



ROADS AUTHORITIES & UTILITIES COMMITTEE
(SCOTLAND)

ADVICE NOTE 31

CODE OF PRACTICE FOR THE CO-ORDINATION OF
WORKS IN ROADS (ADDENDUM 1)

Version 1.00

February 2023

CODE OF PRACTICE FOR THE CO-ORDINATION OF WORKS IN ROADS (ADDENDUM 1)

Version History

Version	Date	Notes
1.00	February 2023	Initial version. Approved by RAUC(S) on 22 February 2023.
1.01	April 2023	Minor correction in 5.4.7 (i) and 5.4.8 (ii); table now refers to “same day as completion” instead of “same day as start”.

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Code of Practice for the Co-ordination of Works in Roads (Addendum 1)

1 Background

- 1.1 Section 117 of the Transport (Scotland) Act 2019 amends the following Sections of the New Roads and Street Works Act 1991
 - a) Section 112B – the road works authority is required to enter in the Scottish Road Works Register (SRWR) the date that works were started and completed within such a period as may be prescribed.
 - b) Section 114A – requires an Undertaker to give notice confirming the start of works and the completion of works within such a period as may be prescribed.
- 1.2 The Code of Practice for the Co-ordination of Works in Roads which is a Scottish Ministerial document is being reviewed by the RAUC(S) Co-ordination Working Group as part of the ongoing implementation of the Transport (Scotland) Act 2019.
- 1.3 Until the review is complete it is necessary publish this Advice Note for the revised Actual Start Notice and Works Clear / Closed Notice requirements from 1st April 2023 following the enactment of Section 117 of the Transport (Scotland) Act 2019.

2 Sections 5.3 and 5.4 in the Code of Practice for the Co-ordination of Works in Roads

- 2.1 From 1st April 2023 Sections 5.3 and 5.4 in the Code of Practice for the Co-ordination of Works in Roads (April 2013) are held deleted and replaced by Sections 5.3 and 5.4 in this Advice Note.
- 2.2 This Advice Note will remain in force until such times as the revised Code of Practice for the Co-ordination of Works in Roads is published by the Scottish Ministers.

5.3 Minimum Notice Periods for each Works Category Noticing

5.3.1 Tables 5.2 and 5.3 show the minimum notice requirements in relation to the various work categories.

	Advance Notice	Notice of Expected Starting Date	Actual Start Notice	Works Closed/Clear Notice	Site Reinstatement Details Notice (Undertakers only)
Emergency (including remedial dangerous)			Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Urgent			Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Minor Works (without excavation)					
Minor Works (mobile & short duration)					
Minor Works (with excavation)		24 hour notice - by noon on the day before	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Remedial Works (non-dangerous)		24 hour notice - by noon on the day before	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Standard Works		7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Major Works	Three months notice	7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Substantial Works for Road Purposes	Three months notice	7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	

Table 5.2: Minimum Notice Periods - Non Traffic Sensitive Situations

Notes

1. Greyed out boxes indicate that no notice is required.
2. 'Works Closed' indicates a permanent reinstatement and 'Works Clear' indicates a temporary reinstatement.
3. In this Code of Practice 'day' means 'working day'. A full definition can be found in Appendix A.
4. An early start procedure is available. The details can be found at paragraph 5.9.
5. 'Site Reinstatement Details Notice' is a 'Registration Notice' within SRWR.

	Advance Notice	Notice of Expected Starting Date	Actual Start Notice	Works Closed/Clear Notice	Site Reinstatement Details Notice (undertakers only)
Emergency (including remedial dangerous)			Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Urgent			At least 2 hours in advance of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Minor Works (without excavation)		3 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Minor Works (mobile & short duration)		3 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Minor Works (with excavation)	One month notice	7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Remedial Works (non-dangerous)		3 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Standard Works	One month notice	7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Major Works	Three months notice	7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	Within 5 days of reinstatement of Site
Substantial Works for Road Purposes	Three months notice	7 days notice	Within 2 hours of work starting	Within 2 hours of works completion	

Table 5.3: Minimum Notice Periods - Traffic Sensitive Situations

Notes

1. Greyed out boxes indicate that no notice is required.
2. 'Works Closed' indicates a permanent reinstatement and 'Works Clear' indicates a temporary reinstatement.
3. In this Code of Practice 'day' means 'working day'. A full definition can be found in Appendix A.
4. An early start procedure is available. The details can be found at paragraph 5.9.
5. 'Site Reinstatement Details Notice' is a 'Registration Notice' within SRWR.

