THE SCOTTISH ROAD WORKS COMMISSIONER



2018/19 ROAD WORKS PERFORMANCE REPORT

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Authorising Context

This Report has been produced in accordance with the requirements set out in Schedule 2 of the Transport (Scotland) Act 2005, and covers the 12 month period from April 2018 to March 2019.

Appointment

Angus Carmichael was appointed as Scottish Road Works Commissioner on 28 September 2015, for a period of 2 years. Following a review of the role and powers of the Commissioner by Scottish Ministers, his appointment was extended to a period of 5 years to provide stewardship through the Transport Bill process.

The Scottish Road Works Commissioner's Role

The Scottish Road Works Commissioner is an independent public official, appointed by Scottish Ministers. The Office was established following enactment of the Transport (Scotland) Act 2005.

The Act states:

[The Commissioner] will oversee improvements to the planning, co-ordination and quality of road works in Scotland.

The general functions of the 2005 Act are to:

- monitor the carrying out of road works in Scotland
- promote compliance with the New Roads and Street Works Act 1991
- promote the pursuit of good practice

The specific functions of the 2005 Act are to:

- publish an annual report
- prepare an annual account
- keep a register to be known as the Scottish Road Works Register

Disclaimer

The views offered by the Commissioner within this document are his own and do not necessarily reflect the approach taken by previous Commissioners.

1. Scottish Road Works Commissioner's (SRWC's) Introduction

I am pleased to present my fourth report since taking up office in September 2015, covering the period 1 April 2018 to 31 March 2019.

As noted last year, my initial appointment to the post of SRWC was extended from two to five years in 2016. This extension provides Scottish Ministers with continuity during the passage of the Transport (Scotland) Bill through the Scottish Parliament, introduced in June 2018 and which had completed Stage 1 of the parliamentary process at the end of the reporting period. Part 5 of the Bill details the proposed provisions to amend road works legislation in Scotland.

The 2016 "Barton Report", commissioned by the Minister for Transport and the Islands is a strategic "Review of the Functions and Office of the Scottish Road Works Commissioner". It was used to inform the road works provisions of the Bill. Recommendations include the strengthening of enforcement powers and the introduction of a SRWC inspection function. If enacted, these provisions will represent the first major changes to the office since its establishment under the 2005 Transport (Scotland) Act.



Picture 1 - Angus Carmichael, SRWC

My report again reviews data and trends over five consecutive years. The reporting period continues to align with annual performance reviews of organisations, the office fiscal year and the Roads Authorities and Utilities Committee (Scotland) (RAUC(S)) business year.

Monitoring of road works performance across Scotland and promoting compliance with primary and secondary road works legislation remain high priorities.

A number of indicators are used to inform the monitoring process and highlight trends in performance. These indicators form the basis of Section 5 of this report and provide a picture of how well utility companies are co-operating and how well roads authorities are co-ordinating road works. Whilst the rate of improvement has slowed as organisations become more compliant, the general trend continues to be one of overall improvement. Albeit, a number of organisations require to demonstrate an improvement in their compliance with their road works statutory obligations.

Community engagement is an essential part of the successful delivery of both utility company and roads authority road works across Scotland. In addition to regular representation at quarterly local, area and national RAUC meetings, my office continued to routinely engage with a range of individual organisations and stakeholder groups during 2018/19. These organisations include roads authorities, utility companies, the Roads Maintenance Stakeholder Group, the Bus Stakeholder Group, the Scottish Road Research Board, the Transport Scotland Pavement Forum and various Scottish Government Agencies.

The office continued to take an active role in the UK wide Training and Accreditation Group (TAG). The focus of this group remains the drafting of new question banks for operatives and supervisors following participation in the development of the Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations. Training and Accreditation are key to driving improvements in the safety of road works sites and in the quality of reinstatements across the country.

Collaborative working between utility companies and roads authorities is essential to the successful delivery of road works. Assisting the Scottish Government in the development of secondary legislation and participating in UK wide initiatives are examples of the close collaborative approach between roads authorities and utility companies across Scotland. This approach allows differences to be resolved at an early stage.

Improving the quality of utility company reinstatements remains a high priority. It is simply not acceptable that the bituminous surfacing layers in 20% of utility company reinstatements do not meet the required specification, leaving a legacy for roads authorities to address in future years. During the reporting period, *Advice Note 3 National Coring Programme 2019* was updated. The advice note provides guidance for the proposed coring programme which will sample and test utility company reinstatements undertaken during the period 1 April 2018 until 31 March 2019.

