

**ASSET INFORMATION HIGHWAY CHARGES 2014-15**

*To:* **Cabinet**

*Date:* **15<sup>th</sup> April 2014**

*From:* **Executive Director: Economy, Transport and Environment**

*Electoral division(s):* **All**

*Forward Plan ref:* **N/A** *Key decision:* **No**

*Purpose:* **To report on the review of highway search fees outlined in the Economy, Transport and Environment Charges Review Cabinet paper of 28<sup>th</sup> January 2014 and to seek approval for the proposed charges.**

*Recommendation:* **That Cabinet considers and approves the proposed new Asset Information Highway Charges for 2014-15.**

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## **1. BACKGROUND**

- 1.1 The Cabinet paper of 28<sup>th</sup> January 2014 set out the context for the review of all highway charges undertaken across Economy, Transport and Environment to ensure that our policies are aligned with the needs set out in the County Council's Business Plan. In accordance with the proposals in the paper, a review of highway local land charge search fees and benchmarking has now been undertaken to ensure a consistent approach with other similar authorities.
- 1.2 This report now seeks Cabinet approval for the proposed new charges as shown in the attached Appendix 1.

## **2. MAIN ISSUES - PROPOSED ASSET INFORMATION HIGHWAY CHARGES FOR 2014/15**

- 2.1 Currently it is possible for customers to find out free of charge the status of all highways maintainable at public expense and public rights of way from information available in two different locations on the website. Information about highways pending adoption is not present. A project is underway to provide this service, and also to make all highway information available in one location. This will result in a complete and much more satisfactory service for customers.
- 2.2 Notice was received in February of changes to local land charge search questions as a result of a review undertaken by the Law Society. Four new questions are being introduced which will be the responsibility of the County Council, three of which come into effect in October 2014 (the other is likely to come into effect in 2015-16). As these are new services, the likely volume of queries has been calculated and also the cost to the Authority of providing them.
- 2.3 Benchmarking of search fees has been undertaken against eight comparable County Councils, including neighbouring authorities. This identified that Cambridgeshire's fees were at the lower end of the spectrum.
- 2.4 A review of our own fee calculations revealed that not all staff costs were currently taken into account. Analysis of our procedures showed that the procedures are now more efficient and less officer time is required for each response, which has been reflected in the new charges. The largest volumes of queries are for official searches undertaken through the District Councils, composite questions asked by SearchFlow (a personal search company), questions asked by other personal search companies about public rights of way and commons/village greens, and for detailed highway boundary/status enquiries. Under the proposals, fees for questions about public rights of way for SearchFlow and for detailed highway boundary enquiries will approximately double; full search fees will increase by 11% and all other fees will either increase or decrease very slightly.
- 2.5 Fees for public path order applications and for highway stopping up applications have also been reviewed through an analysis of the average time spent on applications in 2013-14.
- 2.6 Previously a fee of £2 was charged for anyone enquiring as to what stage of adoption a road had reached. It is proposed that this be free to members of

the public, with the costs being included within the overall fee charged to developers in updating the highway records, as a result of new development.

- 2.7 A separate review into charging for pre-application planning advice in relation to Public Rights of Way is still underway. This will include a review of experience gained from other services that have already implemented charges and seeks to co-ordinate with further services yet to introduce charges.
- 2.8 A review of the full costs of providing each of Asset Information's services will be undertaken each year.
- 2.9 The proposed Asset Information charges for 2014/15 are outlined in Appendix 1. If approved, they will result in the cost recovery of an additional £100,000 for the County Council in 2014-15 on 2013-14.

### **3. ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING**

#### **3.1 Developing the local economy for the benefit of all**

Ensuring that our charges fully cover all of our costs will enable us to provide the level of service required to support individuals, communities and businesses involved in property transactions in Cambridgeshire's buoyant economy, whilst ensuring that a fair price is paid.

#### **3.2 Helping people live healthy and independent lives**

There are no significant implications for this priority.

#### **3.3 Supporting and protecting vulnerable people**

There are no significant implications for this priority.

#### **3.4 Ways of working**

The report above sets out the implications for enabling individuals and businesses to make their own decisions through improving the way we deliver our services. It also explains how we will redirect cost recovery and enable us to reinvest that money in ensuring a robust asset legal records management system.

### **4. SIGNIFICANT IMPLICATIONS**

#### **4.1 Resource and Performance Implications**

The report above sets out details of the significant financial implications in paragraph 2.9 above. It sets out implications with regard to best practice at paragraph 2.3. The County Council is the only organisation that can deliver these services as they relate to its statutory functions.

#### **4.2 Statutory, Risk and Legal Implications**

Local authorities can legitimately recover their costs for work undertaken in providing answers to local land charge searches. They can generate a surplus from local land charge searches provided this is re-invested in the highway

records. Under the Local Authorities (Recovery of Costs for Public Path Orders) regulations 1993, the Local Government Act 2000 and the Growth & Infrastructure Act 2013 the Council can also recover its reasonable costs incurred in processing applications from the public for public path orders and highway stopping up orders; in providing copies from its various public registers; and in providing other discretionary services such as changes to the legal highway record arising from new development.

#### **4.3 Equality and Diversity Implications**

No significant implications have been identified for this category.

#### **4.4 Engagement and Consultation Implications**

No significant implications have been identified for this category.

#### **4.5 Public Health Implications**

No significant implications have been identified for this category.

<b>Source Documents</b>	<b>Location</b>
Cabinet report and minutes of 28 <sup>th</sup> January 2014	Room 114 Shire Hall Cambridge