

SURREY COUNTY COUNCIL**MATT FURNISS, CABINET MEMBER FOR HIGHWAYS,
TRANSPORT AND ECONOMIC GROWTH****SURREY****DATE: 24 September 2024****LEAD OFFICER: OWEN JENKINS, EXECUTIVE DIRECTOR FOR
HIGHWAYS, INFRASTRUCTURE & PLANNING****SUBJECT: REVISION OF THE CHARGE FOR SUSPENDING BUS
STOPS IN SURREY**

ORGANISATION STRATEGY NO ONE LEFT BEHIND / GROWING A SUSTAINABLE ECONOMY
PRIORITY AREA: SO EVERYONE CAN BENEFIT / ENABLING A GREENER FUTURE

SUMMARY OF ISSUE:

To ensure the Council can cover costs and maintain efficient local bus service operations and delivery, it is proposed that the Council increase the charge for suspending a bus stop.

It is proposed that the bus stop suspension charge increases from the current level of £150 (maximum two-day charge) to £175 per day for a maximum three-day charge. It is also proposed that a new charge of £600 per stop per day be introduced if works take place at any bus stop without prior authorisation.

This change will help the Council to grow a sustainable economy so everyone can benefit, enable a greener future, and ensure no one is left behind.

RECOMMENDATIONS:

It is recommended that the Cabinet Member agrees to:

1. Increase the charge to suspend a bus stop to £175 per day for a three-day maximum period, which will apply to all works promoters, developer works, utility works and other third party works, excluding those works undertaken by the County Council.
2. Introduce a new charge of £600 per bus stop per day for works that close a bus stop or take place at any bus stop without proper authorisation, which will apply to all works promoters, developer works, utility works and other third party works, excluding those works undertaken by the County Council.
3. Delegate the approval for further changes to the Director of Highways & Transport in consultation with the Cabinet Member.

REASON FOR RECOMMENDATIONS:

Bus stop suspension charges were last increased in September 2017, when the Council raised them to the same level as neighbouring Transport for London (TfL). TfL have increased their charges, so to better align the Council's charges with TfL an increase is proposed. The additional income will assist the Council to support the delivery and operation of the local bus network across Surrey.

Executive Summary:

Business Case

1. Historically, in Surrey the charge levied on works promoters, developer works, utility works and other third party works (excluding works undertaken by the County Council) when bus stops have had to be suspended and taken out of use were set at the same level as TfL.
2. The Council currently charges £150 per bus stop, with a maximum charge for two days. This means that there is currently a maximum charge of £300 per bus stop regardless of how long the bus stop is suspended and out of use to residents.
3. Ensuring that the Council has sufficient warning of works affecting bus stops means that the Council is able to provide advanced information to bus passengers and bus operators of bus stop closures and route diversions, thus minimising adverse impacts on residents.
4. Works impacting bus stops that are unknown to the Council create a barrier and logistical challenge to bus users who will be unaware buses are on diversion. When works are known about the Council will liaise with bus operators and the Council's Infrastructure Inspectors will post notices at those bus stops to inform passengers of the next nearest available bus stop. Currently there is no incentive for contractors working on Surrey's highway to notify the Council when bus stop suspensions are required. The introduction of a new charge, £600 per stop per day, will act as a deterrent to those undertaking works without prior notification. Unknown works will be identified and reported by the four Infrastructure Inspectors travelling around the County, alongside bus operators and residents.
5. The Council's suspension charge was last increased in September 2017.
6. A benchmarking exercise against ten local transport authorities has been conducted (see appendix A). Daily charges range from £108 to £360 per stop, with a variety of additional charges for late notification.
7. In Surrey 36% of "booked" bus stop suspensions since April 2023 have been for two or less days, with a high number of three-day suspensions

in comparison to two and four days. This could be works promoters adding an additional day for “comfort” as there is currently no additional cost for day three. Changing the charge to £175 per day for three days will encourage shorter suspensions of bus stops and reduce the inconvenience to passengers.

