

TfL Lane Rental Scheme (TLRS)

Supplementary Guidance
V5.0 – 01 July 2016



EVERY JOURNEY MATTERS

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1. Document Control		
Version	Date	Description of Changes
3	02/09/2014	- Not previously subject to change control
4	10/06/2015	- Document reformatted and simplified - The following additional items are included as a instances where TfL may reduce or waive Lane Rental charges: <ul style="list-style-type: none"> • Future proofing the road network, the use of innovative technology, and the implementation of extraordinary measures • Revision to collaborative works section • Side road closures and dedicated filter lanes • Redefined road space • Works spanning multiple USRNs • Increased scenarios for dead space and no net loss
5	01/07/2016	- Document renamed from Frequently Asked Questions and Areas of Clarification (reformatted) - The following additional items are included as a instances where TfL may reduce or waive Lane Rental charges: <ul style="list-style-type: none"> • Enabling works • Abortive days • Partial / Semi recessed bays (one end recessed) • Works on a roundabout with multiple USRNs



2. Purpose

The purpose of this document is to provide clarity on certain areas and questions relating to TfL's Lane Rental Scheme (TLRS) that have arisen since the scheme went live in June 2012. This document should be read in conjunction with TfL's approved and published scheme documents. Details about the TLRS and affected locations can be accessed from either the [One Road Network](#) or TfL.gov.uk website.

Important: The waivers and exemptions contained within this document are at TfL's discretion and are subject to promoters using this guidance within the spirit of which it is intended.

Waivers / reductions / exemptions will not be applied retrospectively and will only be applied once agreement has been reached with Lane Rental Management Team (LRMT).

If you wish to apply for a reduction, waiver or exemption in relation to this document, please request an application by emailing LaneRentalQueries@tfl.gov.uk. If you wish to apply for a waiver for reasons other than those stated below please provide a justification noting that it must be in line with the spirit of the scheme.

In the event of a dispute it is for the promoter/s involved to provide evidence that they have adhered to the supplementary guidance and TLRS.

3. Reducing Congestion from Street & Roadworks

The Department for Transport (DfT) and Transport for London (TfL) funded a separate but related workstream aimed at using innovative techniques that reduce the impact of road and street works on traffic congestion. Areas researched include plating & bridging, rapid cure materials, and temporary backfill materials.

Further information, such as guidance and reports, relating to these congestion busting initiatives can be found on the [Transport Research Laboratory website](#).

Work promoters are strongly advised to adopt these measures, whenever practical to do so, in order to reduce congestion and the adverse effects caused by street and roadworks.

4. Location of Works Traffic Management

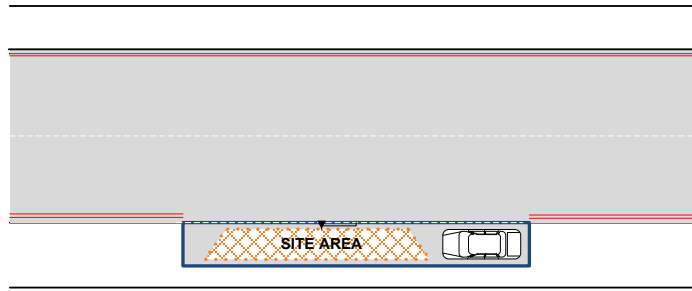
4.1. Designated Parking Bays, Loading Bays, Taxi Bays and Bus Stops

The scenarios detailed below aim to provide clarity on whether Lane Rental charges apply to different situations where works impact the c/w space that form the above designated areas



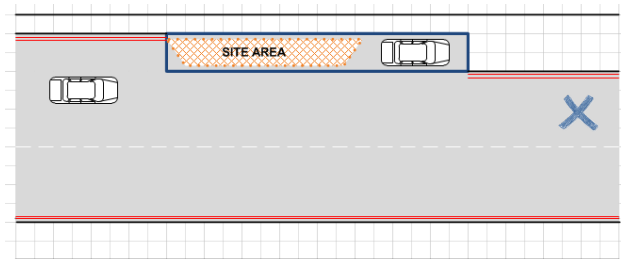
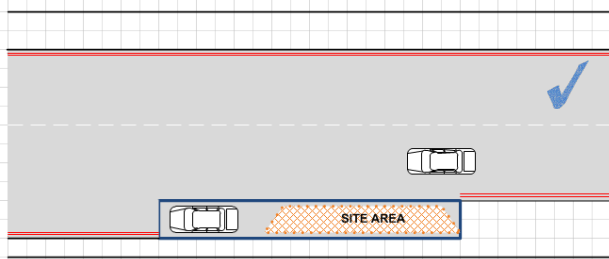
4.1.1 Recessed road space designated as a bay for parking/loading/taxis, or a bus stop

