

## The Royal Borough of Kingston Upon Thames

**2025**

Lane Rental Scheme.

Reducing disruption on the borough road network.

Document Reference: L BK LRS25

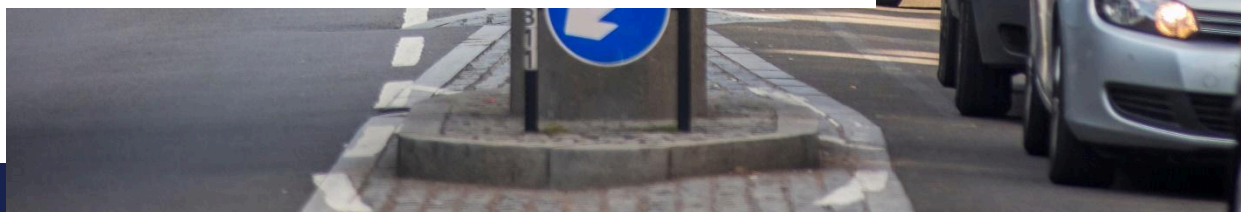
Document Version: v1.1

Document Status: Consultation version

Date of Issue: 19/06/2025



London Borough Lane Rental Scheme.  
Reducing disruption on the Borough Road Network



## CONTENTS

<b>1. INTRODUCTION</b>	<b>4</b>
<b>2. OBJECTIVES</b>	<b>4</b>
<b>3. REGULATORY COMPLIANCE</b>	<b>5</b>
<b>4. SCOPE OF THE SCHEME</b>	<b>5</b>
4.2. Specified Work.....	6
4.3. Works by, or on behalf of, the Royal Borough of Kingston Upon Thames.....	6
4.4. Works by Third Party Developers.....	6
4.5. Specified Locations.....	6
4.6. Carriageways, Footways, Cycle Tracks and Verges.....	6
4.7. Specified Days and Times.....	7
<b>5. LANE RENTAL CHARGES</b>	<b>7</b>
5.2. Charges.....	8
5.3. Information Required on Permit Applications.....	9
5.4. Variations to Works.....	9
5.5. Remedial Works .....	9
<b>6. CHARGE EXEMPTIONS</b>	<b>9</b>
6.2. Immediate Emergency Works.....	10
6.3. Restrictions on Charge Exemptions.....	10
<b>7. REDUCED CHARGES</b>	<b>11</b>

7.2.	Collaborative Works.....	11
7.3.	Major Infrastructure Improvements.....	11
7.4.	Works Spanning Multiple Streets.....	11
7.5.	Abortive Days.....	11
7.6.	Items of Signing, Lighting and Guarding Inadvertently left on site.....	11
<b>8.</b>	<b>WORKS MONITORING AND ENFORCEMENT</b>	<b>12</b>
<b>9.</b>	<b>TRIAL RUNNING AND TRANSITIONAL ARRANGEMENTS</b>	<b>12</b>
<b>10.</b>	<b>DISPUTE RESOLUTION</b>	<b>13</b>
<b>11.</b>	<b>SANCTIONS</b>	<b>14</b>
11.1.	Offences.....	14
11.2.	Section 74.....	14
<b>12.</b>	<b>APPLICATION OF REVENUES</b>	<b>14</b>
<b>13.</b>	<b>MINOR VARIATIONS TO THE SCHEME</b>	<b>15</b>
<b>14.</b>	<b>SCHEME EVALUATION</b>	<b>15</b>
<b>15.</b>	<b>GLOSSARY</b>	<b>16</b>

## **1. INTRODUCTION**

### **1.1. The Royal Borough of Kingston Upon Thames Lane Rental Scheme ('The Scheme')**

1.1.1. This is the **Royal Borough of Kingston Upon Thames** Lane Rental Scheme for Road Works and Street Works. The scheme is made pursuant to section 74A of the New Roads and Street Works Act (NRSWA).

1.1.2. The Scheme, which applies Charges determined by reference to the duration of works and is based on the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (the Lane Rental Regulations) made under Section 74A, is designed to operate in conjunction with Section 74 and the London Permit Scheme for Road Works and Street Works, subject to certain exemptions on charges and fees.

