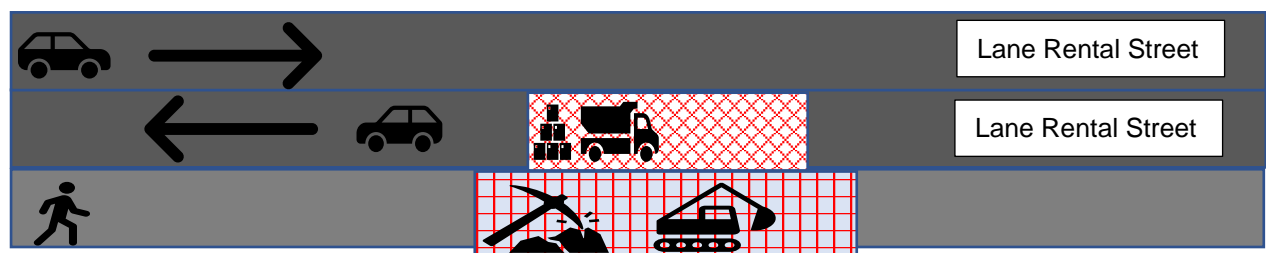
Where activities are solely in the footway and a pedestrian walkway is put into the carriageway and there is a reduction to the traffic flow capacity of the carriageway charges will apply (if part of the scheme).



Where activities are solely in the footway but requires a temporary pedestrian crossing that reduces the traffic flow on the carriageway, charges will apply.



Where activities are solely in the footway and has plant, materials and/or spoil located in the carriageway, charges will apply if there is a reduction to the traffic flow capacity.



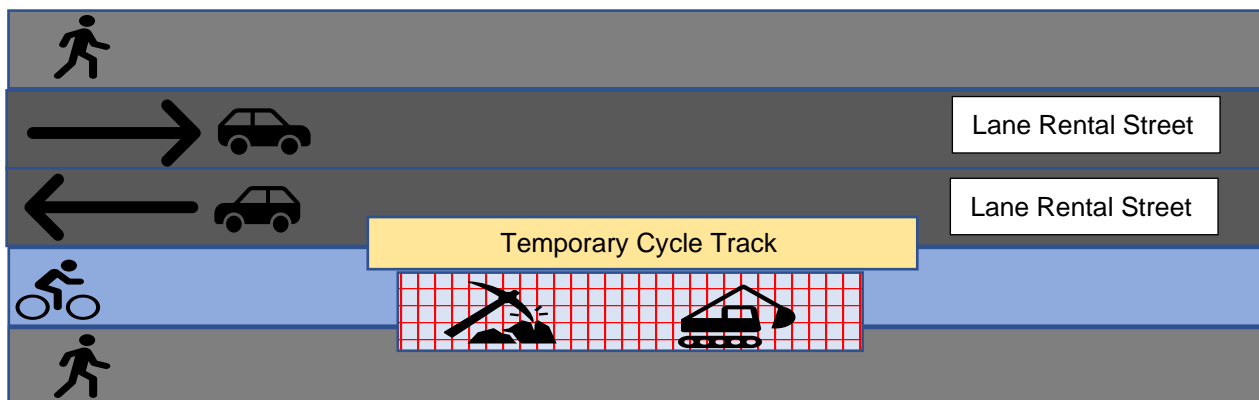
Lane Rental Schemes in England: Operational Guidance

Cycle-track, Cycle-Lane, Cycle-Path, or Cycle Route

Where a work site includes a cycle-track or cycle-lane no lane rental scheme charge will apply if the alternative temporary route does not reduce traffic flow capacity of the carriageway.

A cycle-track is a way, constituted or comprised in a highway, over which there is a public right of way on pedal cycles, with or without a right of way on foot and over which there is no other right of way.

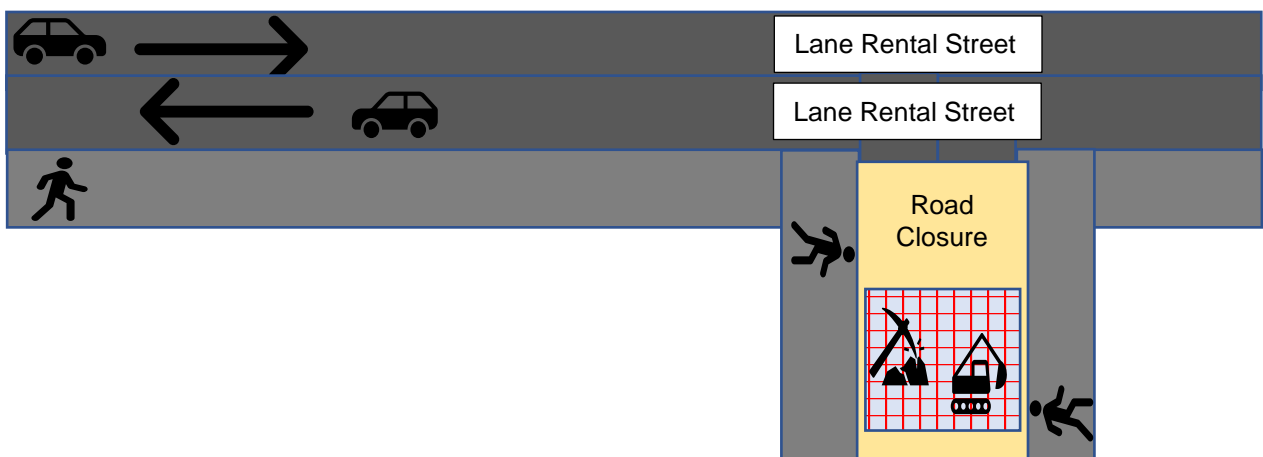
Where the alternate cycle track reduces the traffic flow capacity of the carriageway, charges will apply.



