

— OFFICE OF THE —

SCOTTISH ROAD WORKS COMMISSIONER

Commissioner Advice Paper 10- Requirements to Receiving Notifications on the SRWR

Details of which notifications must be recorded on the Scottish Road Works Register (SRWR) are described in detail in the relevant codes of practice and advice notes, however, the notifications/transactions each organisation must review have not been explicitly described. This document explains the requirement for each organisation to comply with their statutory duties/best practice when reviewing and monitoring notifications & transactions from other organisations.

Undertakers

Section 119 of New Roads and Street Works Act 1991 requires each undertaker to “have regard to all information in the SRWR about matters which might affect, or be affected by, works being proposed to be carried out by the undertaker”.

Undertakers must define Areas of Interest on the SRWR, covering roads where they have placed apparatus, carried out works in the past or intend to carry out works in the future. Each undertaker must have a minimum of one operational district capable of receiving the notifications & transactions described below for every road in which they operate.

The notifications & transactions to be reviewed by undertakers include;

- Inspection Reports, results of any inspections carried out (Defective Apparatus, Routine, Third Party and Sample Inspections);
- NRSWA Section 115, Section 115A or Section 125 Directions recorded against the undertakers Notice, instructing the times or days during which proposed or on-going road works should be carried out or instructing that overrunning works be completed with dispatch;
- Compliance Notices issued by the Scottish Road Works Commissioner;

- Fixed Penalty Notices resulting from a failure to comply with legislation;
- All Notices for substantial road works which are to be protected by a Road Restriction;
- Unattributable Works where a roads authority wishes to record the details of works for which there is no notice (where there is a potential for an inspection/direction/FPN);
- Damage notifications of strikes/damage to apparatus recorded by other organisations, providing details of damage to the undertakers apparatus or details of damage potentially caused by the undertaker while working;
- to ensure proper co-operation, Comments recorded against the undertaker's notices by the roads authority, other undertakers or the Scottish Road Works Commissioner; and
- Details of any Unidentified Buried Objects that the undertaker may be the owner for.

Undertakers must interrogate the SRWR for notifications of works/non-works disruptions and review those which affect or are affected by their works prior to recording notices for their own works. In particular, road restrictions or any highlighted conflicts/opportunities. They must co-operate with both the roads authority and other undertakers affected by the planned works in the interests of safety, to minimise inconvenience to users of the road and to protect the structure of the road and apparatus in it.

Roads Authorities

Section 118 of the New Roads and Street Works Act 1991, as amended by the Transport (Scotland) Act 2005 (NRSWA) requires the relevant road works authority to “have regard to all information in the SRWR which relates to the functions of the authority”. For all roads that they are identified as the maintaining authority each Roads Authority must have a minimum of one operational district set up to receive the notifications & transactions described below.

The notifications & transactions to be reviewed by each roads authority include;

- All Works Notices recorded on roads they are identified as the maintaining authority, in the interests of safety, to minimise inconvenience to users of the road, to protect the structure of the road and apparatus in it, to identify those where using powers of direction is appropriate, to identify those which will incur a Fixed Penalty Notice (FPN) and to identify those where there is a potential co-ordination conflict/opportunity;
- Advance Notice/Actual Start Notice, and Details of Reinstatement which have been randomly selected by the SRWR to receive an inspection;
- Compliance Notices issued by the Scottish Road Works Commissioner;
- Damage notifications of strikes/damage to apparatus recorded by other organisations, providing details of damage to the authority's apparatus or details of damage potentially caused by the authority while working;
- to co-ordinate and allow undertaker co-operation, Comments recorded against the authorities notices by undertakers, other roads authorities or the Scottish Road Works Commissioner; and Comments recorded against notices of works on roads the authority is responsible for; and
- Details of any Unidentified Buried Objects that the roads authority may be the owner or responsible for.