

APPENDIX A

Two exercises of benchmarking were undertaken.

1 to establish whether Bristol City Council fees were in line with neighbouring authorities in 2021

2 To benchmark over the UK to establish what fees other authorities apply to transport and highways in respect to the planning system.

3 General guidance and information about appropriate planning fees can be found at the following links:

- Planning Advisory Service [pre application advice and PPA webpage](#)
- Relevant section of the DLUHC [Planning Practice Guidance](#)
- S93 of the [Local Government Act 2003](#)
- The Planning Portal [Planning applications](#) section

4 The fees do not include costs associated with checking/approving/input to:

- Highway Structures;
- Street Lighting;
- Traffic Signals (Civil & Electrical) works and equipment;
- SUDS, and non-standard surface water drainage proprietary systems;
- Geo-technical approval or inspection;
- Conducting surveys for inventory information;
- Undertaking Road Safety Audits.

5. The summary of the 2 exercises are set out below

1 Benchmarking evidence report from 2021

- **Section 38 agreements for the adoption of new highway infrastructure, and**
- **Section 278 agreements where works are undertaken to the existing highway**

Section 278 works are the direct result of TDM officers negotiating improvements to existing infrastructure at the planning process and have accounted for £8.3m worth of improvements to Bristol's highway network over the last five years. Alongside this, technical approval and inspection fees received have risen (across s38 and s278 works) from £78,000 in 2012/13 to over £500,000 in 2019/20. The number of highway legal agreements that BCC enters into has increased from around 10-12 in 2012/13 to approximately 30-35 in 2021/22 of which there is an approximate 75:25 split in favour of section 278 agreements.

Following a benchmarking exercise across Bristol City Council (BCC) Bath and North Somerset (BANES) and South Gloucestershire Council (SGC), TDM has found that BCC charges a greater percentage fee requirement for section 38 agreements than our neighbouring authorities.

However, this is not the case for section 278 agreements, which by their nature tend to be much more complex, involving the excavation of existing highway, the relocation of utilities apparatus and the discovery of unforeseen constraints and costs that were not apparent at the planning stage. Consequently, the TDM Engineering team spends a disproportionate amount of time (relative to the fee income) on section 278 agreements, unlike Section 38 agreements whose infrastructure tends to be on vacant or empty sites and where there are fewer existing constraints.

A summary of the benchmarking findings is provided below and is taken from an earlier Cabinet Member Report, dated **07 October 2021** which gave approval to investigate this further. Price points have been selected as the scale of each fee differs by authority, with the fees obtained relative to the value of the works being undertaken. It is standard practice that these fees are calculated on a sliding scale, with the percentage fee requirement reducing as

the cost of the works increases.

Table 1 – Benchmarking of section 278 approval and inspection fees across Neighbouring Councils

Authority / Value of works	Minor Works	£30,000	£50,000	£100,000	£200,000
South Gloucestershire	£1,000min	(15%) £1,000min	(10%) £7,500min	(7%) £10,000min	(6%) £14,000min
Bath & NE Somerset	£5,163min	(15%) £5,163min	(13%) £7,458min	(11%) £10,362min	(9%) £20,562min
Bristol	£530 or licence (no TDM fee)	(9%) £2,000min	(8%) £4,500min	(7%) £7,500min	(6%) £12,500min

Please note this is a comparison between the value of works where a full s278 was entered into and therefore will not account for minor works which would have previously attracted a fee of £500 and have now been agreed (as of October 2021) to result in a minimum £2,000 fee.

It should also be noted that construction was significantly halted during Q1 and Q2 of 2020/21 due to the Covid-19 pandemic and therefore this should be borne in mind when reviewing the figures.

2 Benchmarking for new fees

With the view of introducing a fee for the service of transport pre-application advice.

The majority of county councils and city authorities have had that charge in place for sometime. The benefits of using that approach are summarised below

- Bespoke advice and knowledge sharing on the application of national and local policies and guidance relevant to the proposal
- Information on the wider network/proposals including identification of existing Highway Authority proposals/measures for which the scheme may be expected to contribute or benefit from
- Reducing time in development and design of proposals
- Collaborative approach to solve problems
- Joined up pre-application approach with Local Planning Authorities to achieve layouts which meet planning requirements and are also suitable for onward highway adoption
- Improved quality of designs, derived from enhanced collaboration between professionals
- Avoidance of abortive time and cost by identifying unacceptable proposals early
- Greater level of certainty for applicants
- Provision of a formal written response which can be submitted in support at the planning application stage
- Enhanced sustainability credentials via early engagement and identification of opportunities
- Expedited decision making process at the formal submission stage
- A comprehensive 'One Highway Authority Voice' response which includes internal stakeholders/consultees

Examples of where the charges are made can be viewed at the following links.

[Charging for transport development pre-application advice - Surrey County Council \(surreycc.gov.uk\)](https://www.surreycc.gov.uk)

[Pre-application advice for roads and transport - West Sussex County Council](#)

[Request for Highways Pre-Application Advice and Planning Performance Agreements - Highways \(gloucestershire.gov.uk\)](https://www.gloucestershire.gov.uk)

[Pre-application highways advice on major planning applications | Oxfordshire County Council](#)

A summary of the average charges are set out below

Average London Borough Fees

Initial screen

£500

Pre-application

- £2,000 over 9 -50 units
- £3,000 (plus VAT) for one-off meetings 50 - 200
- £5,000 (plus VAT) if an initial screening has taken place 200+

No. of dwellings	Commercial and retail area	Single meeting and written response
Up to 10	Up to 100m ²	£330 plus VAT (£396)
11-24	101m ² -500m ²	£790 plus VAT (£948)
25-49	501m ² -1,000m ²	£1,120 plus VAT (£1,344)
50-79	1,001m ² -2,000m ²	£1,645 plus VAT (£1,974)
80-199	2,001m ² -5,000m ²	£2,630 plus VAT (£3,156)
200+	5,001m ² +	£2,890 plus VAT (£3,468)