### **1.2. Network Management on the Borough Network**

1.2.1. The London Permit Scheme for Road Works and Street Works is utilised as the primary tool for managing street and road works on the Borough's road network.

1.2.2. Permit schemes were introduced by Part 3 of the Traffic Management Act (TMA) in order to improve authorities' abilities to minimise disruption from street and road works. Section 16 of the TMA also introduced the network management duty. The network management duty requires authorities to manage their road network with a

view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

- Securing the expeditious movement of traffic on the Borough's road network, and
- Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority. Traffic includes pedestrians and cyclists.

1.2.3. Boroughs deliver this duty by issuing permits for street and road works, working closely with Promoters to ensure that traffic management schemes are coordinated and that works across the network are well managed and delivered to a high standard.

## **2. OBJECTIVES**

2.1.1. The Scheme seeks to limit the amount of disruption to the Borough road network by encouraging the undertaking of works at the least disruptive time for road users, and the early completion of works.

2.1.2. The Scheme is designed to limit the carrying out of works at specified locations by applying a daily charge, referred to as a Charge, for any part(s) of the day that the street is occupied by the works during specified days and times.

2.1.3. A Charge will not apply if works take place outside of the specified days and times.

2.1.4. The Scheme therefore provides a mechanism for providing all Promoters with an incentive to change behaviour and minimise their occupation of the street at the most sensitive times at the most sensitive parts of the road network. It also applies the following guiding principles:

- Safety must be ensured.
- Inconvenience to all people using a street must be minimised, but particularly to people with accessibility requirements, and other vulnerable road users such as people walking or cycling.

2.1.5. It is the objective of the Scheme to:

- Apply the scheme to all Promoters on a consistent basis.
- Promote behaviour change to minimise the duration of occupation of the street at the busiest locations at the most sensitive times on the network.
- Minimise the number of works taking place during the most sensitive times.
- Contribute to reducing disruption to all road users.

## **3. REGULATORY COMPLIANCE**

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

- Section 74 – Charge for occupation of the highway where works are unreasonably prolonged



- Section 74A – Charge determined by reference to duration of the works

- 3.1.2. Primary legislation for lane rental is in place in section 74A of the NRSWA. The relevant regulations are the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 ("the Regulations").
- 3.1.3. The lane rental scheme applies charges determined by reference to the duration 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 of NRSWA, and the London Permit Scheme for Road Works and Street Works, subject to certain exemptions on charges and fees contained within the Scheme.
- 3.1.4. Section 59 of the NRSWA places a duty on highway authorities to coordinate works on the highway. Equally important is the parallel duty on Promoters to co-operate in this process under Section 60 of the NRSWA.

## **4. SCOPE OF THE SCHEME**

- 4.1.1. This scheme has been designed to ensure that charges are only applied when 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.

### **4.2. Specified Work**

- 4.2.1. The Scheme applies to all works that require a permit under the NRSWA, including works that are executed under Section 50 license and those executed under an agreement pursuant to section 278 of the Highways Act 1980.
- 4.2.2. All works are subject to charges, unless they are exempt from charges
- 4.3.1. Works carried out by or on behalf of the London Borough of Kingston Upon Thames, fall outside of the scope of 74A of NRSWA. However, it is a requirement of the Scheme that Charges will apply to Borough works.

### **4.4. Works by Third Party Developers**

- 4.4.1. Works carried out by third party developers pursuant to an agreement under section 278 of the Highways Act 1980, fall outside of the scope of 74A of NRSWA. However, charges will apply to this category of works through formal agreement as it is the intention to minimise all disruptive occupation of the critical parts of the network.

### **4.5. Specified Locations**

- 4.5.1. The Scheme will initially apply to 12.5% of the London Borough of Hammersmith and Fulham's overall road network length.
- 4.5.2. The Scheme will apply at the specified locations that are designated as a Lane Rental record within the current version of the Additional Street Data (ASD) file. This is published on the National Street Gazetteer hub.