5.3.2 Although Tables 5.2 and 5.3 set out the minimum notice periods, there are other factors, such as the need for traffic regulation orders/**notices and portable light signals applications**, which will affect the lead-in time for works. The notice for any work is determined by a combination of the nature of the work involved, its duration, the traffic management requirements and whether or not it is to take place on a traffic sensitive road.

5.3.3 The noticing procedure performs the following four functions:

- **Co-ordination.** Noticing is a vital component of the co-ordination process. This is particularly important in the case of notices for works on traffic sensitive roads and for major works. It allows works promoters to plan their works knowing what other works are planned by other promoters. It provides an opportunity for the road works authority to consider the possible impact of works and discuss with the works promoter. The road works authority can then influence the hours of work, if necessary, by a direction under section 115 of NRSWA.
- **Emergency and Urgent Works.** These can prompt the emergency procedures of other organisations. e.g. in an emergency to make the road works authority aware of actual or potential disruption to traffic so that they can take appropriate action such as giving traffic information to the police and other interested parties;
- **Inspection Regime.** The inspection regime is triggered by notices;
and
- **Records of Reinstatements.** Notices set the dates for the guarantee periods as described in the Specification for the Reinstatement of Openings in Roads.

5.4 Notice Types and Timing Issues

The following notices are required for co-ordination purposes and shall be submitted by both undertakers and road works authorities (except where stated):

5.4.1 Potential Works

Potential Works Notices are non-statutory notices which can be entered on to the Scottish Road Works Register (SRWR) which has been set up to allow such Potential Works Notices to be entered, both with and without dates. This allows the Potential Works functionality to be used in two separate and distinct ways as described as follows:

(i) Provisional Potential Works Notices

In this case, Potential Works Notices can be entered with **no dates** and will allow the SRWR to be used as a works scheduling tool. This will allow notices to be entered which can be called up at an appropriate point when required and converted into actual notices with dates included. Such notices will not appear on the task summary lists of other organisations and cannot be used for co-ordination purposes.

(ii) Co-ordination Potential Works Notices

In this case, Potential Works Notices for major works can be entered, but **they must show expected start and end dates**. The use of a Co-ordination Potential Works Notice implies that the dates entered will be a “best estimate” and will almost certainly require to be revised later. At this stage the accuracy of the dates is not important, the objective is to ensure that the wider road works community is aware that works are proposed and has a reasonable indication as to when the works might be undertaken.

When a works promoter becomes reasonably confident as to the dates when the works will be undertaken, then the Potential Works Notice should be converted into a statutory Advance Works Notice.

The use of dates allows the Potential Works Notices to become visible to all users and available on the reports used at Local RAUC Co-ordination meetings, enabling more effective forward planning.

5.4.2 Advance Notice of Certain Works

3 Month and 1 Month Advance Notice of Works - this only applies to certain prescribed cases, i.e. major works and, in traffic sensitive situations, both standard works and minor works involving excavations. These must be issued for all works which meet the criteria.

Timing - These notices are based on *calendar months*, not working days. Although the notice period is measured in calendar months, the rule that a notice issued after 16:30 on a working day is counted as being issued on the next working day applies to all notices, not just those that had a notice period in working days (see Section 157 of NRSWA).

So, the earliest start date for a one month notice issued **before** 16:30 on 4 November would be 4 December. However, a one month notice issued **after** 16:30 on Tuesday 4 November counts as if it were issued on Wednesday 5 November and the earliest start date would be 5 December.

Best practice is that the expected starting date should be the best possible estimate and that it should be updated within SRWR as soon as any change is known so that the road works authority is informed.

To ensure effective co-ordination, where an expected start date on a notice in SRWR is 3 months past that date, then the notice will automatically acquire expired status. This should not be confused with the validity periods described at paragraph 5.4.9.

5.4.3 **Substantial Works for Road Purposes** - Notices for works where a section 117 restriction is proposed should follow the same noticing rules as for Major Works and should thereafter follow the same rules as for expected start date, actual start date and work closed notices.

5.4.4 **Notice of Expected Starting Date** - this must specify the expected start and completion dates and work must commence within a specified period.

(i) **7 Day Notice of Expected Starting Date of Works** – is a notice which must be issued a minimum of 7 working days prior to the expected starting date of the works.

Timing - The definition of a day as a working day is given at Appendix A. A notice that is issued on a non-working day counts the same as a notice issued after 16:30 on the preceding working day e.g. any notices issued after 16:30 on a Friday or on the Saturday or Sunday count as if they were issued on the following Monday (before 16:30 that day is counted as the first working day for the purposes of the calculation).

Similarly, works submitted with an expected start date on a non-working day must have been submitted **at least 7 working days** in advance. For example, works planned for Sunday the 21st (or for Saturday the 20th) would have to have a notice issued no later than 16:30 on Thursday the 11th, i.e. valid to commence on Monday the 22nd.

Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7

8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

The dates 11th, 12th, 15th, 16th, 17th, 18th & 19th represent the seven working days.

- (ii) **3 Day Notice of Expected Starting Date of Works** – is a notice which must be issued a minimum of 3 working days prior to the expected start date of the works.

Timing - The same general rules set out above for 7 day notices apply to 3 day notices.

- (iii) **24 Hour Notice of Expected Starting Date of Works** – is a notice which must be issued by 12:00 (Noon) on the **working day** before the **expected start date**.

Timing – Any work planned to commence on a Saturday, Sunday or Monday must be lodged by 12:00 (Noon) on the preceding Friday.

Note – When entering a notice of expected starting date of works the works promoter should be aware of the type of traffic management proposed to be used and this should be included within the notice. “Not Yet Known” should not be used. Such use will be monitored by the Commissioner.

5.4.5 Actual Start Notice – must be issued as soon as possible but no later than 2 hours after works commence in all situations requiring a Notice of Expected Starting Date.

This notice is required as the existing notice only provides an expected start date. Although the works cannot commence before the expected start date without the road works authority approval, they may begin at any time during the validity period. Details of validity periods can be found at paragraph 5.4.9.

Timing – For notices required in non-working hours the works promoter shall give formal notice within 2 hours of the start of the following working day. If works commence outwith working hours or near the end of the working day, the 2 hour notice period required for the Actual Start Notice stops at 16:30, recommencing at 08:00 on the start of the next working day. See table below for examples;

Works Start	Actual Start Notice due by (Latest)	Day
08:00	10:00	Same day as start
10:00	12:00	Same day as start
14:00	16:00	Same day as start
15:00	08:30	Next working day
16:29	09:59	Next working day
16:31	10:00	Next working day
18:00	10:00	Next working day

5.4.6 Urgent and Emergency Notices – for urgent and emergency works, the following actual start notices must be issued:

- (i) **2 Hour Notice of Starting Date of Works** – this refers to urgent works in traffic sensitive locations and must be issued at least 2 hours prior to the works commencing.

Timing – For works being undertaken on non-working days and where the road authority and undertakers have not established out-of-hours arrangement for notices, the undertaker shall give formal notice within 2 hours of the start of the following working day i.e. by no later than 10:00. Given that a working day is deemed to be finished at 16:30 and given the 2 hour advance notice period, any urgent works commenced after 18:30 must be lodged by 10:00 the following day. Any urgent works commenced after 18:30 on a Friday must be lodged at the latest by 10:00 on the following Monday.

- (ii) **2 Hour Notice after Start of Works** – this refers to emergency and urgent works in non-traffic sensitive locations and must be issued within 2 hours of the works being commenced.

Timing – For works being undertaken on non-working days and where the road works authority and undertakers have not established out-of-hours arrangement for notices, the undertaker will give formal notice within 2 hours of the start of the following working day i.e. by no later than 10:00. Given that a working day is deemed to be finished at 16:30 and given the 2 hour period, any emergency or urgent works commenced after 14:30 must be lodged at the latest by 10:00 the following day. Any emergency or urgent works commenced after 14:30 on a Friday must be lodged at the latest by 10:00 on the following Monday.

Note – the 2 Hour Notice of Starting Date of Works and the 2 Hour Notice after Start of Works are deemed to be the Actual Start Notice. In other words, only one notice is required to commence the works.

5.4.7 Works Completion and Reinstatement where there is only One Site

The process is as follows:

- (i) **Works Clear Notice** (for interim reinstatement) and **Works Closed Notice** (for permanent reinstatement) – shall be issued within 2 hours after works are completed.

Timing – For notices required in non-working hours the works promoter shall give formal notice within 2 hours of the start of the following working day. If works are completed outwith working hours or near the end of the working day, the 2 hour notice period required for the Works Clear/Works Closed Notice stops at 16:30, recommencing at 08:00 on the start of the next working day. See table below for examples;

Works Completion	Works Clear/Works Closed Notice due by (Latest)	Day
08:00	10:00	Same day as completion
10:00	12:00	Same day as completion
14:00	16:00	Same day as completion
15:00	08:30	Next working day
16:29	09:59	Next working day
16:31	10:00	Next working day
18:00	10:00	Next working day

- (ii) **Final Site Reinstatement Details Notice** (undertakers only) – should be issued as soon as possible but no later than 5 days after the reinstatement of the ‘Site’ is completed. This provides the date for the guarantee period and the inspection process. The site reinstatement details notice may be issued at the same time as

the works clear/closed notice if the requisite details are available. This completes the process.