Answer: Not Chargeable



Note: Where this type of road space is recessed from the main carriageway LR charges do not apply so long as the works and all associated plant and material are confined to the recessed area

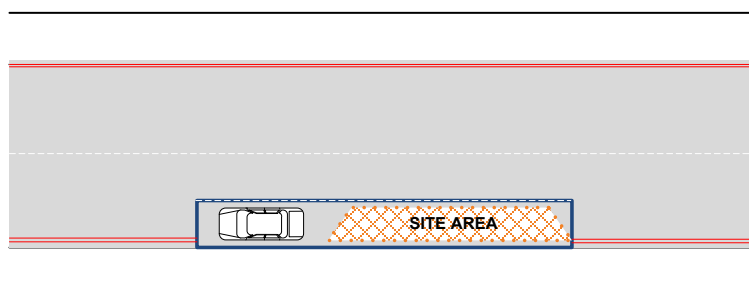
4.1.2 Partial / semi recessed road space designated as a bay for parking/loading/taxis, or a bus stop



Answer: Case by case. Consideration shall be given to waive charges where works are undertaken in partial / semi-recessed bays if directional traffic flow is not affected.

4.1.3. Road space designated as a bay for parking/loading/taxis or a bus stop that is NOT recessed

Answer: Chargeable. Charges will apply for works on this type of road space if undertaken during TS times at TLRS locations



Note: Charges will not apply where this type of road space is located within service/access roads



4.2.	Location of vehicles
The three scenarios detailed below aim to provide clarity on whether Lane Rental charges apply to different situations where work promoter vehicles are used	
4.2.1	Works wholly off carriageway (c/w) – vehicle parked in c/w but is required to undertake works and contained within TM of the site Answer: <u>Chargeable</u> as vehicle would have become part of the worksite
4.2.2	Works wholly off c/w – vehicle parked in c/w for convenience of operatives or supervision of the works Answer: <u>Chargeable</u> as vehicle would have become part of the worksite
4.2.3	Works wholly off c/w – vehicle parked in c/w but is not part of worksite Answer: <u>Not Chargeable</u> , but it must be clear that the vehicle is not part of worksite and the vehicle must be parked legally or may be liable to parking fines
4.3	Works in Footway (f/w)
4.3.1	Works wholly on f/w but pedestrian walkway in c/w Answer: <u>Chargeable</u>
4.3.2	Works wholly on f/w but plant/materials/spoil in c/w Answer: <u>Chargeable</u>
4.4	Cycle Tracks
4.4.1	Will Lane Rental charges apply if traffic management is placed within the confines of a cycle track located on the footway? Answer: <u>Not Chargeable</u> , on condition that an alternative temporary cycle track facility can be provided without causing any impact on the carriageway
4.5	Number Lanes
4.5.1	Are there discounts for occupying 1 lane of a c/w with multiple lanes? Answer: <u>Chargeable</u> . If the works impact the carriageway then Lane Rental charges apply



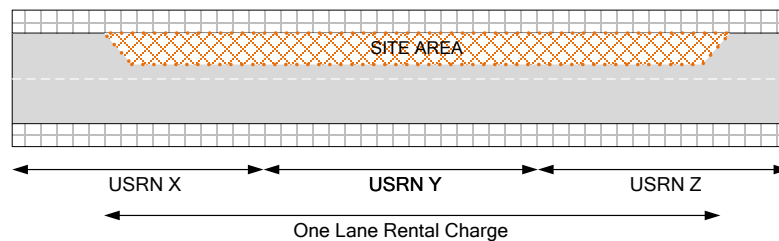
4.6 Works Spanning Two or More Charge Bands

4.6.1 How should permit applications for one set of works spanning different Lane Rental charge rates be notified?

Answer: This situation should be notified through a permit variation. The initial permit should contain as much information as possible, e.g. "day 1 and 2 works during lane rental times, day 3 and 4 no carriageway impact". A permit variation should be sent as soon as the works change from one category to another, but only the location description should be varied.