Side road closures

Where a road closure is wholly contained within another street with a separate USRN which adjoins a lane rental scheme street, thereby not affecting traffic flow capacity of the carriageway of the lane rental street, no lane rental scheme charges will apply.

No lane rental scheme charge will apply. The site area and traffic control (road closure) is not on a lane rental scheme street.



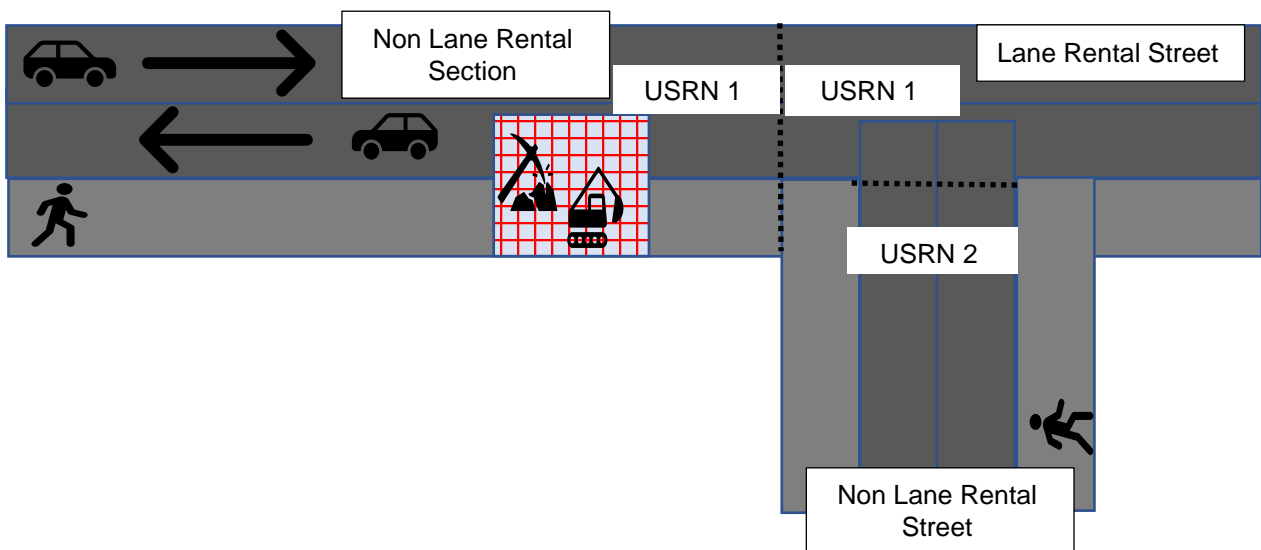
Lane Rental Schemes in England: Operational Guidance

Activities on a lane rental street with a partial designation

If a lane rental scheme designation is not applied to the whole street, therefore the street contains partial sections with a lane rental designation, excluding slip roads, service roads and side roads. The NSG ASD contains the information on the partial designations, including a text descriptor.

Where activities are located on a partial section of a lane rental street not included within the lane rental designation, such as a side road, a lane rental charge will only apply when traffic control deployed reduces the traffic flow capacity of a carriageway that is included within the lane rental designation.

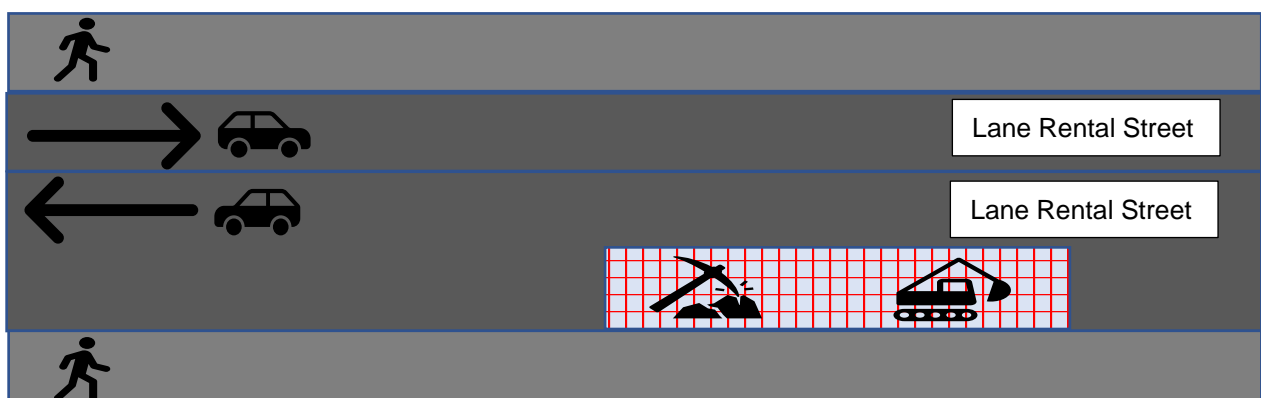
No lane rental scheme charge will apply. Lane rental is not applied to the section of the street where the work site is located.



Partial or semi recessed road space

Where activities are wholly within a recessed area of the carriageway or within run of parking bays, thereby not reducing the traffic flow capacity of the carriageway, no lane rental charges will apply.

No lane rental scheme charge will apply. The site area is wholly within the recessed area and does not impact the carriageway.



Lane Rental Schemes in England: Operational Guidance

Location of a works vehicle

A works vehicle may be parked in a works site if it is necessary for carrying out those works. A vehicle entirely within the coned off area of the site may require a larger coned off area than would otherwise be the case.

