



**Printing Caution:
See Page 2**

ROADS AUTHORITIES & UTILITIES COMMITTEE
(SCOTLAND)

ADVICE NOTE 4

INSPECTIONS, DEFECTS
&
OTHER CHARGES

Version 4.01 – comes into effect on 12 November 2012

Inspections, Defects & Other Charges

CAUTION: With the exception of the final 2 pages, this document is in A4 format. The final 2 pages are in A3. Dual format printers should handle the whole document as one job. Where a dual format printer is not available, it may be necessary to split the document by 'selection', printing the two formats on different printers

Version History

Version	Date	Notes
1.00	Dec '02	Approved by RAUC (S) 4.12.02
1.01	Jul '05	Appendix 1 (formerly a separate document) combined with the main Advice Note document. Certain unofficial amendments applied in Appendix 1
2.00	Dec '06	Document amended to agree with Code of Practice for Inspections – October 2003, and costs of inspections as directed by Statutory Instrument
3.00	September '08	Updated by the Coring Working Group, as directed by RAUCS on 5 March 2008
3.01	March '09	Items 6 (a) & (b), updated 7 January 2009 by Coring Working Group, as directed by RAUCS on 3 December 2008 and accepted by RAUC (S) on 4 March 2009
4.00	Sep '10	Updates to include single Inspection charge for Defect Inspection and updated reference numbers in Code of Practice for Inspections - October 2010
4.01	Oct '12	Revisions to the comments at ref 6b of Appendix 1 to align with revisions to the Code of Practice for Inspections

Revisions or additions to version 4.01 are shown thus – **Mary had a little lamb.**

Roads Authorities & Utilities Committee (Scotland)

Advice Note 4

Inspections, Defects & Other Charges

Introduction

RAUC (S) approved the setting up of an Inspection, Defects & Other Charges Working Group in December 2001. The purpose of the group was to examine and utilise the existing legislation and Code of Practice (CoP) for Inspections to document a standard method of charging and invoicing for inspections, defects and other charges.

The Working Group comprised a Roads Authority (RA) representative from each of the four RAUC (S) Areas and four Statutory Undertakers (SU) representatives from Gas, Water, Communications and Electricity. All other RAs and SUs have also been consulted.

1. Key Aims and Scope of Coring Working Group

- 1.1 To provide a common simplified interpretation of NRSWA associated Regulations and Code of Practice for Inspections, and other relevant legislation. This is in the form of a look up table for inspections and other such charges as may be levied by the Road Authority (i.e. to confirm what is chargeable and how it should be invoiced), as shown in attached spreadsheet in Appendix 1.
- 1.2 To review when requested by RAUC (S) and identify the requirement for RAUC (S) agreements to vary or supplement 1.1, above, where it is deemed unworkable or unclear. These agreements are included in Appendix 1

2. Advice Note

- 2.1 This Advice Note has been revised by the Coring Working Group, acting as Inspections, Defects & Other Charges Working Group to outline the methodology, procedures and specifications to be used in the implementation of fee charging and invoicing for inspections, defects and other charges in Scotland.
- 2.2 It is recommended that Appendix 1 of this Advice Note should be applied to any Inspections, defects and other charges in Scotland.
- 2.3. It is also recommended that Appendix 2, of this Advice Note, or a similar format, should be attached to any invoice for inspections, defects or other charges in Scotland.

3. General Guidelines

- 3.1 Fees can only be charged for inspections actually undertaken. SUs who fail to attend mutually agreed joint inspections, recorded through the SRWR, would be charged.
- 3.2. If SU do not respond to the first defect notice within the prescribed timescale, the defect is deemed to be accepted by the SU.
- 3.3 The “Annual Charge” for Sample Inspections (based on the agreed units of inspection for the financial year) should be confirmed in writing between the parties concerned.
- 3.4 Every effort must be made to fully utilise the information available from the Scottish Road Works Register for inspections and supporting information for invoices.

4. Local Agreements

The user community is required to utilise Advice Note 4 and therefore Local Agreements were not considered necessary and are not included in Appendix 1.

Advice Note 4 and other relevant information are available on the SRWC website:
<http://www.roadworksscotland.gov.uk/LegislationGuidance/Advicenotes.aspx>