#### 4.5.3. The Lane Rental designation record will identify:

- a. If it applies to the whole street or part of the street, and in the case of the latter will define the applicable extents with text descriptor,
- b. If it applies to the carriageway, cycle track and/or footway,
- c. If it is a tidal record, it will identify the direction affected and the specified days and times, for example eastbound from 07:00 to 10:00,
- d. The specified days and times; and
- e. The applicable Charge.

#### 4.5.4. The Borough will publish and maintain a standard geographical data set based on the ASD file that spatially displays the specified locations, which can be uploaded into industry or corporate geographical information systems.

### 4.6. Carriageways, Footways, Cycle Tracks and Verges

#### 4.6.1. The Scheme will apply to works in a footway, carriageway, or cycle track, provided that the footway, carriageway or cycle track meet the requirements of the regulations and are specified as a chargeable location under the Scheme. Any works which encroach into a specified location at a specified time will be chargeable under the scheme.

#### 4.6.2. The Scheme will not apply to works that are carried out in a verge that does not involve any occupation of a carriageway, a cycle track, or a footway (such occupation includes use by any associated plant, vehicles, or materials, or for any temporary arrangements for providing a walkway for pedestrians, because of or as part of the works).

### 4.7. Specified Days and Times

#### 4.7.1. Charges under the scheme will apply to specified locations at specified days and times, including on Saturdays, Sundays and Bank Holidays. The specified days and times on a bank or public holiday will be the same as those for a Sunday at that specified location. No charges will apply on Christmas Day.

#### 4.7.2. Charges will apply within the traffic sensitive times for the specified location, which may subsequently fluctuate in line with the minor variation tolerances permitted (refer to Section 13).

## 5. LANE RENTAL CHARGES

#### 5.1.1. For the purposes of the Scheme, the chargeable period of the works, other than for immediate works, is the period commencing on the date that works begin as stated on the valid Section 74 start notice and ending on the date stated on the valid Section 74 works stop or works closed notice. Charges will be applied for each day that constitutes the chargeable period, including Saturdays, Sundays and Public Holidays, where applicable.

- 5.1.2. For Immediate Works the chargeable period is the period commencing on the date that works begin as stated in the valid Section 74 works start notice and ending on the date stated on the valid Section 74 works stop or works closed notice, also known as the works stop notice. For Immediate Emergency Works, charges for the first 24 hours of the emergency will be waived, see Section 6 below.
- 5.1.3. Charges will be applied to works which obstruct the specified locations at specified days and times.
- 5.1.4. Where charges apply, works will be considered as no longer subject to charges when the Promoter has:
- Endeavoured to remove all signing, lighting and guarding in respect of the works (except in the circumstances detailed in section 7.6 of this document); and
  - Removed all remaining spoil, unused materials and other plant in respect of the works; and
  - Returned the highway fully to public use (including through the use of technology such as road plates).
- 5.1.5. No permit or permit variation fee will be applied where a Charge applies for any part of the works governed by the permit. If no Charge applies, then the applicable permit fee will apply.

## **5.2. Charges**

- 5.2.1. The charges will be calculated using the information provided in the relevant valid notices and permit applications and as set out in the Lane Rental Regulations subject to correction where information is misleading, mistaken or overtaken by events.
- 5.2.2. Charges are currently capped at a maximum of £2,500 per road per day.
- 5.2.3. The charges will apply to individual works and will vary according to the location of the works.
- 5.2.4. If the works occupy the footway and the cycle track and/or the carriageway, charges will be payable for impacting all areas of chargeable occupation, although the total Charge cannot exceed the maximum Charge specified by the regulations.
- 5.2.5. For works in the cycle track and/or the carriageway that span more than one band of charging for the whole duration of the works, the higher rate will apply for the whole duration of the works.
- 5.2.6. Where the individual works move along a street and between different cycle track and carriageway charging bands, then the Promoter should make the Borough aware of these changes through the permit variation process. In these circumstances the respective Charge level will apply whenever the works are solely undertaken within that Charge band, the higher level will apply where the works footprint spans two charging bands.