A vehicle may be parked outside a works site if it obeys the parking rules that apply to any other vehicle in that street. Outside the works site, the vehicle has no special status and no exemption from parking enforcement.

No lane rental scheme charge will apply. The work vehicle is parked legally in a parking bay or bus layby and the site area does not reduce the traffic flow capacity of the carriageway.

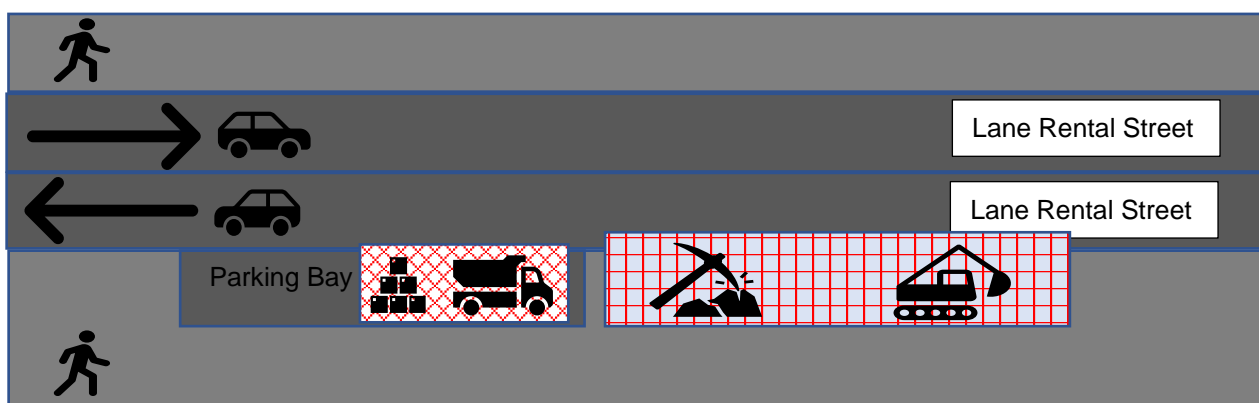
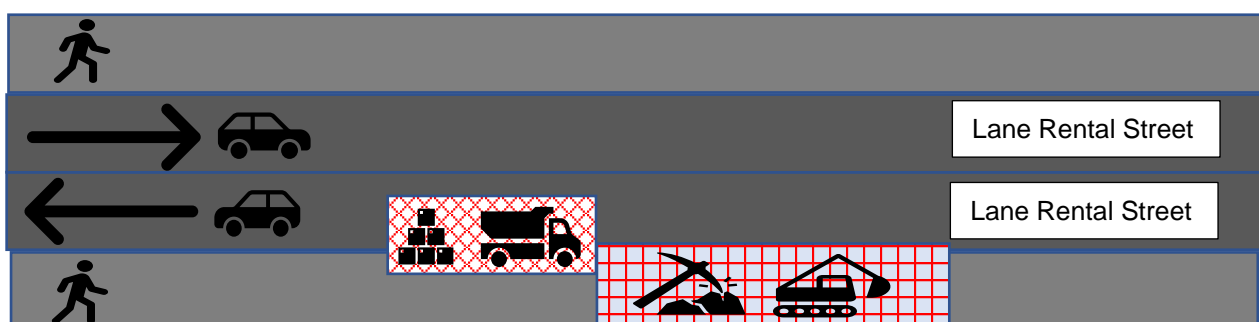


Diagram 15

Lane rental scheme charge will apply. The work vehicle is parked illegally on a lane rental street and reducing the traffic flow capacity on the carriageway.

Where a works vehicle is parked in a works site and reducing the traffic flow capacity of the carriageway Lane Rental charges will apply.



Work site deliveries

It is expected that work site deliveries will be scheduled outside of lane rental scheme times.

Lane Rental Schemes in England: Operational Guidance

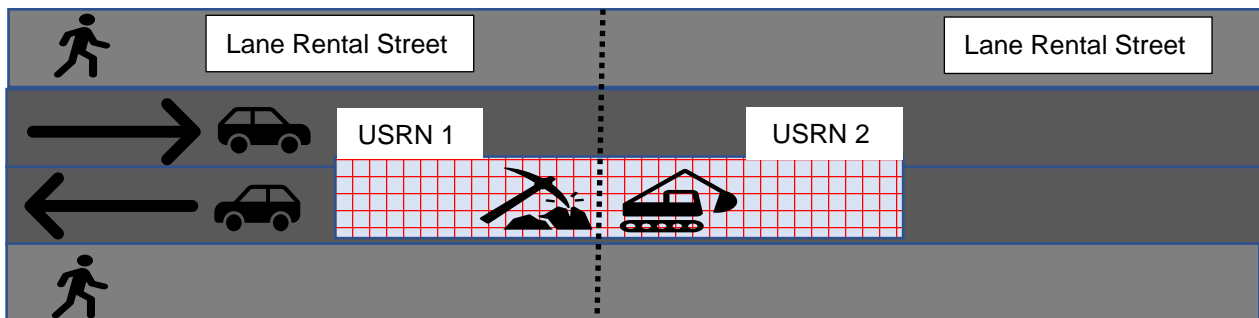
Where a work site delivery is scheduled during lane rental scheme times, and this creates a reduction in the traffic flow capacity of the carriageway then a lane rental scheme charge will apply.

In addition, if the vehicle is not incorporated within the works site, all Promoters are expected to ensure the delivery vehicle is parked legally or in a safe manner in all instances.