4.6.2 If works span more than one USRN will multiple charges apply?

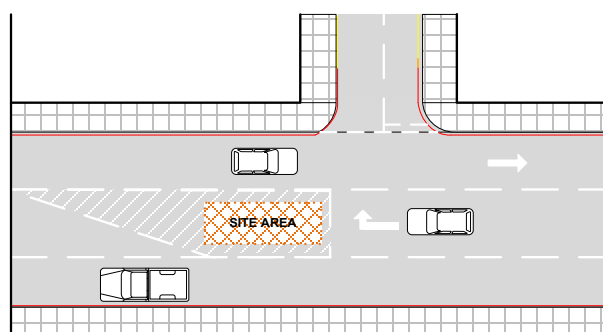
Answer: Case by Case. A request may be made for a single charge (the highest) where works span more than one USRN affecting traffic flow in the same direction, i.e. North to South, or around a roundabout / gyratory



4.7 Works Wholly Confined within a White Hatched Area

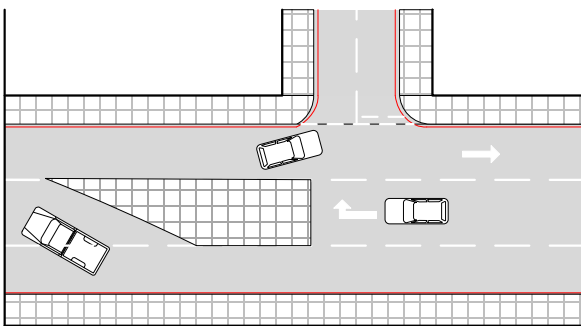
4.7.1 Works wholly contained within the white hatched area with no encroachment onto the carriageway running lane (including the hard shoulder)

Answer: Not Chargeable

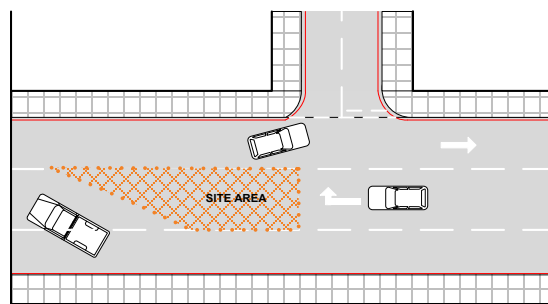


4.8.1 Are works chargeable where there is no net loss of carriageway space?

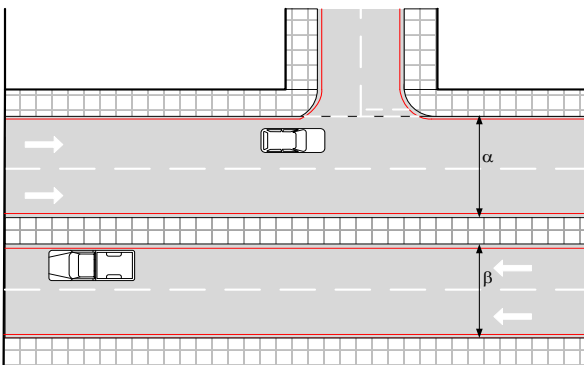
Answer: Case by Case. Requests to waive charges will be given where there is NO net loss of carriageway space created by the works. Examples include; where the TM takes up the same footprint as an existing island; or where an existing island has been removed from one part of the carriageway in order to create an adequate temporary working space, but at the same time retains the previous or proposed carriageway width and therefore does NOT result in a net loss of the carriageway.