- 5.2.7. Tidal charging may be applicable to certain types of road at specified locations at specified days and times (for example dual carriageways where traffic flows are significantly reduced in a certain direction at specific times).
- 5.2.8. A Borough may challenge the dates and duration of works in accordance with the Section 74 Regulations.
- 5.2.9. Section 74 overrun charges will apply in accordance with the Section 74 Regulations following the end of the reasonable period, in addition to charges levied under Section 74A.
- 5.2.10. The table below sets out the Lane Rental charging bands:

TABLE OF CHARGES				
Area of Occupation	Daily Charge			
	Footway	Low	Medium	High
<b>Footway</b> - Kingston Upon Thames do not have any footways within the proposed Lane Rental network	£350	-	-	-
<b>Carriageway</b>	-	£1,000	£1,500	£2,500

*Table 1: Table of Charges*

### 5.3 Information Required on Permit Applications

- 5.3.1. As the Scheme allows for works in specified locations to avoid incurring a charge if undertaken outside of the specified days and times, it is imperative that a Promoter informs the Borough of the dates and times during which works will take place.
- 5.3.2. National Condition NCT02a in the Statutory Guidance for Highway Authority Permit Schemes – Permit Scheme Conditions, will therefore be imposed on all permit applications and Lane Rental charging will apply based on the times provided within NCT02a unless these are shown to be incorrect as set out in Section 8 below.
- 5.3.3. It will also be mandatory on all permit and provisional advance authorisation applications that Promoters state where, on the footway, cycle track, carriageway and/or verge, works and associated plant and materials will be located, recognising that the works may occupy more than one Charge band at any given time.
- 5.3.4. Works that are undertaken during the specified days and times for only part of the work's duration must clearly be identified on the permit application.

## **5.4. Variations to Works**

- 5.4.1. Unforeseen circumstances outside the control of the Promoter can delay the completion of activities. In accordance with the Boroughs' permit scheme, a Promoter must apply for and obtain a variation of its permit if the work is likely to extend beyond the reasonable period. Such an application must provide full justification for the extension.
- 5.4.2. To avoid paying an incorrect Charge once works are complete in a Charge band, it is imperative that Promoters indicate, on permit applications and subsequent permit variations, that work will move or have moved onto a different charge band.
- 5.4.3. Similarly, works that are undertaken during specified days and times for only part of the work's duration must be clearly identified on the permit application.

## **5.5. Remedial Works**

- 5.5.1. Remedial works undertaken during the specified days and times to rectify defective reinstatements on the carriageway, cycle track, or footway, or on a verge where traffic management encroaches onto the carriageway, cycle track or footway, will be charged at the maximum daily rate, irrespective of the Charge band of the street and irrespective of when the original works were undertaken.

## **6. CHARGE EXEMPTIONS**

- 6.1.1. Charges will apply on public holidays, except for Christmas Day.
- 6.1.2. Charges will be waived for the first 24 hours of genuine Immediate Emergency works. Certain types of works are exempt from charges under the scheme as follows:
  - Works which are confined to a verge with no impact on the carriageway, cycle track or footway at a specified location,
  - Works in a Specified Location, other than at a specified time,
  - Diversionary works,
  - Replacing poles, lamp columns or signs in the same location provided that it does not require a reduction in the width of the existing carriageway or cycle track.
  - Works in the footway that do not involve breaking up the street, or tunnelling or boring under it.
- 6.1.3. If one of the above applies, the Promoter must record the appropriate Charge exemption in the permit application and valid works stop / works closed notices.

## **6.2. Immediate Emergency Works**

- 6.2.1. Genuine immediate emergency works that must be carried out during the charging period to avoid significant danger to public safety or significant damage to property will be provided with a Charge free period to enable the immediate emergency to be dealt with.

- 6.2.2. The scheme will not apply charges for works categorised as 'immediate emergency' for the first 24 hours from the works commencing on-site. After 24 hours the normal lane rental charges for the specified location will apply.
- 6.2.3. The Lane Rental Schemes Guidance for English Authorities refers to genuine emergencies (not immediate urgent works) that must be carried out during the charging period in order to avoid 'significant danger' to public safety or significant damage to property.
- 6.2.4. To minimise disputes, Promoters claiming this waiver must, when requested, provide documentary evidence of the nature of the emergency before the waiver will be granted. This evidence will need to be sufficient to demonstrate the works categorisation as immediate emergency.
- 6.2.5. Emergency works will be inspected by the Borough, where practicable, to verify the works categorisation. Where this is not practical the Promoter may be required to provide documentary supporting evidence of the nature of the works before the exemption will be granted.