Activities spanning more than one USRN

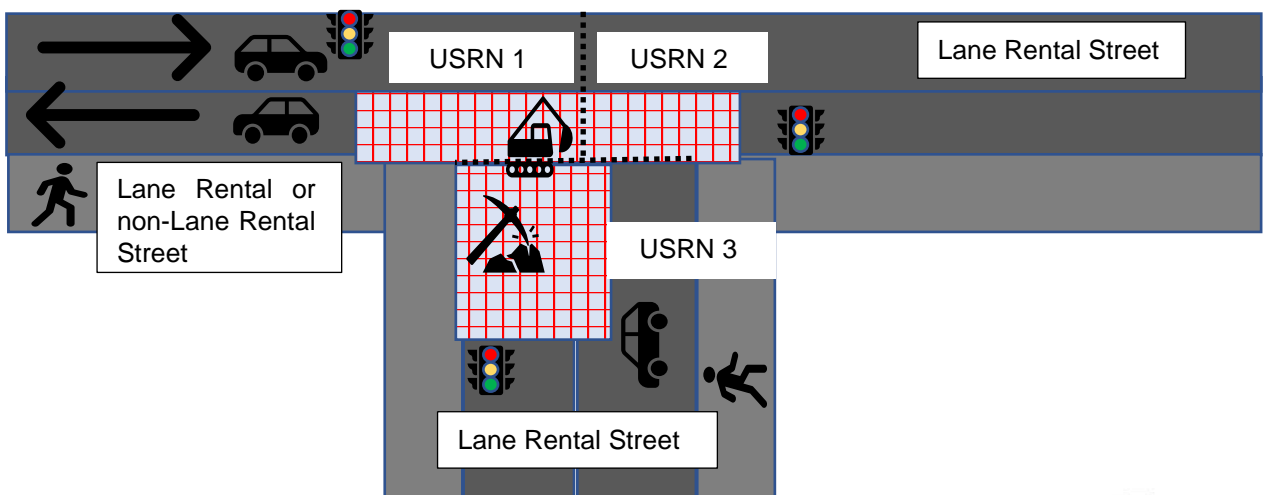
Where activities cover more than one USRN, and therefore a Permit is required for each separate USRN and the work site does not contain any form of junction, then the equivalent of one charge will apply for the entire activities. No permit fees will apply to those activities.

Lane rental scheme charge will apply. The charges will be discounted on each works so that the total fee amounts to a charge for one work only. In this example 50% for each work.



Where a work site contains a junction, irrespective of whether a joining street is a lane rental street, then the Local Highway Authority will review this on a case-by-case basis.

Lane rental scheme charge will apply. The charge may apply for each USRN. A discounted charges may be considered by the Local Highway Authority on a case-by-case basis.