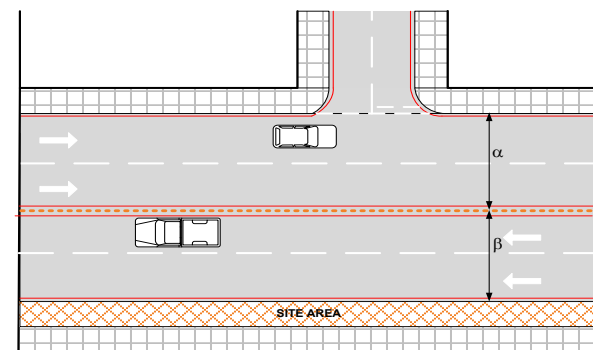
Existing Road Layout



Proposed Traffic Management



Existing Road Layout



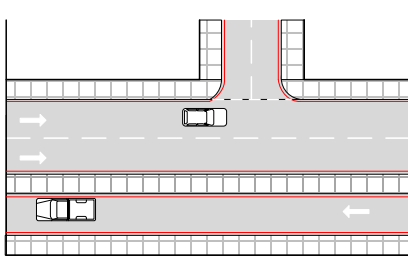
Proposed Traffic Management



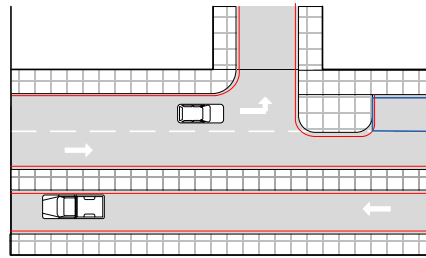
4.9 Redefined Road Space

4.9.1 Are works chargeable that represent the final layout of a new scheme?

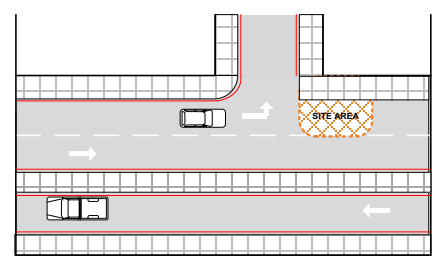
Answer: Case by Case. Becomes not chargeable once the new road layout has been implemented, e.g. once a new or a suitable temporary kerb line has been provided to demarcate the new road layout. Traffic management must not extend beyond the new kerb line and impact the carriageway.



Existing Road Layout



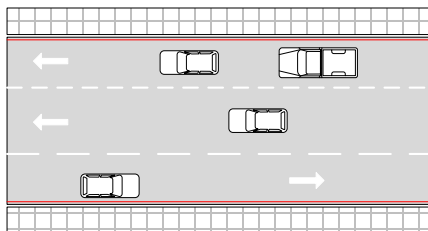
Proposed Road Layout



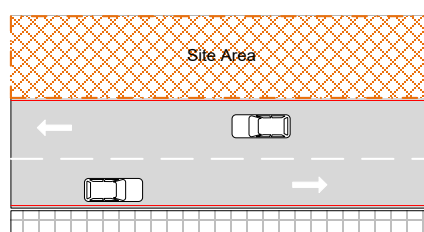
Proposed Traffic Management

4.9.2 Will Lane Rental charges apply during construction periods where the existing road asset that would ordinarily be chargeable is permanently removed or subject to a future change of use?

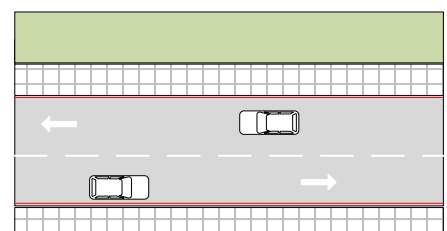
Answer: Case by Case. Consideration will be given to requests for waiving or reducing charges where these circumstances are proposed.



Existing Road Layout



Proposed Traffic Management

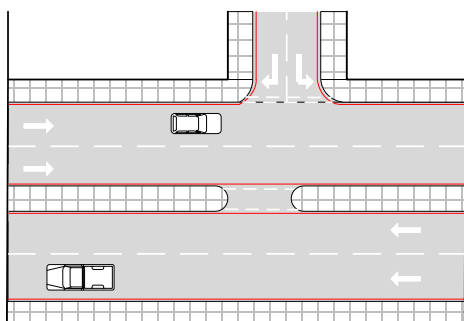


Proposed Road Layout

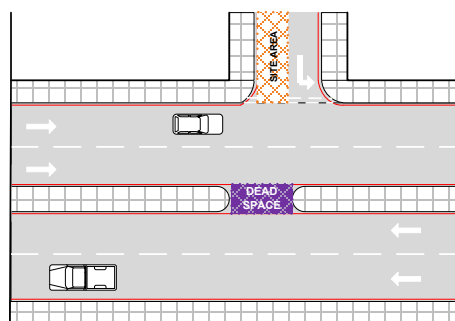


4.9.3 Where traffic management required for the execution of the works inadvertently creates another area of road space that cannot safely be temporarily trafficked – therefore forming an area of dead space

