

— OFFICE OF THE —

SCOTTISH ROAD WORKS COMMISSIONER

UNDERTAKING ROAD WORKS IN SCOTLAND -

CHANGES TO PLANNING, NOTICING AND RISK ASSESSMENT

22 June 2020

Dear Colleagues

Firstly, I would like to thank you for your understanding and co-operation over the last 13 weeks, it has been a challenging time for all of us. We have all played a significant part in ensuring that essential works continue to take place across Scotland and the health of our workforce is protected. Building on my statement dated 28 May 2020 and the First Ministers' announcement on Thursday, we can now move forward gradually in line with the [Construction Sector Re-Start Plan](#).

The Scottish Government has published an update to the [Construction Sector Guidance](#) (effective 22 June 2020) and announced a move into "Phase 3: Steady state operation (where physical distancing can be maintained)" of the Construction Sector Re-Start Plan. This changes the road works that can be planned and undertaken by your organisation. I would like to take this opportunity to draw your attention to the following matters.

Works Planning and Management

We still need the public to understand that our staff and contractor teams are working for utility companies and roads authorities to keep our roads safe and to safeguard utility services. All organisations should follow the established lines of communication and inform relevant parties where difficulties arise. It is expected that all organisations will act reasonably and communicate as appropriate.

Urgent and Emergency Works

Where essential works fall within the existing emergency and urgent works categories, and where works can be undertaken safely, these should take place. There is no longer a requirement to mark these works as **"Essential works under Covid-19 guidance"** from today.

All Other Works

Non-essential works can now be planned and carried out in line with your duties under the New Roads and Street Works Act 1991. In line with the Scottish Government's guidance, **non-essential works may only proceed where the physical distancing requirements can be met**. I ask that you exercise caution and move forward slowly, working together to discharge your statutory duties.

It is expected that interrupted works will be given priority and that requests for road space will be considered in a pragmatic way by both roads authorities and utility companies.

Where works that were interrupted due to the restrictions over the last 3 months are to be restarted you are required to provide the following text in the works description - **"Works recommencing following delay due to COVID-19"**. This will allow organisations to identify works that had already been in progress and allow the

SRWC to review and track the number of early starts which are associated with the situation created by the national pandemic.

Risk Assessment and Safety

I would like to re-iterate my previous advice (28 May 2020) on risk assessments and safety.

“Current guidance makes clear that employers should carry out a specific COVID-19 risk assessment, and gives advice on how this can be achieved. In terms of safe road works operations, the appropriate standard is the Safety at Street Works and Road Works, A Code of Practice 2013. Everyone on site has a responsibility to behave safely, furthermore, it is the responsibility of each organisation working in or on the road network to undertake a site specific risk assessment before works are carried out. The code requires that this risk assessment be dynamic, and updated to reflect changing circumstances during operations.

Given the current national situation and associated restrictions, it is imperative that these risk assessments are carried out for every site, regardless of size or duration. In line with the updated Scottish Government guidance, it is essential that each risk assessment makes specific provision for physical distancing, safeguarding specifically against the spread of COVID-19. This should include reference to the published Scottish Government guidance on physical distancing”.

Thank you for your co-operation and patience. As we gradually increase our works it is likely that some issues will arise, please do not hesitate to contact my office for assistance.

Yours sincerely

ANGUS CARMICHAEL

SCOTTISH ROAD WORKS COMMISSIONER

<https://roadworks.scot/>

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