### **6.3. Restrictions on Charge Exemptions**

- 6.3.1. Where a Promoter has failed to make payment for agreed charges, the Borough reserves the right to withhold agreement for any future waiver requests made by the Promoter until such time as the payment or payments have been made, or a payment agreement is in place between the Borough and the Promoter.

## **7. REDUCED CHARGES**

- 7.1.1. In accordance with the Lane Rental Regulations, the Borough may reduce charges as it deems appropriate, and this section provides an overview of the key areas where reductions can be achieved. An application to reduce charges must be made and agreed in advance of the works commencing. Retrospective waiver applications to reduce charges will not be considered for planned works.

### **7.2. Collaborative Works**

- 7.2.1. Collaborative works that are carried out concurrently by two or more works promoters at the same location can apply to have charges waived for the period of collaboration.
- 7.2.2. In some instances, charges may be reduced for collaboration where the works originate from two distinctively different operational divisions of the same organisation.

### **7.3. Major Infrastructure Improvements**

- 7.3.1. Consideration will be given to reducing charges for major works that deliver significant infrastructure improvements, substantially extend, or renew the longevity of an asset, or future proof a highway to protect it from being excavated again.

#### **7.4. Works Spanning Multiple Streets**

- 7.4.1. Consideration will be given to applying a single charge, the highest, where a set of works span multiple streets, but only on condition that the works only impact traffic travelling in the same direction when passing the works. For example, traffic travelling from west to east along the same length of road.

#### **7.5. Abortive Days**

- 7.5.1. It is inevitable that events sometimes materialise that were unknown during the planning stage. On these occasions the Borough may require the works to temporarily stop to facilitate the safe operation of the event. In these circumstances, the Borough will waive charges for the number of days where it was not possible to progress with work.

#### **7.6. Items of Signing, Lighting and Guarding Inadvertently left on site**

- 7.6.1. The Borough will apply a one-off charge of £100, in place of the full daily Charge, where no more than five items of signing, lighting or guarding have inadvertently been left behind on site and have not been removed by the end of the day following the day on which the Borough informed the undertaker and asked them to remove the items.
- 7.6.2. 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 no more than five items behind. Full daily charges will continue to apply where such efforts have not been made.
- 7.6.3. Where the Promoter has failed to comply with the above request the Charge will apply for the relevant period. Following the end of the reasonable period the Section 74 Regulations would come into effect and the Borough would proceed on the basis that it has already complied with the requirement set out in those Regulations to contact the Promoter regarding the items.

### **8. WORKS MONITORING AND ENFORCEMENT**

- 8.1.1. Charges shall be calculated using the dates specified on the valid Section 74 notices and any associated information within the permit, for example the permit conditions.
- 8.1.2. Work on the Borough's network shall be inspected on a regular basis, and where (because of such inspections or otherwise) evidence shows that Promoters have worked at Specified Locations during the specified days and times, but this information has not been provided in valid notices or on a permit application, then the relevant charges will be applied.
- 8.1.3. The Borough will seek to ensure that the dates and times on which charges are applied are accurate, along with the works type and category of road. Where there is evidence that the dates or times given in section 74 notices are incorrect, the

notice will be deemed invalid, and the charges will be based on the evidence of the road space occupation.

- 8.1.4. If incorrect information has been given in a notice, and the Borough considers that an offence has been committed, the sanctions set out in Section 11 below will apply as appropriate.
- 8.1.5. In the event of a Promoter being found to have falsely claimed a Charge exemption or a reduction in charges, the full Charge will be payable. Deliberately making a false claim in order to benefit from an exemption or reduction in charges is likely to constitute fraud, and in such circumstances the Borough may take action it deems appropriate to the circumstances, which may include prosecution.

