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|  | **Directorate for Communities** |
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|  | LaneRental@buckinghamshire.gov.uk |
| 29 November 2024 |

Dear Consultee,

**Formal consultation on the proposal by Buckinghamshire Council to operate a Lane Rental Scheme on their highway network in accordance with the New Roads and Street Works Act (1991) as amended.**

# Introduction

In accordance with the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (the “Lane Rental Regulations”) and Section 74 of New Roads and Street Works Act 1991, I am pleased to invite your views relating to the proposed Buckinghamshire Lane Rental Scheme (BLRS).

# Background

Section 74A of NRSWA enables Highway Authorities, with the approval of the Secretary of State, to charge street works undertakers a daily charge for each day during which their works occupy the highway – commonly referred to as a “Lane Rental Scheme”.

The proposed Buckinghamshire Lane Rental Scheme applies charges determined by reference to the times and durations of works, is based on the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (the “Lane Rental Regulations”) made under Section 74A, and is designed to operate in conjunction with Section 74 of New Roads and Street Works Act 1991, and the Buckinghamshire Permit Scheme (“BPS”), subject to certain exemptions on charges and fees contained within the Scheme documents.

The New Roads and Street Works Act 1991 (NRSWA) contains provision for two forms of charge for works:

1. Section 74 – Charge for occupation of the highway where works unreasonably prolonged; and
2. Section 74A – Charge determined by reference to duration of works.

# Why Introduce a Lane Rental Scheme in Buckinghamshire?

The New Roads and Street Works Act 1991 (“NRSWA”) and the Traffic Management Act 2004 (“TMA”) place duties on Highway Authorities to co-ordinate street and highway works, and more generally to facilitate the expeditious movement of traffic within their areas, called the "Network Management Duty".

It is the Highway Authority’s responsibility to ensure that it makes appropriate use of the powers at their disposal, recognising that different tools may be appropriate in different situations.

Roadworks are inevitable in a growing and prospering County like Buckinghamshire. Utility services and the highway infrastructure needs maintaining and modernising and new housing and commercial developments need connections. Record investments are also being made in infrastructure to transform the highway network to make it more resilient and to make streets easier and safer to walk and cycle on.

The resulting works inevitably cause disruption to the highway network, delays to bus passengers and inconvenience to people walking and cycling. The Buckinghamshire Lane Rental Scheme is one of the tools that Buckinghamshire Council is proposing to use to manage the impact of these works.

# Developing the Proposals

These proposals have been developed by an extensive team who formed the ‘Buckinghamshire Lane Rental Joint Development Group’ made up of Officers of Buckinghamshire Council, Environmental Health officers from the local Authority, local Utility representatives who are members of the Joint Utilities Group (JUG) and consultants and support staff employed by Buckinghamshire Council and its partners.

# Charges

The proposed Lane Rental charges are targeted at the most critical parts of the Buckinghamshire highway network. These are streets where evidence shows that works in the highway cause the highest levels of disruption. The streets selected for Lane Rental charges are those where the Lane Rental charge will, by encouraging behaviour change, have the greatest impact in reducing disruption.

The Scheme has been designed to ensure that charges are only applied when works promoters occupy the highway at traffic sensitive times and to allow exemptions or reduced charges at other times to encourage promoters to adopt less disruptive working practices.

The Lane Rental Scheme applies to works that require a Permit under the Buckinghamshire Permit Scheme (“BPS”), are executed under a NRSWA Section 50 licence, or are executed under an agreement pursuant to section 278 of the Highways Act 1980.

The Lane Rental Scheme does not apply to works that are carried out in a verge or footway of a lane rental chargeable street that does not involve any occupation of a carriageway or cycle track. Such occupation includes use by any associated plant, vehicles, or materials, or for any temporary arrangements for providing a walkway for pedestrians, as a result of or as part of the works.

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 Lane Rental charges.

For further details about the scheme and to request the full set of consultation documents, please contact LaneRental@buckinghamshire.gov.uk.

# How to Respond

This consultation runs for a period of 12 weeks. Responses are requested to be sent by **5pm on** **Monday 03rd 2025** by email to LaneRental@buckinghamshire.gov.uk. If it is not possible to email responses, then they should be marked "Lane Rental Scheme Consultation" and be sent to: Streetworks Team, Buckinghamshire Council, Walton Street, Aylesbury, HP20 1UA.

The deadline for the receipt of responses is no later than **5pm** **Monday 03rd 2025**. We cannot guarantee that responses received after this date will be considered.

All responses received by **5pm on** **Monday 03rd 2025** will be taken into consideration and if Buckinghamshire Council considers it to be appropriate, amendments will be made to the draft Lane Rental Scheme documents.

Information provided in response to this consultation (including personal information) may be subject to publication or disclosure under the access to information regimes (e.g. the Freedom of Information Act 2000 or Environmental Information Regulations 2004). If you would like your response to be treated confidentially, please indicate the reasons for this in your response.

Thank you for your time considering this.

Yours sincerely,



Kevin Goad

Service Director, Highways and Technical Services