Answer: Case by Case. Consideration will be given to requests for waiving or reducing charges



Existing Road Layout

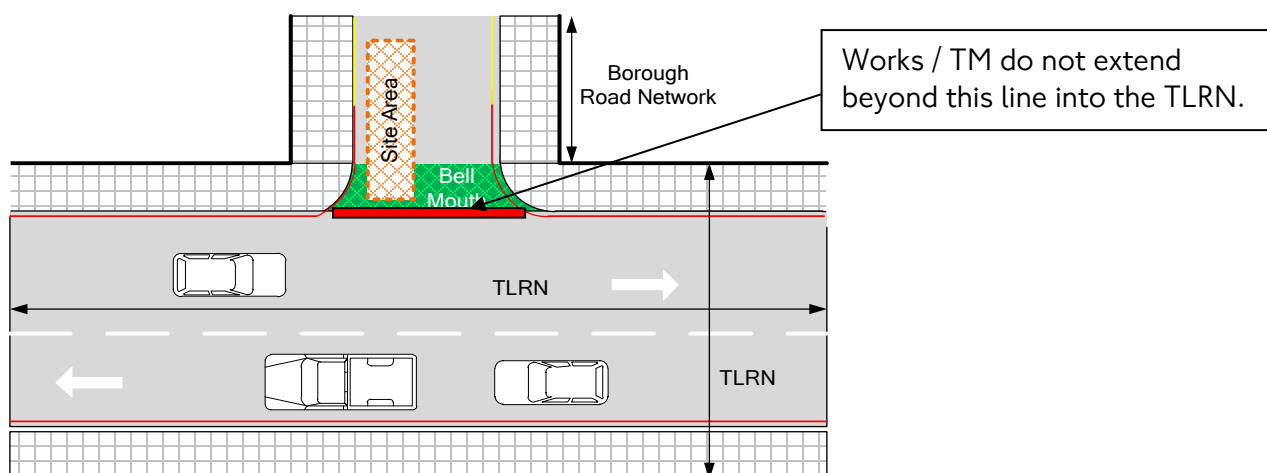


Proposed Traffic Management

4.10 Side Road Closures

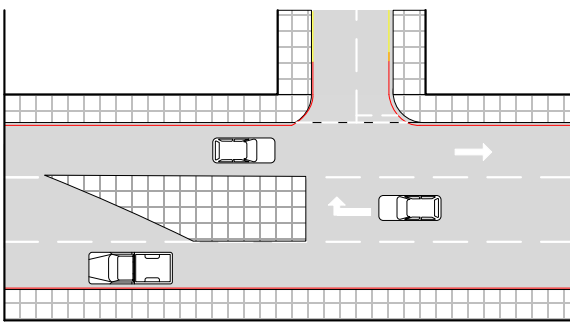
4.10.1 If a side road which is not Lane Rental chargeable is closed are charges made for works in the bell mouth of that side road?

Answer: Not Chargeable. If the side road is not Lane Rental chargeable and is legally closed to traffic there is no charge for works within the bell mouth of that side road providing movements are correctly prohibited and all TM does not extend beyond the line shown in the below drawing.

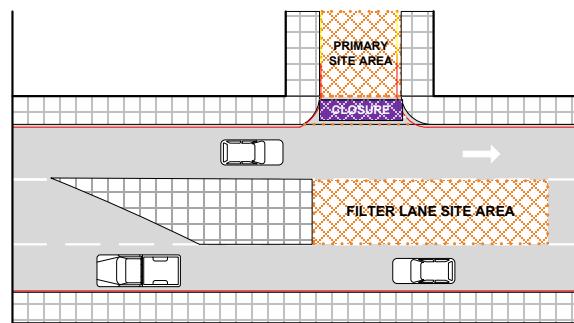


4.10.2 If work is taking place in a side road that is closed would Lane Rental charges apply if traffic management is also placed within the confines of a dedicated filter lane for that side road?