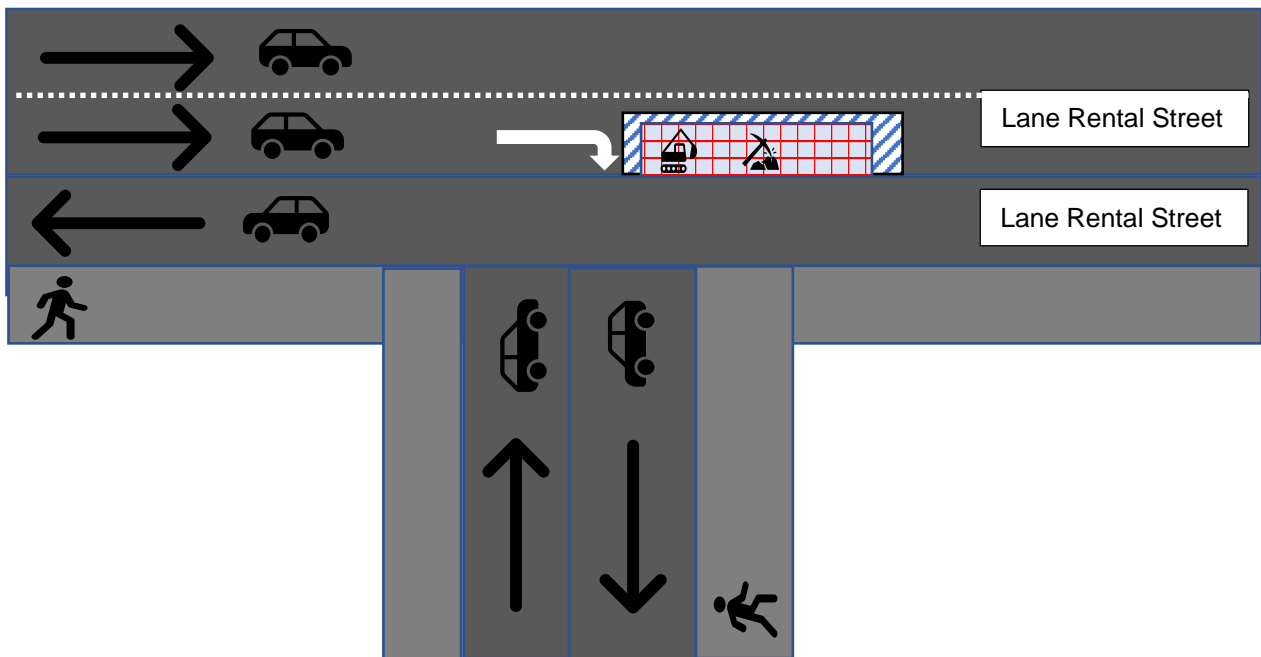


Lane Rental Schemes in England: Operational Guidance

Work wholly contained within a white hatched area

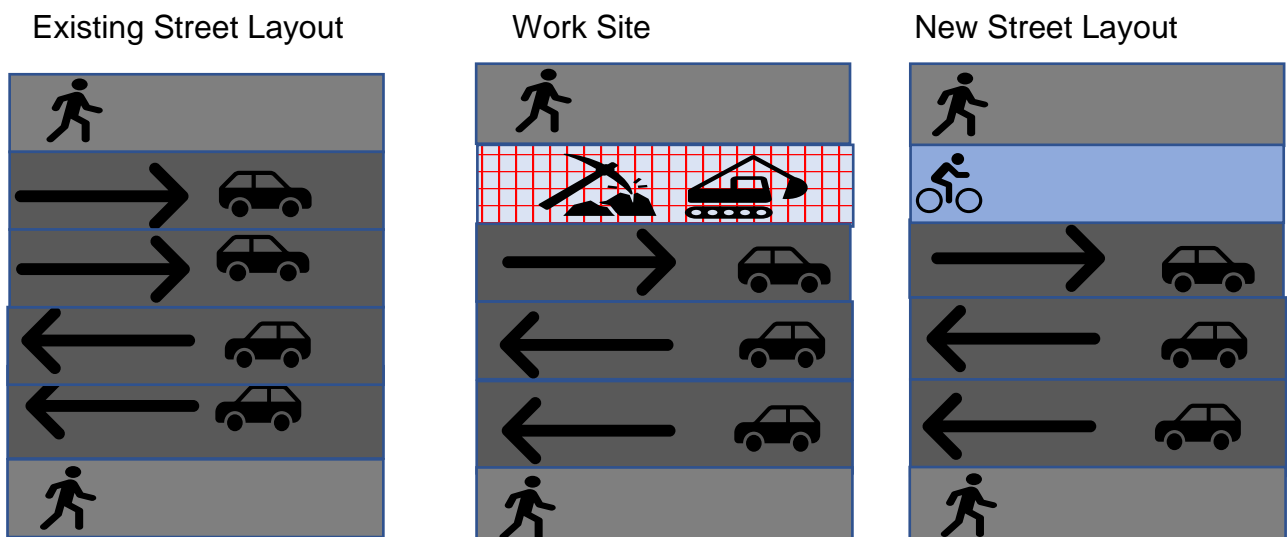
No charge will apply where a work is wholly contained within a white hatched area (of the carriageway) with no encroachment onto the carriageway thereby not reducing the traffic flow capacity.

No lane rental scheme charge will apply. The works site is wholly contained within the white hatched area with no impact to the carriageway.



Redefined road space

Where the outcome of activities permanently redefines the street layout, the Local Highway Authority may consider a waiver or reduction of the charge for those activities.



Lane Rental Schemes in England: Operational Guidance

Use of road plates and/or temporary materials

If suitable road plates and/or other materials can be safely used to avoid activities impacting on traffic flow capacity at specified times, then charges will not be applied, even if such measures necessitate a speed limit reduction for their safe deployment.

For example, it may be possible for excavations to be safely covered during specified times thereby maintaining the carriageway traffic flow capacity, with traffic control measures deployed outside of specified times only.

This process could be repeated each day throughout the duration of the activities. If such a solution were viable for activities the Authority would consider the duration a reasonable period, recognising that the duration of the activities may be extended to accommodate these measures.

Road plates and/or other materials will need to comply to the tolerances for surface profile as set out in the Specification for the Reinstatement of Openings in Highways and with suitable skid resistance appropriate to the location. Such measures should be checked at regular intervals to ensure they remain in place and in good condition.

Specified Days and Times

Lane rental timings

The National Street Gazetteer (NSG) Additional Street Data (ASD) contains the information on the Lane Rental Streets including the 'specified times' for each street.

Short duration encroachments into lane rental times

The Local Highway Authority expects any Promoter planning to avoid specified times will allow sufficient contingency into the time needed to complete their work.

As such the Authority will charge for any activities found to have continued into the specified time, even if only by a few minutes.

Environmental Considerations (Potential Impacts of Noise, Vibration, Dust, Lighting)

The Authority will take responsibility to apply a balanced approach to the needs of the Promoter, the Authority's network management duty and Environmental Health Departments duties and considerations, when determining an application to work at a specified location.

Care shall always be taken to minimise the potential for disturbance from noise, vibration, dust and lighting. It is recognised that the potential for disturbance is heightened for works taking place outside of normal working hours. As such, where potential disturbance is likely for out of hours works.

If the Authority considers that a Promoter has made a genuine attempt to plan work outside of Specified Times but is prevented from doing so by environmental impacts, the Authority may consider applying a discount to lane rental charges, provided all other means of avoiding the charge have also been adequately explored.

Lane Rental Schemes in England: Operational Guidance

Traffic control

Temporary traffic signals

Use of temporary / portable traffic signals constitutes a 'lane closure' for the purposes of calculating charges and charges will always apply if they are deployed during the specified times.

It may be possible for works to avoid charges by deploying temporary traffic signals outside of the specified times, whilst continuing work during the specified times without any form of traffic control, for example by using road plates and/or temporary materials.

Shuttle Lane lengths for temporary traffic signals

For long length activities, the length of the shuttle lane for any temporary traffic signals can directly affect the scale of the disruption and/or congestion caused by the activities.

The Authority will give careful consideration as to the most appropriate length of shuttle lane permitted, with regards day-to-day level of disruption against overall duration of the activities.

For example, for activities involving a maximum allowed 100-metre-long shuttle lane resulting in a duration of two weeks, it may be considered preferable to allowing a 200-metre-long shuttle lane, which would have allowed activities to be completed within one week.

Reviewing any activities featuring temporary traffic signals these options will be carefully considered for each location as would the reasonable period for any activities using temporary traffic signals.

The Authority may consider reducing charges in some instances where a Promoter had reasonably proposed longer shuttle lane lengths in their traffic management proposals to achieve a shorter activities duration, but where it is determined that that a shorter shuttle lane over a longer period was more preferable from an overall network impact assessment.

