



Kent Lane Rental Scheme

Operational Guidance

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1. INTRODUCTION

- 1.1 On 28th May 2013 Kent County Council (KCC) introduced a lane rental scheme, the Kent Lane Rental Scheme (KLRS), to complement the Kent Permit Scheme by providing financial incentive to the planning and execution of works on the most critical parts and times of Kent's highway network.
- 1.2 This Operational Guidance document provides supplementary detail to the KLRS to detail specific operational processes and governance.
- 1.3 This document does not supersede the Scope of the KLRS and is intended to provide further guidance on the operation of the KLRS to aid Promoters who are subject to the KLRS.
- 1.4 The format of this document mirrors the layout of the KLRS. Where there is no specific operational guidance for a section of the KLRS this will be reflected as such and the text will be marked in a grey coloured font.
- 1.5 The KLRS and associated documents, including this Operational Guidance document, will be published to the KLRS webpage on the KCC website www.kent.gov.uk/lanerentalscheme.
- 1.6 Updates to these documents will be communicated at the appropriate forums, for example HAUC meetings; however it is recommended that those operating within the KLRS frequently check this webpage for updates.
- 1.7 Within this document, the term "Scope of the KLRS" refers to the works (Specified Works), streets (Specified Locations), times and dates that are defined within the KLRS (Section 3 of the KLRS).

2. OBJECTIVES AND PRINCIPLES OF THE KLRS

2.1 Scheme Objectives

- 2.1.1 The KLRS works on the principle that lane rental should be applied to sensitive sections of the network within Kent where disruption is likely to cause the greatest effect. As a result lane rental charges will apply at the specific days and times on parts of network, called Specified Locations.
- 2.1.2 The key objective of the KLRS is to provide an incentive for those carrying out works to consider alternatives when planning works on these sections of the Kent network when a lane or road closure is required.
- 2.1.3 When considering these works, Promoters are reminded that the main purpose of the scheme is to encourage:
- improvement in the planning of works and reduce length of time sites are occupied;
 - completion of works to the Specification for the Reinstatement of Openings in the Highway (SROH) standard permanent first-time;
 - innovation to reduce the impact caused by works and the associated highway occupation.
- 2.1.4 The operation of a lane rental scheme and the KLRS provide opportunity for a Promoter to carry out their works whilst minimising the potential impact; and also avoiding or reducing charges through the following actions:
- (i) working outside of traffic-sensitive times;
 - (ii) working outside of term-times or seasonal times;
 - (iii) working at weekends and Bank Holidays during term-times;
 - (iv) planning and executing works to minimise the overall occupation of the street;
 - (v) avoiding the reduction of lanes available to traffic, whilst adhering to the relevant Code of Practice; or
 - (vi) collaborating with other promoters to share a collective charge.

2.2 Scheme Principles

- 2.2.1 A KLRS Coordinator will take the responsibility to apply a balanced approach to the needs of the Promoter, KCC's network management duty and Kent District Council's Environmental Protection Departments when determining an application to work on a KLRS Specified Location.

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- 2.2.2 Road closures will only be permitted on grounds of safety and will not be permitted on economic or productivity grounds. A closure is determined by width of carriageway, not length of trench.
- 2.2.3 The KLRS and KCC will not prevent refurbishment and maintenance work at the detriment of asset management. If a Promoter has exhausted all possible opportunities to complete these works within the Scope of the KLRS then these exceptional circumstances can be discussed with the KCC Street Works team to determine a solution, within the Objectives of the KLRS.
- 2.2.4 The KLRS will be operated by KCC and not a third-party on its behalf.

3. SCOPE OF THE SCHEME

3.1.1 Within this document, the term “Scope of the KLRS” refers to the works (Specified Works), streets (Specified Locations), times and dates that are defined within the KLRS (Section 3 of the KLRS).

3.2 Promoters

3.2.1 No additional operational guidance.

3.3 Specified Works

3.3.1 All non-excavation works, such as operating valves, hydrants, sewer jetting, lifting manhole covers, leakage and fault detection; and above-ground asset maintenance, in traffic-sensitive designated streets at traffic-sensitive times are deemed as a ‘registerable activity’ and will therefore require a Permit and may be subject to the Scope of the KLRS.