## 9. TRIAL RUNNING AND TRANSITIONAL ARRANGEMENTS

### 9.1. Trial Running and Shadow Charging

- 9.1.1. A 4-week period of trial running, and shadow charging will be applied. During this period, the lane rental process will be followed however no charges will be applied. Following the completion of the trial running period, the following Transitional Arrangements will apply.

### 9.2. Transitional Arrangements

- 9.2.1. The following basic rules of transition will apply on all roads where the Scheme operates:
  - The Scheme will apply to all works after the Scheme commencement date that is specified in the statutory scheme order.
  - Major, Standard, Minor and Immediate activities which are planned to start, or in fact start, on site more than 28 calendar days after the commencement date of the Scheme shall operate under the Scheme. This means that even if the relevant Permit or Provisional Advance Authorisation has been sent or granted before the changeover, the scheme will apply to those works.
- 9.2.2. The table below sets out the arrangements for the most common scenarios that may occur when implementing the Scheme:

Works Status	Charging Status
Major, Standard, Minor and Immediate works planned to start during the first 4 weeks of the scheme	Charges apply after 28 calendar days from the commencement of scheme
Major, Standard, Minor and Immediate works started on a lane rental road during the first 4 weeks of the scheme	Charges apply after 28 calendar days from the commencement of scheme

**Table 2:** Transitional Arrangements



## **10. DISPUTE RESOLUTION**

- 10.1.1. Dispute resolution will be in accordance with Section 13 of the Code of Practice for the Coordination of Street and Road Works.
- 10.1.2. Where disputes arise relating to a Charge, the Borough will seek to resolve the issue without having to refer the matter to legal action. A copy of the representation process is available from the Borough upon request.
- 10.1.3. The first point of contact in a dispute is the relevant Borough representative who manages the reconciliation of charges, and before making an official representation, the Promoter is strongly advised to informally contact that team to discuss the issue. If this fails to resolve the issue, the Promoter should make a written representation to the Borough.
- 10.1.4. To enable an early resolution, it is strongly recommended that a representation in respect of any dispute arising from the issuing of a Charge is made as soon as is reasonably practicable.
- 10.1.5. The Borough will ensure that a fair and open system is in place for considering representations. The Borough will ensure that it has a nominated official to consider all such representations.
- 10.1.6. The HAUC (England) dispute resolution procedure would remain available where other arrangements have been exhausted.

## **11. SANCTIONS**

### **11.1. Offences**

- 11.1.1. Regulations 21 to 28 of The Traffic Management Permit Scheme (England) Regulations 2007 (and Schedules 1 and 2) authorise Permit Authorities to issue Fixed Penalty Notices (FPNs) in respect of criminal offences.
- 11.1.2. Fixed Penalty Notices offer the offender an opportunity to discharge liability for an offence by paying a penalty amount within a statutory time frame, failure to pay within an allowable period may result in prosecution.
- 11.1.3. These powers and any subsequently amended powers will continue to apply to all roads covered by the Scheme. Similarly, any offences under the NRSWA continue to be offences and the Borough maintains the right to take such action as is appropriate including prosecution where such offences have been committed.

## **11.2. Section 74**

- 11.2.1. Section 74 of the NRSWA enables highway authorities to charge undertakers if their works on the highway take longer than the agreed reasonable period. These powers will also continue to apply as per the Section 74 Regulations and the relevant Code of Practice.

## **12. APPLICATION OF REVENUES**

- 12.1.1. All costs incurred by the Borough in operating and evaluating the performance of the Scheme will be recovered from the sum of charges received, which will include charges from its own works and works undertaken in respect of section 278 Highways Act agreements. These costs shall include but are not limited to employee salaries, technology, equipment, and any ongoing maintenance or support costs required to run an effective scheme.
- 12.1.2 The Government has decided, following consultation in 2024, to proceed with an amendment to regulations with the proposal that will require at least 50% of surplus funds to be spent on road maintenance. Governance arrangements will align with any future updates made to the regulations applicable at the time.
- 12.1.2. The Borough will publish supporting documentation setting out working arrangements to ensure that the net proceeds are applied for purposes intended to reduce the disruption and the other adverse effects caused by street works.
- 12.1.3. In accordance with the regulations, the Borough will publish guidance on what the net proceeds can be allocated towards, how to request access to funding, and the approval process. In accordance with the Lane Rental regulations and for the purpose of transparency, the Borough will publish annual accounts summarising the Charges received and the net proceeds spent.