8. Additional bus stop suspensions and associated works necessitated the Council increasing the number of Inspectors from two to four. The increase in charges will support ongoing revenue cost and help the Council to support the delivery and operation of the local bus network across Surrey.

CONSULTATION:

9. A consultation has not been undertaken as the proposed increase in charge only impacts contractors working on Surrey’s highway. This does not directly impact our residents. However, the Council will review the bus stop suspension information available to anyone working on Surrey’s highway to ensure compliance and understanding of the proposed increased charge.
10. In making this change, the Council will review the bus stop suspension information available to anyone working on Surrey’s highway to ensure compliance and understanding of the proposed increased charge

RISK MANAGEMENT AND IMPLICATIONS:

11. Increasing the bus stop suspension charge could result in some companies failing to notify the Council of their bus stop suspension requirements to avoid the increased charge. This will be mitigated by the introduction of a new charge of £600 per day for failing to notify of works affecting bus stops.
12. In addition, in making these changes, the Council will review the bus stop suspension information available to anyone working on Surrey’s highway to ensure compliance and understanding of the new and proposed increased charge.

Financial and value for money implications:

13. The charge for work to suspend a bus stop has not been updated since 2017. Historically, the charges levied in Surrey were set in line with the charges levied by neighbouring TfL. A recent review of this charge shows the Council is currently under recovering the full financial cost of Bus Stop Suspensions. This proposed change moves the Council to a

position intended to fully recover the costs associated with Bus Stop Suspensions.

Section 151 Officer commentary:

14. The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost of service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.
15. In addition to these immediate challenges, the medium-term financial outlook beyond 2024/25 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, in order to ensure the stable provision of services in the medium term.
16. The recommended fee changes are designed to fully recover the financial costs to the Council of Bus Stop Suspensions. As such, the Section 151 Officer supports the recommends.

Legal implications – Monitoring Officer:

17. The County Council has powers to charge for discretionary services related to a Council function. Any relevant statutory provisions must be complied with prior to the introduction of new fees and charges.
18. Section 93 of the Local Government Act 2003 ("2003 Act") and guidance issued in 2003 pursuant to section 96(3) of the 2003 Act empowers the Council to charge for discretionary services subject to certain conditions.
19. Discretionary services are those services authorised by statute that the Council is not required to provide but may do so voluntarily (s93(1)(a) 2003 Act). The Council can set the level of charge for each discretionary service. However proposed charges must have regard to the 2003 statutory guidance.

Equalities and diversity:

20. Bus stop suspensions have a negative impact on every person who uses the route, or routes, effected by the suspension. This impacts people from every protected group. However, the temporary removal or change to people's access to public transport will be most impactful for people with mobility issues, for example, due, but not limited to, age, disability, pregnancy or traveling with young children.
21. Contractors applying for bus stop suspensions have a right to work on the highway. Therefore, we must look at opportunities to manage and mitigate the impact of these bus stop closures to ensure that routes are returned to their normal operation as soon as reasonably possible.
22. Mitigation often results in diverting bus routes with temporary bus stops being used in some cases. However, this may not be helpful for people living in the area where the next bus stop or temporary bus stop is not accessible for them. This may be because of the distance or location of the next open bus stop.
23. In some rarer instances, mainly where there is going to be long term suspensions, covering weeks of diversions, a significant impact on a number of routes or impacting a large area, alternative transport may be provided. For example, the relevant contractor may pay for a minibus to operate to serve some of that area. In a situation like this, the Council will liaise with the contractor and operator but are not responsible for the delivery of the service as the mitigation option.
24. Not all potential mitigation options may be available or suitable for everyone who would otherwise use the bus service at the stop or stops being closed. In these instances people have the option to use the Surrey Connect DDRT service or Dial-a-Ride services, if they operate in those areas. If these are not available, lifts from friends or family, taxi or other private hire may be people's only option.
25. Given that bus stop suspensions happen all around the county in any given year, at different times and with differing lengths of closures it is not practical for the impact of closures on people with protected characteristics to be assessed on a per closure or overall basis.
26. Alongside managing any diversions or other mitigations, the approach in this report, to use fees and charges as a means to ensure that works do not take longer than they should, supports the reopening of bus stops and the reinstatement of bus routes to their normal schedules as soon as possible.