The Authority will not however consider reducing charges in any instance where a clearly unreasonable and unrealistic shuttle lane length is being proposed. Promoters should not seek to use this provision to artificially reduce charges by proposing a shorter overall activities duration in the knowledge that the Authority would not agree to such shuttle lane lengths and may reduce actual lane rental charge liabilities as the final reasonable period agreed would no doubt be longer than the duration originally proposed for the unrealistic traffic control proposals.

Temporary traffic signal proposals converted to a road closure by the Authority

There may be instances where a Promoter proposes use of temporary traffic signals, but the Authority considers a road closure preferable, to the use of temporary traffic signals, in consideration to the network management impact. In such instances the Authority will instruct the Promoter accordingly and will amend the charge category to that of a lane closure. This is to avoid penalising a Promoter for the Authority's traffic control preference.

Lane Rental Schemes in England: Operational Guidance

The Authority will not however consider reducing charges in any instances where a Promoter is proposing a clearly unreasonable and unrealistic temporary traffic signals configuration as a means to attempt to reduce charges instead of a more suitable road closure.

Use of temporary traffic signals to replicate permanent signals

Where temporary traffic signals are used at a location where permanent signals are usually in operation, the Authority will consider reducing the charge dependent on how closely the temporary traffic signals have been designed and programmed to replicate the intelligent operation of the permanent signals.

If the temporary traffic signals fully replicate all aspects of the permanent signals being replaced, and the junction can effectively continue to operate without any detrimental impact to the traffic flow capacity, the Authority will waive charges.

Working within a permit scheme

Permit or licence application

For every application on a lane rental street a Promoter is encouraged to detail:

- if a charge will or will not apply
- any reason why a charge will not apply

Examples of this may include:

- Activities outside of the specified lane rental times
- Discount for collaboration with another Promoter
- Traffic control on the carriageway will not reduce the traffic flow capacity
- Activities location outside of the lane rental designated section of the street where the designation is not whole street

It should be recognised that this however is not a mandatory requirement within the regulations, but the provision of this information will enable a more efficient processing of an application on a lane rental street.

For all applications, the Authority will consider not only if the activities will be subject to lane rental, but if the activities could be subject to lane rental.

For example, an application may state that activities are entirely on the footway, however the proper traffic control for pedestrians may encroach onto the carriageway, thereby potentially making the activities subject to lane rental charges.

The Authority may request a traffic management plan be included for any activities on the lane rental network, dependent on the location and the complexity of traffic management measures.

Permit Conditions

There are no specific permit conditions related to lane rental, however, where appropriate permit conditions will be used to specify any working arrangements in

Lane Rental Schemes in England: Operational Guidance

relation to the lane rental for the activities, i.e., the times specified on the Permit or the traffic management arrangement.

This is to ensure clarity on the working arrangement and remove any potential ambiguity.

Lane Rental Inspections

The Authority may choose to undertake live site inspections of activities on lane rental streets to check that the activities are being undertaken in accordance with the agreed working arrangements.

There is no specific lane rental inspection category within Street Manager, therefore a Live Site type with Site occupancy category is be used to record a lane rental compliance inspection.

For each inspection an appropriate outcome for the inspection type will be selected to indicate the status of the activities.

- Works stopped – apparatus remaining
- Work in progress – no carriageway incursion
- Works in progress
- Works stopped
- Unable to complete inspection

In addition, a code will be added within the text description field to denote the specific results of the lane rental compliance inspection, i.e., whether the activities are adhering to the working arrangements or is not adhering to the working arrangements.

Inspection failure categories and definition

Code	Definition
LR-A	The activities are adhering to the working arrangement for lane rental as defined in the Permit or Licence.
LR-NA-CI	Non-adherence – Carriageway Impact The activities are not adhering to the working arrangement in relation to avoiding impact to the carriageway.
LR-NA-TIM	Non-adherence – Timing The activities are not adhering to the working arrangement in relation to avoiding working at lane rental times.
LR-NA-EI	Non-adherence – Environmental Impacts The activities are not adhering to the working arrangement in relation to avoiding environmental impacts.

Lane Rental Schemes in England: Operational Guidance

LR-NA-DIS	Non-adherence – Discount The activities are not adhering to the working arrangement in relation to discounts.
LC-NA-WIP	Non-adherence – Work in Progress An active site should be closed or has been notified as closed.
LR-NA-OTH	Non-adherence – Other The failure reason is not covered by the defined categories (above).

Where a non-adherence is recorded the Local Highway Authority will also send a Comment to the Promoter to inform them of a change to the charge status as appropriate.

Charges

Lane rental charge status

For all activities on a lane rental street the Local Highway Authority will issue a Comment, using topic 'General', on the activities record which will contain the estimated charge status for reference, if able to be determined.

- The estimated charge does not denote the charge that will be applied but provides an indication of the charge that may be applied

The Local Highway Authority will use a code to define the charge, similar in use to codes for permit conditions. These codes and example use of these codes are shown in the tables below.

Codes to denote the charges to be applied to works

Code	Definition
LR0	Activities on a lane rental street but no charges will apply. The code must be applied with an appropriate suffix (letter) to signify the reason(s) why not charges will apply. If more than one reason is appropriate then each suffix must be added to the code, e.g. LR0 AB. Where the code D for other is used, a short text description will be given as to why charges do not apply.
A	Activities outside of lane rental times.
B	No reduction of traffic flow capacity on the carriageway.
C	Activities outside of lane rental section where whole road is not included.

