

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

21 June 2016

Report of the Strategic Director – Economy, Transport and Communities

HIGHWAY SEARCHES CHARGES 2016 - 2017

- (1) **Purpose of Report** To seek the Cabinet Member's approval to revised charges for undertaking highway searches for 2016-17.
- (2) **Information and Analysis** The Council is responsible for providing over 10,000 responses each year to local district/borough councils and private companies on the highway questions contained within Con29R and Con29O Local Authority Searches.

The Highway Search team is trained to interpret and maintain the Council's highway records, and provides a service to businesses that require highway related information, such as status of roads, new road schemes, traffic schemes, and highway extents in connection with the conveyance process.

The existing charge for undertaking this service is £21.50 per search, plus a further £6 for each additional question of which there are currently three. These relate to Public Rights of Way, Hazardous Substance Consent, and Registered Common Land and Town or Village Green.

The Law Society has introduced a revised Con29 and Con29O Local Authority Search forms to improve the quality and consistency of information provided by Local Authorities. The new forms will be introduced with effect from 4 July 2016.

As regards Derbyshire County Council as Highway Authority, additional enquiries have been added to both the Con29 and Con29O. These include the previous optional enquiry relating to Public Rights of Way moving to the required Con29 form. The Con29O current optional enquiry Hazardous Substances Consents remains, with additional enquiries being added to the Commons and Greens, and the introduction of a new enquiry Flood Defence and Land Drainage.

This will result in additional information being required to be maintained and disclosed as part of the official search with a corresponding increase in Officer time.

As the charges for the Highway Search have remained static for a number of years, and in view of the new requirements contained in the Environmental Information Regulations 2016, it was considered an opportune time to review the current charges.

The fee for undertaking the Highway Search is made up of the following elements:

- Staff time required to undertake the search.
- Assurance guarantee in terms of the information being provided.
- An element of overheads.
- Optional fee for undertaking additional questions.

The proposed charges for 2016-17 to be introduced with effect from 4 July 2016 are detailed below:

Local Highway Search (Con29 Form)	£25.67
Cost for each optional question(s)	£5.67

The charges are comparable with those charges made by other county councils and will only form a proportion of the overall charge made by a district/borough council in undertaking the Official Local Land Search.

(3) **Financial Considerations** As detailed in the report.

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

(5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(6) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – David Massey, extension 38111.

(7) **OFFICER'S RECOMMENDATION** That the revised charges for undertaking a Highway Search for 2016-17, as detailed in the report, be approved.

Mike Ashworth
Strategic Director – Economy, Transport and Communities