Appendix 1/
Appendix 2/

Appendix 1

Ref.	Charge	Comments	Invoicing
SAMPLE & ROUTINE SITE INSPECTIONS			
1	Sample Inspections (Whether Pass or Fail)	Current Sample Inspection Fee *	Maximum of 30% of agreed units for year (agreed in quarter 1 [Ref 7.7.1 (i)] 10% +/- 0.5% in 3 cats [Ref 2.3.3.2])
Quarter of maximum annual charge in 1 st to 3 rd quarters in arrears reconciled end of 4 th quarter. No need to invoice pass/fail separately. SRWR records of inspection reports and Appendix 2 must support year-end invoices. [Ref 7.7.1 (i)]			
2	Routine Roads Authority (Safety) Inspections	No Charge	Whether Pass or Fail
3	Abortive Visits	No Charge	Level of abortive visits should be monitored and RAs and SUs should make every effort to keep to a minimum
INVESTIGATORY INSPECTIONS & WORKS [Ref 7.4 & 7.5]			
4a	Signing, Lighting & Guarding Defect Reports – Following Sample or Routine RA (Safety) Inspection	No addition to charge in 1,2 or 3 above	
4b	Signing, Lighting & Guarding Defect Investigatory Inspection following a Third Party Report	Current Sample Inspection Fee *	Charge only applies where a defect is found
Monthly in arrears [Ref 7.7.2] invoiced (or at least itemised) separately from other charges			
5a	Reinstatement Defect Reports – Following Sample or Routine RA (Safety) Inspection	No addition to charge in 1,2 or 3 above	
5b	Reinstatement Defect – Investigatory Inspection following Third Party Report	Current Sample Inspection Fee *	Chargeable where a defect is found, provided reinstatement is within guarantee period or not originally reinstated to Specification
As 4b			
6a	* Defect (NRSWA s.140) – Following Sample or Routine RA (Safety) Inspection.	No addition to charge in 1,2 or 3 above	Reasonable costs may be chargeable where the RA executes any emergency work needed in consequence of the failure (NRSWA 140)
Invoiced (or at least itemised) separately from other charges			
6b	Apparatus Defect (NRSWA s.140) Following Third Party Report	Current Sample Inspection Fee *	Reasonable costs may be chargeable where the RA executes any emergency work needed in consequence of the failure (NRSWA 140)
Where a visit cannot be accommodated as part of RAs routine duties, and the RA is of the opinion that a Category 1 defect may exist, a one off sample inspection fee may be charged for that visit if apparatus is verified as a Category 1 defect. RA will check records to ensure the defective apparatus has not been previously identified to SU as a Category 1 defect.			
A one-off inspection fee may also be charged by the RA when an inspection carried out under a third party report escalates a pre-existing Category 2 or 3 defect to a Category 1 defect			
Where third party have not given permission to pass their details, a verifiable report must be available for scrutiny by SU.			
1) Whenever possible a photo of site is to be posted on SRWR when logging apparatus defect			
2) An auditable trail/verifiable report to be made available to view (on request)			
3) Should SU consequently attend site to verify a reported apparatus defect and the apparatus is found NOT to be the responsibility of that SU, a counter charge may be levied by SU, to either another SU or the RA.			
4) If neither 1 nor 2 is available then a fee may not be charged.			
Invoiced (or at least itemised) separately from other charges			
7	Investigatory Works	Reasonable costs chargeable	Where a failure is revealed. See Ref 15 for coring.
Monthly in arrears [Ref 7.7.3] invoiced (or at least itemised) separately from other charges			
FOLLOWING UP CONFIRMED / ACCEPTED REINSTATEMENT DEFECTS			
8	Defect Inspections after reinstatement defect identified and accepted	Current Sample Inspection Fee * (up to 3 visits)	Charge is per visit only if actually undertaken. [Ref 2.4.1 & 2.4.2] Dates and records of visits to be available if requested.
Monthly in arrears [Ref 7.7.2], invoiced (or at least itemised) separately from other charges			
9	Urgent Rectification of defects	Reasonable costs chargeable	Should only apply in exceptional circumstances [Ref 5.1.2 (i), Ref 5.2.3. Ref 6.2.1 (iii) & 6.2.2 (v)]
As 8			
10	Defect not cleared, or an extension not agreed, within 1 month (recurring where applicable)	Current Sample Inspection Fee *	Site inspection must take place and should be cross-referenced to the original defect with a count of the number of failed inspections for this defect [Ref 7.3]
As 8			
OTHER CHARGES			
11	Suspension of Parking Bays	Costs of effecting suspension	No charge for loss of revenue for on street parking. However any occupation must not be unreasonable. A charge for occupation of off-street parking spaces may be levied.
Individually or monthly in arrears, invoiced (or at least itemised) separately from other charges			
12	Traffic Orders (Road Closures/Traffic Restrictions)	Advertising & Admin Costs	Payment may be required at time of application as a condition of effecting closure
As 11			
13	Traffic Diversions associated with Traffic Orders	Reasonable costs may be charged	Refers to administration costs only (NRSWA Section 135). Signing, Lighting & Guarding work is separately charged where applicable. Costs to strengthen alternative routes may apply (NRSWA Section 136)
As 11			
14	Temporary Traffic Lights	Reasonable costs may be charged	Reasonable costs may be charged where SU application and RA specific approval is required. No fee shall be charged for sites exempted from specific approval [Ref: RAUC (S) Advice Note 8 'Portable Light Signals' (check for current version ***)]
As 11			
JOINT RAUC(S) CORING PROGRAMME & AD HOC ROADS CORING PROGRAMMES			
15	Cost of Coring per failed core	Core Cost + 2 x Current Sample Inspection Fee* as admin cost	Ref: RAUC (S) Advice Note 3 'National Coring Programme' (check for current version **)
Individually or monthly in arrears, invoiced (or at least itemised) separately from other charges			
16	Fail (Replace) – Inspections	As 8 above	As 8 above
As 8			

Note: All references are from the NRSWA Code of Practice for Inspections published by RAUC (S) October 2012 ('Pink Book')

