



The County Council of Durham Lane Rental Scheme

Charges Policy and Table

Document Control

Version History

Date	Version	Comments
14.08.24	1	Initial draft
09.04.25	2	2 nd draft
29.05.25	3	3 rd draft

Review Control

Reviewer	Date	Section	Comments	Actions Agreed

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1 Lane Rental Charges

The New Roads & Street Works Act 1991 (NRSWA), as amended by the Transport Act 2000 and the Traffic Management Act 2004 (TMA), contains provision for highway authorities to operate lane rental schemes that involve charging Promoters for the time their works occupy the highway.

The regulations are the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 ("the Regulations") made under Section 74A of NRSWA.

In accordance with the Scope of the Durham Lane Rental Scheme (DLRS), Durham County Council (DCC) will apply a daily rate of charge for the duration of the specified activities carried out by the undertaker of the activities for the Promoter of the activities at the specified location during the specified times and days.

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 DLRS charges. The charge will consist of a single payment of £100 in the circumstances set out in paragraph (8) of the Regulations, where up to 5 items of signing, lighting or guarding have inadvertently been left behind on site and have been removed by the end of the working day following the day on which the authority informed the undertaker and asked them to remove the items. This reduced charge would apply only in cases where the responsible party had made all reasonable efforts to clear the site but had inadvertently left a small number of items behind. Full daily charges would continue to apply where such efforts had not been made.

To calculate the daily rate of charge, other than for immediate works, the duration of the activities shall begin on the date specified in the actual start of works notice and end on the date specified in the works clear, works closed or works stop notice, the date activities ended.

For all types of immediate works, the charges will apply after 48 hours of occupation – taking the works start as stated within the relevant permit application and ending on the date stated on the relevant Section 74 works stop notice.

2 Lane Rental Charges Policy

Lane Rental charges will only apply when there is 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.

Charges will **not** be payable in the following circumstances:

- Charges will not apply if the activities take place outside of the Traffic-Sensitive Streets specified times;
- Charges will be waived for a period of 48 hours from the start of immediate works beginning; after which time the normal lane rental rules for the location will apply.
- Charges will be waived for activities which are confined to a verge or footway, footpath, bridleway, or byway.
- Charges will be waived if works which do not reduce the number of lanes, or prescribed width, available to traffic or if normal traffic flows can be maintained.

If one of the above applies, the activity Promoter must record the circumstances along with the permit application and, if possible, works stop notice. Failure to do so may result in appropriate action being taken.

2.1 Options to Waive or Reduce Charges

DCC retains the option to waive or reduce lane rental charges at its discretion.

The current charge is £1500 per day for a lane closure and £2500 per day for a road closure.

Discounts up to 100% are available in some circumstances and are considered on a case-by-case basis. For example, works that deliver significant improvements or upgrades that substantially extend the longevity of the road, nationally significant projects, would all be considered for discounts.

We actively promote collaboration and innovation so the lane rental charge will be discounted by a minimum of 25% and upwards for each Promoter during the period of collaboration are available to works promoters that show these in their initial permit applications.

Further discounts may be considered for any works on a case-by-case basis. A Promoter should discuss these with the Council's Highway Network Manager (or delegated officers).

Our Streetworks officers monitor all works and may remove discounts if we believe works are not being carried out as initially proposed.

2.2 Collaborative Working

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

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

In such circumstances, where works are carried out at the same location by two or more Promoters concurrently, the above discount will be applied, with the remaining daily charge rate will be split between the associated Promoters following confirmation and acceptance within the permit.

Collaboration will be as identified within the associated permit applications and/or site inspections, however the onus to prove such collaboration rests with the Promoter to receive this discount.

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

2.3 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 or capacity of that street, 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.

2.4 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 or capacity of the carriageway of the lane rental street, no lane rental scheme charges will apply.

2.5 Location of a works vehicle

A works vehicle may be parked in a works site provided that 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 provided that 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.

2.6 Works Spanning Multiple Streets

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.

An example is where works are carried out over two USRNs that the lane rental fee will be discounted on each works 50/50 so that the total fee amounts to a charge for one work only.

Where a work site contains a junction, irrespective of whether a joining street is a lane rental street, then the Highway Network Manager (or delegated officer) will review this on a case-by-case basis.

2.7 Works 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 reducing the traffic flow or capacity.

2.8 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, Durham County Council 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, Durham County Council will waive charges.

3 Review of Charges

The DLRS will be evaluated on an annual basis. The first evaluation report will cover a full year from the commencement date specified in the Statutory Instrument / Lane Rental Scheme Order.

Part of the assessment of the DLRS is a review of the DLRS lane rental streets list.

It is anticipated that, depending on the extent of changes and developments to the Durham County Council Highway Network, the list of streets will be reviewed every, one (1) to three (3) years.

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This is to ensure that the list is always appropriate and take account of changes to the highway network.

The methodology used to initially identify the list of lane rental streets will be repeated.

The DLRS lane rental streets list review methodology is detailed in and part of the DLRS Evaluation Plan even though it may not be undertaken every year.

The charges will not exceed the maximum charges as set by the DfT.

3.1 Lane Rental Charges Structure

Identified Lane Rental Charge Streets (Bands)	Lane Rental Charge Discount Applied	Full Day Charge
Band 1 (Road Closure or Single Carriageway Road Occupancy)	0%	£2,500
Band 2 (All Carriageway Remedial Works)	0%	£2,500
Band 3 (Single Lane Occupancy of Multi Lane or Dual Carriageway)	40%	£1,500
Band 4 (Cycle Track)	40%	£1,500

The charges will be;

- Band 1, Road closure or single carriageway Road occupancy, no discount will be applied and the full daily charge of two thousand five hundred pound will apply.
- Band 2, All Carriageway remedial works, no discount will be applied and the full daily charge of two thousand five hundred pound will apply.
- Band 3, Single lane occupancy of multi lane or dual carriageway, a forty percent discount will be applied with the daily charge being one thousand five hundred pounds.
- Band 4, cycle track, a forty percent discount will be applied with the daily charge being one thousand five hundred pounds.

If an activity footprint spans more than one Traffic Control Type at any time during the duration of the activities, then the higher daily rate of charge will apply for the days the activity footprint includes that Traffic Control Type.

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