3.3.2 Any non-excavation works subject to the Scope of the KLRS that result in reduction of Lane Width, or the use of Traffic Management, for example give & take, stop & go boards, portable traffic signals, will result in a Charge.

3.3.3 Diversionary works are included within the KLRS under “works for road purposes” – maintenance and improvement works to the road itself carried out by, or on behalf of, the highway authority. For note, diversionary works are not included within Section 74 - they were included in a draft version of the Regulations, but not the version in effect.

3.3.4 Trial-hole works will be treated as any other Specified Work and it is expected that the use of innovative plant detection equipment, such as ground penetrating radar, will be explored to administer any ground-breaking works.

3.3.5 Lining works are a Specified Work and therefore within the Scope of the KLRS. As defined within the KLRS, for planned works, a charge would only apply if a road or lane Closure is used.

3.4 Specified Location

3.4.1 KCC will maintain and publish a list of the Specified Locations, the KLRS Schedule, in both text and graphical form (via NSG and ASD) – refer to Section 9 for further detail. A KLRS Coordinator can be contacted during operation to confirm any queries in relation to a specified location.

3.4.2 KCC will provide road closure details with previous and commonly used diversion routes for pre- determined Specified Locations at the request to the KLRS Coordinator. During the operation of the KLRS a library of these routes will be developed.

3.4.3 “Footpaths” are not included within the Regulations associated with the KLRS; however, a cycle track or footway are included within Regulation and therefore within the Scope of the KLRS.

3.5 Specified Days and Times

3.5.1 The KLRS Schedule includes term dates (for when charges may apply) and the KCC website will be kept up-to-date with this information at the address below. Any difficulty in retrieving this information can be discussed with the KLRS Coordinator or sent to kent.lanerentalscheme@kent.gov.uk.

http://kent.gov.uk/education_and_learning/school_education/school_term_and_exam_dates.aspx

3.5.2 It is the Promoter's responsibility to check term times for any variance that may occur and if necessary clarify times with the KLRS Coordinator.

3.5.3 As defined within the KLRS Glossary, Seasonal refers to the period between 01 April to 30 September inclusive.

4. EXEMPTIONS

4.1 KCC would expect any deliveries associated to works to be outside of traffic-sensitive times whenever possible. Short exemptions may be allowed when this is not possible and in agreed circumstances a condition will be applied to the Permit to provide for the opportunity requested. Such circumstances may include:

- delivering safety-critical equipment to site; or
- the collection of spoil using a grab-lorry.

5. THE KENT PERMIT SCHEME

5.1.1 The operation of a lane rental scheme, including the KLRS, is designed to complement a permit scheme by using existing operational processes and procedures. There is not a separate application or notice procedure for works subject to lane rental - these procedures will follow existing Street Manager protocols.

5.1.2 Further details on the KLRS operating structure can be found on the KLRS webpage (www.kent.gov.uk/lanerentalscheme).

5.1.3 Applications to work on any KLRS Specified Location will be managed as a permit application, or permit variation when necessary. All relevant applications within the KLRS Specified Locations whether the planned work is subject to a charge or not, will be processed by a KLRS Coordinator.

5.1.4 This KLRS Coordinator will act as a single point of contact for the application, liaising with any other sections of KCC Street Works, for example network Coordinators, when making decisions in relation to an application.

5.2 Permit Application on a Lane Rental Street

5.2.1 KCC street works management system will automatically identify streets that are within the Scope of the KLRS; However it is recommended that a Promoter clarifies within their permit application whether they consider the application to be within or outside the Scope of the KLRS, for example “work will be carried out outside of the designated traffic-sensitive times”.

5.2.2 Any measures to be undertaken to avoid working within a specified location and/or at specified days and times must be made explicit within the permit application. In addition, if Lane widths can be maintained for ‘normal traffic’ and there is no impact on the number of lanes or prescribed width of traffic flow, to avoid a charge this must be clear within the application.

