**POLICY NOTE**

**THE SCOTTISH ROAD WORKS REGISTER (PRESCRIBED FEES) REGULATIONS 2013**

**SSI 2013/8**

1. The above instrument was made in exercise of powers conferred on the Scottish Ministers by Sections 112A of the New Roads and Street Works Act 1991 (c.22) and is subject to negative resolution procedure.

**Background and Policy Objective**

2. The Transport (Scotland) Act 2005, amongst other matters, aims to improve the co-ordination, planning and quality of road works carried out in Scotland. Part 2 of the Act, which included amendments to the New Roads and Street Works Act 1991 provides a framework for the appointment of the Scottish Road Works Commissioner, and subsequent provisions for the Commissioner to keep a register – *the Scottish Road Works Register* - and for the collection of prescribed fees from local authorities and utility companies as a condition of access to the Register.

3. Accordingly, this instrument exercises the powers to prescribe the fees payable for the 2013/14 financial year and will ultimately replace the Scottish Road Works Register (Prescribed Fees) Regulations 2012 (SSI 2012/11).

4. Regulation 3 prescribes the methodology and formula for calculating the fees payable by each road authority and utility company operating in Scotland. Careful consideration has been given to ensure that the costs of keeping the register are balanced by the income received from users. The budget of £860,000 to keep the Scottish Road Works Register for 2013/14 has been agreed by the Scottish Road Works Commissioner with the Board of Susiephone Ltd. This reflects a reduction of £164,000, or 16%, lower than the £1,024,000 budget last year.

**Consultation**

5. As required by Section 163A of the New Roads and Street Works Act 1991, the Scottish Government consulted all interested parties. All responses agreed with the proposal.

**Financial Effects**

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

Transport Scotland
January 2013