## **13. MINOR VARIATIONS TO THE SCHEME**

- 13.1.1. It is inevitable for streets to be reconfigured to accommodate the varying demands on how the road network should operate. Across the entirety of the lane rental network these changes are likely to be marginal but could have a high impact on the sensitivity of a modified location.
- 13.1.2. To ensure the lane rental network sensitivity is up to date it may be necessary to make minor variations to the network extent, a Charge band, or the specified days and times. For example, it might be desirable to include or remove some Specified Locations within the Scheme, alter its sensitivity, amend the level of Charge, or adjust the Specified Days and Times and tidal status.

13.1.3. Any such changes will be limited to the following tolerance levels and would be restricted to a maximum 3 yearly cycle:

- a. +/- 3% of the currently published extent for each Charge band
- b. +/- 10% of the currently published Charge level (unless capped by regulation)
- c. +/- 30 minutes of the currently published chargeable periods

13.1.4. The Borough will notify relevant stakeholders at least three months in advance of changes taking effect.

## 14. SCHEME EVALUATION

14.1.1. The Borough will publish annual evaluation reports, in accordance with any format, or frequency specified in legislation or statutory guidance.

## 15. GLOSSARY

Term	Explanation
<b>Additional Street Data ("ASD")</b>	Additional Street Data ("ASD") refers to other information about streets held on the National Street Gazetteer (NSG) hub alongside the NSG adjudication.
<b>Apparatus</b>	As defined in Section 105 (1) of NRSWA "apparatus includes any structure for the lodging therein of apparatus or for gaining access to apparatus".

<b>Appeal</b>	Where there is an unresolved disagreement between the Promoter and the Permit Authority about a Permit Authority's decision or actions the Promoter may appeal using the procedure in the Borough permit scheme .
<b>Arbitration</b>	As defined in Section 99 of NRSWA, "any matter which under this Part is to be settled by arbitration shall be referred to a single arbitrator appointed by agreement between the parties concerned or, in default of agreement, by the President of the Institution of Civil Engineers".
<b>Authority</b>	Street authority, transport authority, highway authority, permit authority, bridge authority
<b>Bank holiday</b>	Bank holiday means a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the locality in which the street in question is situated
<b>Borough</b>	Royal Borough of Kingston Upon Thames
<b>Carriageway</b>	As defined in Section 329 of the HA 1980 "means a way constituting or comprising a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.
<b>Category of works</b>	A collective term for the four different types of works defined by regulation; comprised of immediate, minor, standard and major works
<b>Charge</b>	Lane Rental Charges applicable under the Lane Rental Scheme
<b>Code of Practice for the Coordination of Street and Road Works</b>	Code of practice issued by the Department for Transport under section 59 of NRSWA
<b>Cycle track</b>	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".
<b>Day</b>	In the context of the duration of activities, a day refers to all days including Saturdays, Sundays and Bank Holidays, unless explicitly stated otherwise.

<b>Diversiónary Works</b>	As defined in Regulation 2(2) of The Street Works (Sharing of Cost of Works) (England) Regulations 2000 and further outlined in the code of practice "Measures Necessary Where Apparatus Is Affected by Major Works(Diversiónary Works) 1992".
<b>DfT</b>	Department for Transport.
<b>Fixed Penalty Notice</b>	As defined in schedule 4B to NRSWA, "fixed penalty notice means a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty".
<b>Footway</b>	As defined in Section 329 of the HA 1980, means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only.
<b>HAUC (England)</b>	The Highway Authorities and Utilities Committee for England.
<b>Highway</b>	As defined in Section 328 of the HA 1980, "highway means the whole or part of a highway other than a ferry or waterway".
<b>Highway works</b>	"works for road purposes" or "major highway works".
<b>Immediate emergency works</b>	Works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property
<b>Lane Rental Regulations</b>	The Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (as amended).
<b>London Borough of Kingston Upon Thames Lane Rental Scheme</b>	The Royal Borough of Kingston Upon Thames Lane Rental Scheme
<b>Major works</b>	Street works, other than immediate works, where the street authority has indicated to an undertaker, or the undertaker considers, that a temporary prohibition or restriction on roads is required; or street works, other than immediate works, the planned duration of which exceeds ten working days