5.2.3 A KLRS Coordinator will act as a focal point for permit applications on streets within the KLRS Schedule. This role will process all related applications, whether or not they are subject to charge.

5.2.4 A Permit condition field may not be the correct place for stipulating associated location, duration, or timing information; therefore information related to the KLRS can be submitted within another relevant field, for example as a comment, to provide flexibility to the Promoter within their application.

5.2.5 A Promoter is encouraged to ensure those carrying out the works are fully aware of any requirement contained within the relevant permit and subsequent variation.

5.3 Permit - Change Requests

5.3.1 The process referred to above for Permit Applications (5.2) will apply to permit-Change requests

5.4 Authority Imposed Variations

5.4.1 No additional operational guidance.

5.5 Permit Fees

5.5.1 KCC will issue two separate accounts to the Promoter – one for Kent Permit Scheme related Fees and another for KLRS related charges. There will be a separate role (Governance Officer) who will reconcile these Accounts separately.

5.5.2 The Permit Fee account issued to a Promoter (in conjunction with the Kent Permit Scheme) will identify Permits subject to a KLRS charge for references and reconciliation purpose.

5.5.3 Where a Permit for work subject to a KLRS charge has been granted, with a subsequent cancellation or amendment that removes the charge, a Permit Fee will apply for this Permit.

6. LANE RENTAL CHARGES

6.1 Calculation of Charge

- 6.1.1 For Immediate Works the calculation of the charging period is based on the occupation, not the timings of the Permit application.
- 6.1.2 KCC reserve the right to apply discretionary discounts to the KLRS charges in exceptional circumstances where by doing so a balance between positive network management and asset management is achieved.
- 6.1.3 It is impossible to provide exhaustive criteria or to predict these circumstances. A Promoter who feels they have just cause for consideration within these principles is advised to discuss these with the KLRS Coordinator in the first instance and prior to any application, detailing why they are exceptional and unavoidable.
- 6.1.4 There is one charge per occupation per USRN. One of the incentives related to the Objectives behind the KLRS is to encourage multiple Promoter occupancy, which could reduce costs, and will reduce the effect on the network.
- 6.1.5 KCC has a responsibility to ensure the operation of the scheme is as efficient as possible, thereby focusing its resources towards the principles and objectives of the KLRS. It therefore does not have the administration resource to facilitate financial and commercial agreements for collaborative works and any charge disbursement between Promoters. In such instances a Lead Promoter will be identified, who will receive the relevant charge on their period account.
- 6.1.6 The KLRS does not negate the legislative requirements for Temporary Traffic Regulation Orders or Parking Bay Suspensions, and as such the rules and fees associated to these Orders and Suspensions remain unaffected.

6.2 Charge Categories

- 6.2.1 No additional operational guidance.

6.3 Lane Closure

- 6.3.1 The KLRS does not apply to road closures held under the Town Police Clauses Act 1847, such as for Carnivals, or Section 16A of the RTA 1984. These specific closures are not Specified Works and therefore are not within the Scope of the KLRS.
- 6.3.2 The KLRS Specified Locations do not include any roads where the road itself cannot maintain the 'minimum lane width' as defined in the Safety at Street Works and Road Works, (referred to as the Red Book at the time of release).or subsequent variations to this Code of Practice.
- 6.3.3 The KLRS scope on Lane Widths does apply to Bus Lanes. If Lane Widths are reduced so that normal traffic, buses, HGV's cannot pass, then Lane Closure Lane Rental charges will apply.

6.4 Variations to Lanes Available within an Activity

6.4.1 For works where there is no impact upon the number of lanes, width etc. the Permit application should include the text “Normal traffic flows to be maintained” as a condition of the Permit to avoid charges being applied (note – this is not a standard condition of the Kent Permit Scheme).

6.5 Highway Occupation

6.5.1 The Scope of the KLRS does not extend to Parking or Loading Bays (reference 6.1.6 in relation to other legislative requirements). The normal running of traffic lanes must be maintained.