Lane Rental Schemes in England: Operational Guidance

D	Other reason.
LR1	Activities on a lane rental street with charge. The duration and charge category will be added to the Permit or Licence details.
LR2	Activities on a lane rental street with a discounted charge. This code will be applied with an appropriate suffix (letter)) to signify the relevant discount and also the amount of discount, i.e. LR2 A30 where a 30% discount is being applied for major infrastructure improvement. If more than one discount is to be applied, then each suffix must be added to the code with the total discount to be applied
A	Activities on a lane rental street with a discount applied for major infrastructure improvement.
B	Activities on a lane rental street with a discount applied for collaboration.
C	Activities on a lane rental street with a discount applied for innovation.
D	Activities on a lane rental street with a discount applied for other cases, as agreed with the Local Highway Authority.

Examples for the use of charge codes

Code	Working Arrangement
LR0 AB	Planned activities on the footway with no impact to the carriageway and outside of lane rental times.
LR1	Immediate activities under a road closure where the expected duration is 5 days.
LR2 B 10 x Lane Closure Charge - 30%	Planned activities using a lane closure for 10 days with a 30% discount for collaborative working.
LR2 7 x Lane Closure Charge + 3 x Road Closure Charge	Planned activities under a lane closure for 7 days and then a road closure for 3 days.

At any stage of the work, after grant, and before work in closed (and verified) any change to the estimated charge will be stated in a Comment from the Local Highway Authority to the Promoter.

Lane Rental Schemes in England: Operational Guidance

The application of lane rental charges and permit fees

As set out in regulations if activities are liable for a lane rental charge no permit fee will be applied.

Options following an application grant with or without lane rental charge

	No Lane Rental Charge Applies	Lane Rental Charge applies (no discount)	Lane Rental Charge applies (with discount)
Permit Fee	As applicable for the permit, with any discount	No permit fee charged	No permit fee charged
Comment	Comment with charge code LR0	Comment with code LR1	Comment with code LR2
Charging Enquiry	Charging enquiry is zero	Charging enquiry to reflect charge	Charging enquiry to reflect charge

Charges applied to Immediate activities

Lane Rental charges will apply 48 hours from commencement of the works.

Therefore, no charges apply for the first 48 hours of immediate activities regardless of whether these days are days when charges would apply.

Where the 48 hours of the immediate activities is not subject to lane rental, for example a day not included in the specified times, these hours still count towards the activities.

If work is still underway after 48 hours, the activities become liable for a charge.

Three immediate activities scenarios and the charges that would apply

Scenario 1 - Immediate activities with a duration of 6 days, starting on a Thursday at 12:00pm and finishing on a Tuesday at 14:00pm Lane Rental Street Times and Dates – Monday to Friday Busy Periods					
Day 1 Thursday	Day 2 Friday	Day3 Saturday	Day 4 Sunday	Day 5 Monday	Day 6 Tuesday
Charge Waived for the first day	Charge Waived for the second day	No Lane Rental Charge on this day	No Lane Rental Charge on this day	Charge applied for this day	Charge applied for this day

Lane Rental Schemes in England: Operational Guidance

Scenario 2 - Immediate activities with a duration of 4 days, starting on a Friday at 12:00pm and finishing on a Monday at 14:00pm Lane Rental Street Times and Dates – Monday to Friday Busy Periods				
Day 1 Friday	Day 2 Saturday	Day3 Sunday	Day 4 Monday	
Charge Waived for the first day	No Lane Rental Charge on this day	No Lane Rental Charge on this day	Charge applied for this day	
Scenario 3 - Immediate activities with a duration of 5 days, starting on a Thursday at 12:00pm and finishing on a Monday at 06:00am Lane Rental Street Times and Dates – Monday to Saturday Busy Periods				
Day 1 Thursday	Day 2 Friday	Day 3 Saturday	Day 4 Sunday	Day 5 Monday
Charge Waived for the first day	Charge Waived for the second day	Charge applied for this day	No Lane Rental Charge on this day	No Lane Rental Charge on this day

Discounts

Collaborative activities

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

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

In such circumstances, where activities 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.

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

For all collaboration each Promoter will require a relevant permit for their activities (no permit fees will be applied), and it is essential that the permit application clearly highlights in sufficient detail the collaboration taking place.

Major Infrastructure Improvement /Future proofing the road network

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.

Lane Rental Schemes in England: Operational Guidance

Remedial activities

Remedial activities will be subject to Lane Rental charges.

Charges will apply from the first day for any such remedial activities, including any remedial activities required following activities which were themselves originally urgent or emergency activities.

Change of Promoter

Where activities are liable for charge changes responsibility from one Promoter to another relevant charges will be applied to the initial activities until such time as either the responsible Promoter (who owns the defect) takes over the work site or creates their own work site to undertake repairs, thus allowing the initial Promoter to clear site.

An example is where a defect / safety issue is made safe by the Authority in the first instance whilst the responsible Promoter is identified for the necessary remedial activities.

The responsible Promoter should submit the appropriate permit to cover their activities on site and this work will be liable for charge.

The initial Promoter may recover their reasonable costs from the responsible Promoter, which may include any charges which were applied for the initial period during which they were occupying the highway, prior to the responsible Promoter taking over the activities.

In such instances the initial Promoter should make best endeavours to mitigate the charges, rather than seek to pass on the charges without having given consideration as to how they might have been avoided or reduced.

