

EXECUTIVE NOTE

The Road Works (Inspection Fees) (Scotland) Amendment Regulations 2008 SSI 2008/43

The above instrument was made in exercise of powers conferred by sections 134 and 163(1) of the New Roads and Street Works Act 1991 (c.22). The instrument is subject to negative resolution procedure.

Policy Objectives

The policy of this instrument is to raise the level of inspection fee payable from £24.00 to £25.00 with effect from 1 April 2008.

Background

Under Section 131 of the New Roads and Street Works Act 1991, road works authorities are empowered to carry out investigatory works (in practice, taken from a random sample of a variety of excavations, not exceeding 30%, taken from the Scottish Road Works Register) to check whether or not an undertaker has complied with the duties placed on it in respect of reinstatement of the road. In Scotland some 18,000 inspections were carried out in the year to 31 March 2007 and it is anticipated that this figure will remain static over the coming years.

It should be noted that the fee may not always cover the full cost incurred by the road works authority in carrying out the inspection but is an amount agreed by the Highways Authorities and Utilities Committee (United Kingdom) (HAUK (UK)) and endorsed by the Roads Authorities and Utilities Committee (Scotland) (RAUCS)) to ensure consistency throughout the United Kingdom.

Consultation

As required by Section 163A of the New Roads and Street Works Act 1991, the Scottish Government consulted all interested parties ie road works authorities and undertakers operating in Scotland. Four responses were received, none of which objected to the increase

Financial Effects

This SSI will have no financial effect on the Scottish Government.

Scottish Government
Transport Directorate
February 2008