



Printing Caution:
See Page 2

ROADS AUTHORITIES & UTILITIES COMMITTEE
(SCOTLAND)

ADVICE NOTE 4

INSPECTIONS, DEFECTS
&
OTHER CHARGES

Version 4.02

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	Nov '12	Revisions to the comments at ref 6b of Appendix 1 to align with revisions to the Code of Practice for Inspections
4.02	March 2021	Updating references to the Code of Practice for Inspections 4 th Edition. Clarifies the language used.

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.

In April 2020 the fourth edition of Code of Practice for Inspections was published. The Working group was asked to update this document.

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

1. Key Aims and Scope of the Working Group

- 1.1 To update all references the 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 Inspection 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 pre-invoice or invoice for inspections, defects or other charges in Scotland.

3. General Guidelines

- 3.1 Fees can only be charged for inspections actually undertaken. SU's who fail to attend mutually agreed joint inspections, recorded through the SRWR, can be charged.
- 3.2. If SU's 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:
<https://roadworks.scot/index.php/legislation-guidance/advice-notes>

Appendix 1

Ref.	Charge	Comments	Invoicing
<u>SAMPLE & ROUTINE SITE INSPECTIONS</u>			
1	Sample Inspections (Whether Pass or Fail)	Current Sample Inspection Fee *	Maximum of 30% of agreed units for year (agreed in quarter 1 [Ref 6.8 (i & ii)] 10% +/- 0.5% in 3 cats [Ref 2.12]
2	Routine Roads Authority (Safety) Inspections	No Charge	Whether Pass or Fail
3	Abortive Visits	No Charge	Level of AV should be monitored, and RAs and SUs should make every effort to keep to a minimum
<u>INVESTIGATORY INSPECTIONS & WORKS [Ref 6.6 & 6.7]</u>			
4a	Signing, Lighting & Guarding Inspection Reports – Following Sample or Routine RA (Safety) Inspection	No addition to charge in 1,2 or 3 above	
4b	Signing, Lighting & Guarding Investigatory Inspection following a Third Party Report	Current Sample Inspection Fee *	Charge only applies where a defect is found, and third party evidence is available. Where third party have not given permission to pass their details, a verifiable report must be available for scrutiny by SU.
5a	Reinstatement Inspection Reports – Following Sample or Routine RA (Safety) Inspection	No addition to charge in 1,2 or 3 above	
5b	Reinstatement 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
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 Cat 1 failure (NRSWA 140) in accordance with S5.14. Details of the emergency works carried out should be provided within the timescales in S5.14
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 Cat 1 failure (NRSWA 140) in accordance with S5.14. Details of the emergency works carried out should be provided within the timescales in S5.14 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 Cat 1 defect. RA will check SRWR to ensure the defective apparatus has not been previously identified to SU as a Cat 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 Cat 2 / 3 defect to a Cat 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. 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.
7	Investigatory Works	Reasonable costs chargeable	Where a failure is revealed see Ref 15 for coring.
<u>FOLLOWING UP CONFIRMED / ACCEPTED REINSTATEMENT DEFECTS</u>			
8	Defect Inspections after reinstatement defect identified [Ref 6.4]	Current Sample Inspection Fee *	Charge is per visit only if undertaken [Ref 2.49]. Inspections should be recorded on the SRWR within the relevant timescales.
9	Urgent Rectification of defects	Reasonable costs chargeable	Should only apply in exceptional circumstances [Ref 3.6 (iv, v) 4.7 (v, vi)]
10	Defect not cleared, or remedials not planned / date agreed (recurring where applicable)	Current Sample Inspection Fee *	Site inspection must take place and recorded on the SRWR on the same notice [Ref 6.4]
<u>OTHER CHARGES</u>			
11	Suspension of Parking Bays	Costs of effecting suspension	No charge for loss of revenue for on street parking. However, any occupation must be reasonable. A charge for occupation of off-street parking spaces may be levied.
12	Traffic Orders (Road Closures/Traffic Restrictions)	Advertising & Admin Costs	Payment may be required at time of application as a condition of effecting closure
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)
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 **)]
<u>JOINT RAUC(S) CORING PROGRAMME & ROADS LOCAL CORING PROGRAMMES</u>			
15	Cost of Coring per failed core	Advice Note 3 Finance and Costs	Ref: RAUC (S) Advice Note 3 'National Coring Programme' (check for current version **)
16	Defect Inspections after core failure agreed	As 8 above	As 8 above

Note: All references are from the NRSWA Code of Practice for Inspections published by RAUC (S) October 2020 ('Pink Book')

Appendix 2 (Insert Relevant Council e.g. West Lothian) Council Inspections for (Insert month and year e.g. Nov 2012)

Local Ref No	Inspection Date	Location of Inspection	Inspections Description – pulled through from the comments section so it is essential this is completed	Inspection Definition (D1, D2, Third Party, Routine etc)	Inspection Charge (£)	Statutory Undertaker
123456	1/04/2010	B792 at Bus Lay-by 10m south of Blackburn cross	Site 1 Undermining on FW Site 2 open joint on CW, road markings not replaced	D2	£XX	SGN

Please note – this report can be easily set up for any pre-invoice or invoice on the register and saved.
This would allow the report to be run monthly / quarterly and easily emailed to the recipient.
The charge can be manually added if required.

Local Ref	Done Date	Location	Road	Town	Inspection Description	Inspection Definition	Inspection Result	Inspection Status
2596580	19/02/2021	34	Station Road	Broxburn	Deterioration of material and open joints identified within previous reinstatements	Sample Category C	Failed - Low Risk	Pending