Answer: Case by Case. If the filter lane is provided solely for the purpose of turning into a legally closed side road, and does not continue beyond the junction of the side road in the same direction of travel, then charges may not apply to traffic management confined to the filter lane.



Existing Road Layout



Proposed Traffic Management

4.11 Location of Temporary Traffic Signals

4.11.1 Are works that require temporary traffic signals chargeable if they are placed in the carriageway?

Answer: Chargeable if this is a registerable activity

4.11.2 Are temporary traffic signals chargeable where they are used to replicate permanent signals?

Answer: Not Chargeable. If the temporary traffic signals replicate all aspects of the permanent signals then this is not considered to be a form of temporary traffic control as set out in section 4.2.1 (c) of LoPS – charges will therefore not apply.

Note: However, if the traffic management protecting the temporary traffic signal equipment requires a reduction in width of an existing carriageway at a traffic-sensitive time, the works would be registerable under section 4.1.2 of LoPS and therefore would be chargeable.



5 Deliveries

The scenarios detailed below aim to provide clarity on whether Lane Rental charges apply to situations where work promoters are delivering plant and / or materials

5.1. Deliveries between 10am to 3pm for a maximum of 20mins:

Answer: Not Chargeable. If there is no other impact on the carriageway loading/unloading will be permitted for a maximum of 20 minutes between the hours of 10am and 3pm as long as this is stated on the works permit, e.g. the permit conditions must state "loading and unloading to take place between the hours of 10am and 3pm for a maximum of 20 minutes". Only one visit is permitted per day and the 20 minutes cannot be split into multiple visits of shorter duration. In exceptional circumstances, it may be possible to have two 20 minute visits per day, however sound justification must be provided and agreed in advance via EToN.

5.2 Deliveries outside of 10am to 3pm:

Answer: Chargeable

Note: Loading and unloading for the purposes of Lane Rental charges are set out above, loading and unloading may still take place outside of these hours, however it is important that works promoters are mindful of any parking restrictions that may apply and, for the sake of clarity, it is highly recommended that this information is included in permit applications.

6 Reduced, Exempt, or Waived Fees

6.1. Diversionary Works

6.1.1 Are diversionary works exempt from Lane Rental charges?

Answer: Exempt, as per section 8(d) of the TLRS.

Note: Clearly state within the permit application that the works are diversionary

6.1.2. Are works to enable diversionary works Lane rental chargeable?

Answer: Not chargeable as long as the works in question are only being undertaken in order to facilitate the diversionary works



6.2. Collaborative works

6.2.1. Works carried out collaboratively by two or more different promoters

Answer: Case by Case. Section 6.2 of the TLRs advises that charges will be shared proportionately between each of the promoters. To further encourage collaborative works all charges will be waived for the overlapping period of collaboration where the works share the same traffic management footprint.

Retrospective applications to waive charges will be considered for unplanned works only if an application is submitted within 2 calendar days after the collaborative working period has commenced.

In all cases the collaborative works must be agreed by TfL and all collaborating work promoters must ensure the collaborative work field in their permit or permit variation application is set to 'yes'.

In the event of a dispute it is for the promoters involved to provide evidence to justify that collaborative works took place.

6.2.2. Collaborative works by the same promoter

Answer: Case by Case. If works are within the same footprint, consideration will be given to waive or reduce charges in exceptional circumstances, e.g. where the works originate from two distinctively different operational divisions, such as waste and clean water; or London Underground and Surface Transport

6.3. Future Proofing the Road Network

6.3.1. Street and Roadworks that aim to minimise disruption to the road network in the future (e.g. through the provision of additional ducting and access chambers; or the relocation of service pipes from carriageway/cycle lane to footways)

Answer: Case by Case. Consideration will be given to reduce or waive charges.