27. The impact of long running roadworks on bus services can cause significant issues for the reliability and performance for bus operators. This then creates an impact on people with protected characteristics wanting to travel by bus.

Other implications:

28. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	N/A
Safeguarding responsibilities for vulnerable children and adults	N/A
Environmental sustainability	N/A
Compliance against net-zero emissions target and future climate compatibility/resilience	Buses are important and provide Surrey’s residents with a sustainable mode of travel, offering an alternative to the private car. The increase in bus stop suspension charges will help the Council to support the delivery and operation of the local bus network.
Public Health	N/A

WHAT HAPPENS NEXT:

29. The next steps are:
- Works promoters, developer works, utility works and other third-party works will be informed of the revised fees that will commence in October 2024.
 - A review of the bus stop suspension information available to anyone working on Surrey’s highway will be undertaken to ensure compliance and understanding of the proposed increased charge to be in place by October 2024.

Report Author:

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Consulted:

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Annexes:

Appendix A – Benchmarking of other Local Authorities

Sources/background papers:

None

Bus Stop Suspensions Charge - Benchmarking 2024

Bedfordshire

10 working days' notice must be given – failure to do so will result in a charge of £36.25, which will not be refunded if the application is refused
£220.30 per stop, per day, up to a cap of £1050 per stop
£85.40 for each temporary (dolly) stop required throughout the work

Bracknell Forest

Does NOT state anywhere if this is “per stop”, but as it requires a bus stop identification number have to presume it is per stop (and applicants would have to make multiple applications for multiple stops!)
£330 if 7+ days' notice given
£475 if only 3+ days' notice given
£775 if 2 or fewer days' notice given
must give 72 hours' notice” except for emergencies

Bristol City

7 days' notice must be given, or all charges listed below are doubled
£288 per stop (for the first two stops)
£92 for each additional stop after the first two stops
£115 for each temporary (dolly) stop required
A fee of £690 per stop if you close/work at any bus stop without proper authorisation
Cancellation fees:
-£80 to cancel an application already submitted and approved with more than 7 days' notice
-Full charge will still apply even if you cancel your application, if done with less than 7 days' notice
Additional fee of £76 per stop per “amendment” to BSS request (no details given as to what constitutes an amendment)

Buckinghamshire

£108 per stop (1 weeks notice required, except for emergencies)
Full payment required if notice of cancellation is given “too late” less than 1 weeks' notice

Hampshire

£123 for 1 stop
£139 for a pair of stops (definition given as to what constitutes “a pair” – it is not just any two stops, quite strict ruling)
Additional fees added to the above:
£199 admin fee (more than 24hrs notice)
£235 admin fee (less than 24hrs notice)
£277 admin fee (same day request)
£116 for each instance of being “unable to re-open stop” (assume this means the works being in place longer than agreed)

Hertfordshire

£160 per stop (4+ working days notice given)
£360 for the first stop if less notice given (and then £160 per stop as usual)
Additional £60 “admin fee” for all applications
(Additional charges for not finishing works on time, but no figures given)

Transport for London

Per stop:

£225 for 1 day

£75 for each additional day

Works that require a bus to go on diversion start at £1250 with no upper limit (though no guidance/extra details were given as to what extra charges may apply)

Suffolk

Per stop:

£150 for 1 day

£170 for 1 day (late request)*

£270 for 2+ days

£290 for 2+ days (late request)*

*less than 5 working days notice

West Berkshire

£192 for 1 stop

£224 for "a pair of stops" – no real detail about what this actually means, very barebones description

All of the above requires 10 working days notice (but no details as to charges/consequences of not providing this)

West Sussex

£336 per stop

Additional charges (not stated) for failure to clear site by agreed end date

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