Damage to apparatus by third parties

In situations where damage to apparatus is due to another Promoter's activities there are two scenarios:

- Scenario 1: Promoter A has left site and promoter B has to excavate to repair apparatus – these activities would be charged against the permit for promoter B in the expectation that promoter B would pass charges / costs onto promoter A who caused the original damage
- Scenario 2: Promoter A is still on site and promoter B undertakes repair works in their excavation – these would be charged against the permit for promoter A already in place.
- In an instance where unreasonable delays in Promoter B's attendance to effect repairs cause Promoter A to be liable for further Lane Rental charges over and above those that would already have applied (i.e. Promoter A's activities duration is extended solely as a result of any unacceptable delay in repair) any financial reconciliation will take place directly between Promoter A and Promoter B to agree any distribution of charges received.
- Where damage to apparatus is because of other third parties, such as damage to apparatus as a result of a Road Traffic Collision, charges will be applied and

Lane Rental Schemes in England: Operational Guidance

it will remain the responsibility of the Promoter to recover their reasonable costs incurred, including applicable Lane Rental charges.

In such instances the Promoter to make best endeavours to mitigate the charges, rather than seek to pass on the charges without having given consideration as to how they might have been avoided or reduced.

Charges directly caused by actions of the local highway authority

Where the action of the Authority has resulted in activities becoming liable for a charge, where it would not otherwise have been liable for a charge, then the Authority will consider waiving the charge.

For example, where a Promoter can clearly evidence that the Authority have completed carriageway resurfacing works without raising any existing frames and covers during or before the resurfacing works, and subsequent access to maintain or operate apparatus, e.g., valves, now requires a registerable activity which becomes liable for a charge.

In such instances the Promoter should make best endeavours to minimise the impact of their activities on the traffic flow capacity.

In instances where the Authority has temporarily made safe a sunken frame/cover in the carriageway instead of deploying traffic control to make the situation safe, works required by a Promoter to make a permanent repair or replacement of the frame and cover, and/or to operate any valves may still be liable for charges where applicable.

Payment and reconciliation of charges

The Authority will issue two separate accounts to the Promoter. One for permit fees and one for Lane Rental charges.

The payment and reconciliation process will follow a similar process to the Permit Scheme fee payment process, following a monthly cycle with a reconciliation period.

The Authority will only issue accounts to a Promoter or their agreed representative and reconcile the account with that organisation, not a contractor or third-party.

The activities reference number will be included which is based on the numerical reference generated by the permit system.

Payment and reconciliation of permit fees

As there is a direct relationship between permit fees and lane rental charges but different timescales to collect payment for either, the Authority will undertake the following process to ensure the payments are aligned:

- Permit fees will be applied according to the fees table at the time of granting the PAA, Permit or Permit Variation
- Where payment of a permit fee has been collected and activities did incur a lane rental charge the collected permit fees will be credited to the Promoter
 - These permit fees will be identified clearly on the reconciliation issued to the Promoter

Lane Rental Schemes in England: Operational Guidance

- Where a permit fee has not been charged for activities subject to lane rental charges and the activity was either (a) cancelled, (b) did not proceed, or (c) did not become subject to lane rental charge, the permit fee will be charged and collected on the next available billing cycle

An example of the application of this process is detailed below

- Permit application on 25th April with activities not subject to a lane rental charge
- Permit granted on 26th April - a permit fee is generated
- Payment of the permit fee is collected in May
- Activities commence on the 1st June and completed on 5th June, and did become subject to a lane rental charge
- Permit fee paid in May will to be credited to Promoter on the next applicable permit fee billing cycle

Transitional Arrangements

The table below represents the transitional arrangements.

Transitional Arrangements

Stage of activities		First month of operation	Second and third month of operation	To end of month 24 of operation
Existing planned activities not started before the Lane Rental scheme start date	Major activities with a permit that start within three months	No Lane Rental Charges		Lane Rental Charges apply
	Major activities varied after the start date	Lane Rental Charges apply		
	Standard, Minor and Planned Immediate Activities	No Lane Rental Charges	Lane Rental Charges apply	
	Standard, Minor and Planned Immediate Activities varied after the start date	Lane Rental Charges apply		
	Activities under Section 50 or Section 278 of the Highways Act 1980	No Lane Rental Charges		Lane Rental Charges apply

Lane Rental Schemes in England: Operational Guidance

	Major schemes with a valid forward planning notice on the permit system	No lane rental charges if activities start within 24 months of the Lane Rental scheme start date
Existing activities (in progress) at the Lane Rental scheme start date		No lane rental charges
New activities planned after scheme start		Lane rental charges

Lane Rental Schemes in England: Operational Guidance

Glossary

Term	Meaning
ASD	Additional Street Data
Charge	Means a lane rental daily charge
Cycle Track	As defined in Section 329 of the HA 1980, "means a way constituting or comprised in a highway, being a way over which the public have the following, but not other, rights of way, that is to say, a right of way on pedal cycles with or without a right of way on foot".
Council	Refers to the Council in their capacity as a Local Highway Authority and as a Permit Authority
Day	Means all days including Saturdays, Sundays and Bank Holidays unless explicitly stated otherwise
Fee	Means a permit fee as set out within the Local Highway Authority permit scheme
Major Infrastructure	Deliver significant infrastructure improvements or upgrades that substantially extend the longevity of, improve, or renew an asset. Are recognised to be nationally significant infrastructure projects; or Install infrastructure specifically to minimise detrimental impact of future works
NSG	National Street Gazetteer
Permit Scheme	Means the Local Highway Authority Permit Scheme
Promoter	Means a person or organisation entitled by virtue of a statutory right to carry out street works or works for road purposes
Traffic control	As set out in the Safety at Street Works and Road Works – A Code of Practice and the Traffic Signs Manual Chapter 8”
Traffic Capacity	Traffic Capacity is expressed as the maximum number of vehicles in a lane or a road that can pass a given point in unit time, usually an hour, i.e., vehicles per hour per lane or roadway
Activities	Means works on the highway, street works or works for road purposes

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