6.4. Innovative Technology

6.4.1 Will the use of innovative technology to facilitate road works benefit from a reduction?

Answer: Case by Case. If innovative technology is proposed to be used to carry out street and roadworks then that section and duration of works may be considered for charges to be reduced or waived.



6.5. Extraordinary Measures	
6.5.1.	<p>If measures which are over and above normal practices have been used to reduce congestion could this be considered for reduction?</p> <p>Answer: <u>Case by Case</u>. Implementation of extraordinary measures to reduce congestion may be considered for charges to be reduced or waived.</p>
6.6. Abortive Days	
6.6.1.	<p>Will reduced charges be considered where other activities have prevented works taking place taking place?</p> <p>Answer: <u>Case by Case</u>. Consideration to waive charges may be given where sites are required to stop work in order to facilitate other activities or events that subsequently restrict the progress of works.</p>
7. Permits	
7.1. Cancelled Permits	
7.1.1.	<p>If a permit application on a Lane Rental street is subsequently cancelled is only the cost of the permit payable?</p> <p>Answer: For all works where there is no lane rental fee, the appropriate permit fee will apply. Therefore, if the permit is cancelled before the works commence then the permit fee will apply.</p>
7.2 Information Required on Permit Applications/Calculation of Charges	
7.2.1	<p>What additional information is required on permits?</p> <p>Answer: The permit application must make it clear where and when the works and any associated traffic management are so that charges can be determined accurately.</p> <p>Note: The initial charge will be based on the information provided within the permit.</p>



7.3	Permits where the Borough is the Primary Recipient
7.3.1	Does lane rental apply to streets where a borough is also the primary recipient?
Answer:	Lane Rental only applies to the parts of the TLRN that are listed in the schedule to the scheme. The TLRS does not apply to borough roads.
7.4	Environmental Health consent for working hour of hours
7.4.1	Has gaining permission to undertake works out of hours to avoid lane rental charges been made easier, or have standard extended out of hours working been agreed?
Answer:	There is no blanket agreement to extend late working hours. This needs to be approached on a case by case basis with individual EHOs, but TfL will support works promoters in these discussions. Forward engagement with residents is encouraged with EHOs and local residents.
7.5	Permit Charge visibility to works promoters
7.5.1	Will work promoters know which permits have been flagged as Lane Rental chargeable?
Answer:	This will not be visible to works promoters as there is not currently an EToN transaction for this.
7.6	Location of traffic management other than at a work site
7.6.1	If traffic management has to be set out at a junction consisting of multiple streets, i.e. where traffic heads and signage are placed on streets other than the street where the work is taking place and this is all within a Lane Rental zone is this classed as one or multiple Lane Rental charges?
Answer:	The Lane rental fees apply according to permitting rules, therefore if two permits are required, then two lane rental fees will apply.
8	Lane Rental Charges and Other Legislation
8.1.	Temporary Traffic Orders
8.1.1	If a temporary traffic order is requested encompassing a Lane Rental zone, what do we pay for?
Answer:	The TLRS does not negate any other legislative requirements and therefore the rules around Temporary Traffic Orders/Notices will continue to apply, as will the appropriate fee.



8.2 Parking Suspensions
<p>8.2.1 If a parking bay suspension is required, does both the Lane Rental charge and the suspension charge apply?</p> <p>Answer: The TLRS does not negate any other legislative requirements and therefore the rules around parking suspensions will continue to apply, as will the appropriate fee.</p>
8.3 Works for London Fire Brigade
<p>8.3.1 Are works undertaken on behalf of the London Fire Brigade exempt from LR charges?</p> <p>Answer: No. Charges will continue to apply, however it is anticipated that the majority of these will affect the footway only and will therefore be exempt from charges.</p>
8.4. New Connections for Businesses
<p>8.4.1. Is there any waiver or discount applicable for new connections for new businesses?</p> <p>Answer: No. Charges will continue to apply, however it is anticipated that the majority of these will be of the footway and will therefore be exempt from charges.</p>
8.5. Works that Overrun
<p>8.5.1 What happens if works overrun?</p> <p>Answer: The rules for overrunning works are identical to all other works, i.e. if the works incur a Lane Rental charge during the reasonable period then the same works will continue to incur Lane Rental charges beyond the reasonable period as well as incurring the relevant overrunning works charge.</p>
8.6. Highways Act
<p>8.6.1. Are works undertaken under Section 278 of the Highways Act chargeable?</p> <p>Answer: Works undertaken under a Section 278 agreement are chargeable if they are registerable works. The fact that the works are undertaken under the 278 agreement is not relevant to LR charges.</p>