5.4.8 Works Completion and Reinstatement where there is more than One Site (Undertakers Only).

The process is as follows:

- (i) **Site Reinstatement Details Notice** – the completion date and whether interim or permanent and accurate location details may be entered by the end of the next working day after reinstatement is completed for each Site. This provides the date for the guarantee period and the inspection process. If reinstatement dimensions are available at this stage they may be included; if not they should be entered no later than 5 days after the reinstatement of the Site by adding them to the notice.

- (ii) **Works Clear Notice** (for interim reinstatements) and **Works Closed Notice** (for permanent reinstatement) – shall be issued within 2 hours after works are completed.

Timing – For notices required in non-working hours the works promoter shall give formal notice within 2 hours of the start of the following working day. If works are completed outwith working hours or near the end of the working day, the 2 hour notice period required for the Works Clear/Works Closed Notice stops at 16:30, recommencing at 08:00 on the start of the next working day. See table below for examples;

Works Completion	Works Clear/Works Closed Notice due by (Latest)	Day
08:00	10:00	Same day as completion
10:00	12:00	Same day as completion
14:00	16:00	Same day as completion
15:00	08:30	Next working day
16:29	09:59	Next working day
16:31	10:00	Next working day
18:00	10:00	Next working day

- (iii) **Final Site Reinstatement Details Notice** (undertakers only) – this Site Reinstatement details Notice (as above) should be issued when the reinstatement details for the last Site are entered which should be no later than 5 days after the reinstatement of the Site.

5.4.9 Validity Periods – Following the Issue of Notice of Expected Starting Date

5.4.9.1 Where a notice of expected starting date of works is issued under Section 114 of NRSWA there is a period from the expected start date inserted in the notice within which the works must be commenced. This is known as the validity period. The validity period for each work category is shown in Table 5.4.

5.4.9.2 There are separate rules relating to the validity period for substantial works for roads purposes which mean that such a notice ceases to be effective if the works to which it relates are not substantially begun

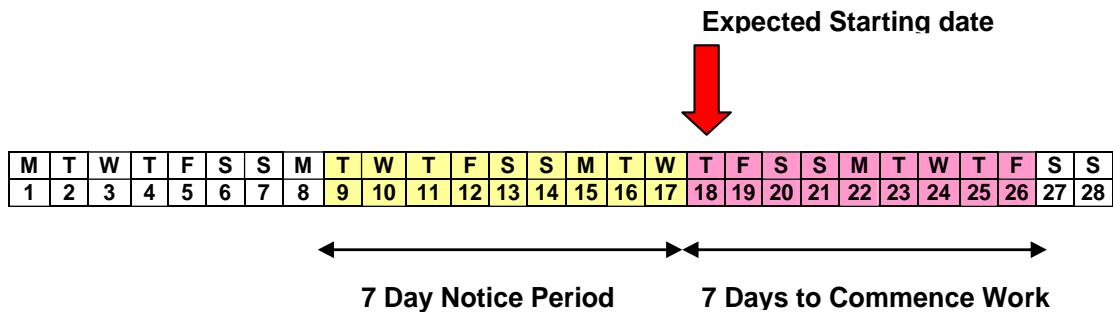
- (i) on or within one month from the date specified in the notice, or
- (ii) where road works are in progress in the part of the road to which the restriction relates on that date, within one month from the completion of those works.

5.4.9.3 Notwithstanding the validity periods shown in Table 5.4, best practice is that the expected starting date should be the best possible estimate and that it should be updated within SRWR as soon as any change is known so that the road works authority is informed.

	TRAFFIC SENSITIVE	NON TRAFFIC SENSITIVE
EMERGENCY (including remedial dangerous)		
URGENT	By noon the following day	By noon the following day
MINOR WORKS (without excavation)	3 Days	
MINOR WORKS (mobile & short duration)	3 Days	
MINOR WORKS (with excavation)	7 Days	By noon the following day
REMEDIAL WORKS (non-dangerous)	3 Days	By noon the following day
STANDARD WORKS	7 Days	7 Days
MAJOR WORKS	7 Days	7 Days
SUBSTANTIAL WORKS FOR ROADS PURPOSES	See 5.4.9.2	See 5.4.9.2

Table 5.4: Validity Periods from the Expected Starting Date

5.4.9.4 The following diagram shows how the validity period operates for Standard Works:



If the expected starting date for the works is the 18th then the notice of expected starting date of the works must be entered no later than the 8th to allow the 7 day notice period. This allows the works promoter the period from the 18th to 26th to commence the works. Notwithstanding this, if the works programme is revised and the works require to commence later, then the expected starting date should be revised. These validity periods do not prevent the use of the late and early start procedures described at paragraph 5.9.