<b>Minor works</b>	Minor works are street works, other than immediate or major works, where the planned duration is 3 days or less.
<b>Network Management Duty</b>	The duty imposed on authorities to manage their road network
<b>NRSA</b>	New Roads and Street Works Act 1991
<b>Promoter</b>	Means a person entitled by virtue of a statutory right to carry out street works or works for road purposes.
<b>Roadworks</b>	Road works are "works for road purposes" defined in section 86(2) of NRSA as: Works of any of the following descriptions executed in relation to a highways--(a) works for the maintenance of the highway (b) any works under powers conferred by Part 5 of the HA (improvement) (c) the erection, maintenance, alteration or removal of traffic signs on or near the highway, or (d) the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles, or works of any corresponding description executed in relation to a street which is not a highway.
<b>Section 74 Regulations</b>	The Regulations made under Section 74 currently at the time of issue of the Scheme, namely the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009.
<b>Specified Location</b>	Are the locations designated in a Lane Rental record within the current version of the Additional Street Data (ASD) file, which is published on the National Street Gazetteer hub.
<b>Specified Days and Times</b>	Are the operational times designated in a Lane Rental record within the current version of the Additional Street Data (ASD) file, which is published on the National Street Gazetteer hub.
<b>Specified Works</b>	"Specified works" as defined in The Traffic Management Permit Scheme (England) Regulations 2007; Works executed under Section 50 of NRSA; and Works executed pursuant to an agreement under section 278 of the Highways Act 1980.
<b>Standard works</b>	Standard works are those works other than immediate or major works where the planned duration exceeds 3 days but does not exceed 10 days

<b>Street</b>	<p>As defined in Section 48 (1) of NRSWA, "street means the whole or any part of any of the following, irrespective of whether it is a thoroughfare:</p> <ul style="list-style-type: none"> <li>a) any highway, road, lane, footway, alley or passage,</li> <li>b) any square or court,</li> <li>c) any land laid out as a way whether it is for the time being formed as a way or not".</li> </ul>
<b>Street works</b>	<p>As defined in Section 48 (3) of NRSWA, "street works means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence:</p> <ul style="list-style-type: none"> <li>a) placing apparatus; or</li> <li>b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street".</li> </ul>
<b>Street works licence</b>	<p>As stated in Section 50 (1) of NRSWA, "the street authority may grant a licence (a "street works licence") permitting a person:</p> <ul style="list-style-type: none"> <li>a) to place, or to retain, apparatus in the street; and</li> <li>b) thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, and to execute for those purposes any works required for or incidental to such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street)</li> </ul>
<b>Traffic</b>	Includes vehicles, pedestrians and animals
<b>Traffic-sensitive</b>	A street which is designated as critical to the flow of traffic
<b>TMA</b>	The Traffic Management Act 2004
<b>Undertaker</b>	<p>As defined in Section 48 (4) of NRSWA, "undertaker in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence, as the case may be".</p>

<b>Works</b>	Street works or works for road purposes
<b>Works Promoter</b>	Means a person entitled by virtue of a statutory right to carry out street works or works for road purposes.
<b>Works for road purposes</b>	a. works for the maintenance of the highway; b. any works under powers conferred by Part V of the Highways Act 1980 (improvement); c. the erection, maintenance, alteration or removal of traffic signs on or near the highway; or d. the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles"
<b>Works start</b>	A valid section 74 (NRSWA) works start notice under regulation 6 of the 2009 charging regulations.
<b>Works stop</b>	A valid section 74 (NRSWA) works closed notice under regulation 6 of the 2009 charging regulations.