8.6.2. Works undertaken wholly within the footprint of a Highways Act activity, e.g. building works

Answer: Not Chargeable. This would include crane operations – for instance if a road is closed for a crane operation and a registerable activity takes place wholly within the closure for the crane and wholly within the dates required for the crane operation, then no charges will apply.

8.6.3. Will charges apply if any part of the traffic management for the registerable activity extends beyond the traffic management required for the Highways Act activity?

Answer: Chargeable.

8.6.4. Are works to enable a Highways Act Licence activity Lane Rental chargeable?

Answer: Not chargeable. An example of this would be the installation of a pit lane which did not require excavation

8.7. Network Rail or CrossRail Closures

8.7.1. Are works undertaken within a closure for Crossrail/Network Rail closures chargeable?

Answer: Not chargeable. Works undertaken within the footprint of Crossrail or Network Rail works are not chargeable if those works are wholly within the footprint and timescales of the Crossrail/Network Rail works, and the Crossrail/Network Rail works are not subject to NRSWA due to it being disapplied.

9. General

9.1. Use of Road Plates / Temporary Materials

9.1.1. Will charges apply if road plates or other materials are used which necessitate a speed limit reduction?

Answer: Not chargeable, if the carriageway is clear of all traffic management



9.2. Damage by Third Parties

9.2.1. How will Lane Rental charges be applied where damage has been caused by a third party?

Answer: There are two scenarios:

- a) Promoter A has left site and promoter B has to excavate to repair plant – these works would be charged against the permit for promoter B in the expectation that promoter B would pass charges / costs onto promoter A who caused the damage
- b) Promoter A is still on site and promoter B undertakes repair works in their excavation – these would be charged against the permit for promoter A already in place

9.3. Warnings regarding Lane Rental charges for planned works

9.3.1. How will I know if planned works will be chargeable?

Answer: As per Section 6.2.1 above the initial charge will be based on the information provided within the permit. If the information within the permit indicates that no charges will apply, e.g. that the works and associated traffic management will be limited to the footway, but it transpires through observation that charges will apply because the works did encroach onto the carriageway, then an EToN Occupancy Monitoring inspection will be sent to show that Lane Rental charges are being incurred.

The inspection will include the following comment: *The information provided on your permit application indicated that Lane Rental charges would not apply to these works. However, the works have been inspected by TfL and evidence has been captured to show that charges could apply. Your organisation can minimise these charges by ensuring that the works do not obstruct any part of the carriageway at this location during Lane Rental operational hours.*

Note: The comment may only be sent once

9.4. Charges that cannot be avoided

9.4.1. If charges cannot be avoided is it possible to request a discount? E.g. there is not enough space on the footway to leave the requisite space for pedestrian access

Answer: Chargeable. The Lane Rental scheme is designed to encourage behaviour change and either undertake such works outside of traffic sensitive times, therefore avoiding the charge, or, where this is not possible, to encourage ways of working so that the duration of works undertaken during traffic sensitive times is minimised.



9.5. Environmental Health Constraints

9.5.1. If a works promoter attempts to work outside of lane rental chargeable times, but is prevented from doing so by Environmental Health, does a discount apply?

Answer: Chargeable. The Lane Rental scheme is designed to encourage behaviour change and either undertake such works outside of traffic sensitive times, therefore avoiding the charge, or, where this is not possible, to encourage ways of working so that the duration of works undertaken during traffic sensitive times is minimised.

9.6. Remedial Works that are Emergencies

9.6.1. Do immediate emergency remedial works for SROH failures qualify for the 24 hour free charge period?

Answer: Chargeable. All remedial works are charged at the higher rate from the first day of occupation if undertaken during traffic sensitive times at a lane rental location.



Email: LaneRentalQueries@TfL.gov.uk

Web: www.tfl.gov.uk/lanerental