6.6 Mitigated Charges (Signing, Lighting and Guarding)

6.6.1 No additional operational guidance.

6.7 Remedial Works

6.7.1 KCC considers any remedial work carried out within the Scope of the KLRS as avoidable works, regardless of whether they are urgent or emergency (Immediate) works and therefore will be charged at the full maximum charge for that band, i.e. road closure.

6.8 Collaborative Works

6.8.1 KCC intends to invoice the Lead Promoter only, to avoid any unnecessary administration for the payment of charges. Getting involved in disputes to settle the payment and reconciliation issues could result in additional cost to the operation of the KLRS; which does not provide acceptable value-for-money for the scheme operation.

6.8.2 In situations where the Lead Promoter finishes their work and another Promoter remains in occupation, the remaining Promoter (or designated Lead Promoter) will accept the Charges from this point.

6.8.3 Each Promoter will require a relevant permit for their activity, which is without a Fee, and where applicable use an appropriate charge category within their Permit application.

6.9 Monitoring Activity

6.9.1 No additional operational guidance.

6.10 Payment and Reconciliation

6.10.1 KCC will issue two separate accounts to the Promoter – one for Kent Permit Scheme related Fees and another for KLRS related charges.

6.10.2 The KLRS payment and reconciliation process will follow a similar process as the Kent Permit Scheme, following a monthly cycle with a ten day reconciliation period. The timing will be staggered with the Kent Permit Scheme fee collection timescale.

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- 6.10.3 The only exception to the Kent Permit Scheme process is that a KLRS Governance and Liaison Officer will act as a focal point for this process. Invoicing will be carried out through KCC Exchequer.
- 6.10.4 The KLRS Charge Account will be submitted to the Promoter in order to facilitate the reconciliation of charges, prior to invoicing, and will contain the following information:

Charge Number	Unique ID for the relevant charge.
Permit Reference	As Detailed within the Kent Permit Scheme (the Promoter Works Reference).
Street Name (USRN)	Name of the street where the charges apply and the USRN.
Location	Location of the works within the street.
District	Relevant District Area within Kent.
Work Type	The activity categorisation, e.g. Standard.
Immediate Activity	Yes/No
Works Description	Description of the works being undertaken (from the Works Description field).
Permit Condition(s)	Permit conditions applied to the final permit (taken from the Permit Conditions field).
Start Date	The date occupation started.
Charge Start Date	The date any KLRS charges started.
Finish Date	The date occupation stopped.
Charge Finish Date	The date any KLRS charges stopped.
Charge Configuration	An overview of the charges applied for the works.
Total Charge	The total charge for works.

- 6.10.5 Each Account will also identify the Promoter, the Promoter Reference, the Period being charged for and the relevant Promoter Contact.
- 6.10.6 The governance of the KLRS revenues and associated surplus-revenues is separate from the Kent Permit Scheme and the Permit Fees and KLRS Charges will be managed as separate accounts.

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- 6.10.7 KCC will only issue one account per Promoter or agreed representative (who commission the work) and reconcile the account with the Promoter, not a contractor or third-party. The Permit Reference number will be included within the Account which is based on the works reference generated by the permit-originator: this will aid in the identification and allocated of any third-party related charge.

7. SANCTIONS

7.1 Offences

7.1.1 No additional operational guidance.

7.2 Section 74 of NRSWA

7.2.1 No additional operational guidance.

8. DISPUTE RESOLUTION

8.1 KCC intends to work in a fair and pragmatic approach wherever possible during the operation of the KLRS. Section 8 of the KLRS defines the Dispute Resolution procedure.

8.2 In instances where issues cannot be resolved between relevant parties and escalation is required to the next level of decision-making, the following escalation points within KCC will apply (these do not supersede the Dispute Resolution procedures set-out within the KLRS):

- (i) KLRS Coordinator
- (ii) Street Works Manager
- (iii) Compliance & Performance Manager
- (iv) Head of Highways Operations
- (v) Director of Highways and Transportation

8.3 The Promoter is encouraged to follow the escalation points shown above and not to bypass any level. KCC will also attempt to follow a similar escalation process to ensure the relevant levels are involved during any dispute resolution.

8.4 Dispute Review

8.4.1 No additional operational guidance.

8.5 Straightforward issues

8.5.1 No additional operational guidance.

8.6 Complex Issues

8.6.1 No additional operational guidance.

8.7 Adjudication

8.7.1 No additional operational guidance.

8.8 Arbitration

8.8.1 No additional operational guidance.

9. STREET MANAGER AND NATIONAL STREET GAZETTEER

9.1 Street Manager

9.1.1 The operation of the KLRS is intended to compliment the Kent Permit Scheme, which is based on the use of Street Manager. There is not a separate application or notice procedure for works subject to lane rental - these procedures will follow existing Street Manager protocols.

9.1.2 Street Manager is a national and industry protocol and KCC expect a Promoter to use this wherever possible.

9.2 National Street Gazetteer

9.2.1 The specified locations, days and time locations will be identified on the National Street Gazetteer and Additional Street Data – availability graphically via <https://one.network/>

10. EVALUATION AND GOVERNANCE

10.1 Scheme Evaluation

- 10.1.1 The introduction of lane rental schemes allow local highway authorities, such as Kent, to introduce a charge to Works Promoters for occupying the highway on selected routes at selected times. The routes are selected where works have been proven to cause a disproportionate impact on journey times.
- 10.1.2 Lane rental seeks to provide a clear financial incentive for Works Promoters to manage their works more effectively by encouraging them not to work on key routes during busy times; and if they do work at such times, to only be on site for the shortest possible time. The overarching objective of this type of scheme is to reduce the disruption and resulting costs incurred by road users, including local residents and businesses, whilst at the same time encouraging the Works Promoters to think differently about how they work and manage their resources to carry out works.
- 10.1.3 Another purpose of the KLRS is to provide insight into the operation, costs and benefits of a lane rental scheme; and to this effect the Council intends to introduce a Measurement Framework to assess the KLRS' efficiency (in operation) and effectiveness (to achieve the objectives). These objectives include:
- reduction in delay and congestion;
 - improved journey time reliability;
 - improvements to safety;
 - improvements to the environment by a reduction in noise and pollution;
 - social benefits; and
 - benefits to the local economy
- 10.1.4 The proposed KLRS will operate alongside the existing Kent Permit Scheme. The assessment of the KLRS is based on the analysis of data available for a one year period with the Kent Permit Scheme already in operation. The annual report to evaluate the KLRS will use this data as a benchmark to provide an analysis on the benefit as well as a cost impact.

10.2 Surplus Revenue Governance

- 10.2.1 In accordance with the Regulations, KCC will retain revenues obtained from charges to meet the costs incurred for efficiently operating the KLRS. Any surplus-revenues will be applied towards initiatives that are associated to the objectives of the KLRS, within the areas of transportation; enabling infrastructure; and industry practices and research and development.

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- 10.2.2 A separate document, the KLRS Revenue Governance, details the administration of revenues towards the defined initiatives– describing the roles of the participants and processes for decision-making, monitoring and evaluation.

11. VARIATIONS TO THE KENT LANE RENTAL SCHEME

- 11.1.1 Any proposed variations for the KLRS will be communicated at the next available Kent HAUC meeting, then implemented after the next subsequent Kent HAUC meeting, thereby providing a three-month review and notice period.
- 11.1.2 To ensure that the right level of input and consideration is made to any proposed changes, HAUC(UK), JAG(UK) and the NJUG will be included in the distribution of information related to proposed changes.

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ADDENDUM A: Glossary

No additional operational guidance.

ADDENDUM B: Transitional Arrangements

During the shadow running and early stages of the KLRS, KCC will seek to identify errors in permits relating to KLRS information and alert all works promoters to these errors – providing general updates where applicable and possible

The purpose of this approach is to provide a period of learning and development, for both parties, not to allow continuing mistakes or to circumnavigate the KLRS.