Coring of the bound bituminous layers in utility company reinstatements is only one measure of quality. In Type 3 and 4 roads, the bound layer frequently only represents around 15% of the overall depth of the excavation. There is currently no formal compaction testing regime of the remaining 85% of unbound general backfill material. Since taking up office, my view has been that increased scrutiny of the unbound layers in utility company reinstatements is required. Both material type and the quality of compaction require investigation to avoid future long term settlement liability falling to roads authorities. Unfortunately, due to technical issues, on site testing using the office Light Weight Deflectometer was not undertaken this year. It is intended to recommence testing in the future to establish a robust trend analysis and determine the appropriateness of intervention.

In addition to increased scrutiny of the unbound layers in reinstatements, it remains my view that consideration should be given to significantly extending the existing guarantee periods applied to utility company reinstatements to protect road network assets against unnecessary early failure. It is hoped that following the passage of the Transport Bill, which was introduced to the Scottish Parliament in June 2018, provision will be made in secondary legislation to extend the existing guarantee period.

The co-ordination of road works is closely monitored using the Scottish Road Works Register (SRWR). A new contract to provide the SRWR for a period of 4 years, commenced on 1 April 2018. Subject to satisfactory contract delivery, provision exists to extend the appointment by up to 3 years in increments of 1 year.

The SRWR is unique to Scotland and is a robust platform to monitor the road works performance of organisations across the country. Information is transferred between roads authorities and utility companies and performance is measured consistently across Scotland using this single national road works register. For example, the variable noticing practices of roads authorities against their peer Society of Chief Officers of Transportation in Scotland (SCOTS) groups, remains unacceptable. The introduction of an indicator in 2016, which compares the number of road works registered by roads authorities per 100km of road network, has driven a measurable improvement.

SRWR information is available as Open Data and through the office public facing website at:

https://roadworks.scot/opendata

Whilst the rest of the UK continues to catch up with the SRWR model used to manage road works in Scotland through the development of the DfT Street Manager project, it is likely to be several years before consideration can be given to the adoption of an alternative model in Scotland.

The role of the Road Works Commissioner is unique to Scotland within the countries making up the UK. Its creation demonstrates a desire by the Scottish Government to encourage organisations to work collaboratively to improve the safety and the quality of road works sites and to minimise disruption to road users by reducing congestion.

Again, I would like to express my thanks to the wider road works community for their ongoing engagement and support during this reporting period and to the staff in my office for their continued commitment and enthusiasm for the work of the office.

Angus Carmichael,

Scottish Road Works Commissioner

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2. Executive Summary

The Organisation

Permanent staffing levels remained constant over the period, with no turnover. The temporary part time post introduced to support the work of the Technical Standards Manager during the last reporting period has been extended. Accountancy is still largely undertaken in-house with external chartered accountancy support as required. The staffing establishment remains well placed to deliver the requirements of the *Transport (Scotland) Act 2005* and to address the governance required of a public office.

Monitoring

Monitoring the performance of organisations continued substantially unchanged throughout 2018/19.

Quarterly SRWC performance dashboards were introduced during 2017/18. They were well received by the road works community and continued to be compiled quarterly during the 2018/19 reporting period. Quarterly dashboards can be downloaded directly from the SRWR by organisations and reviewed at any time. The introduction of quarterly dashboards has led to increased engagement with organisations and an improved understanding of statutory duties.

Performance Indicator Trends

The 5 year rolling period introduced last year has again been retained this reporting period. This allows trends to be analysed.

Following significant improvements in both utility company and roads authority performance prior to 2012/13, the rate of improvement slowed significantly. This was expected. However several areas remain in need of early improvement including:

- percentage of unplanned works registered by Scottish Water, SP Energy Networks, SSE and SGN
- overall performance of many smaller utility companies
- seasonal variance/fluctuation in the performance of roads authorities
- works registered per 100km of road network by roads authorities

Despite the resourcing challenges facing the Scottish road works community, it is important that organisations fully embrace the concept of continuous performance improvement which is key to the delivery of co-ordinated road works.

Performance Reviews

Annual Performance Reviews were issued to CEOs of all organisations undertaking road works in Scotland during the autumn of 2018. Instructions on self-monitoring were also sent to designated Senior Managers in December 2018.

Safety at Road Works

Safety at utility company road works and at roads authority works for roads purposes remains a key priority of the office and performance will continue to be scrutinised.

Utility Company Reinstatements

Improving the quality of utility company reinstatements remains a high office priority. It is not acceptable that utility companies leave legacy defects for roads authorities to repair.

An indication of the quality of reinstatements is found in the results of national coring programmes which sample and test the bituminous bound layers of utility company reinstatements. Programmes are undertaken by RAUC(S) every two to three years. A national coring programme commenced in March 2019 and will look at a 2% sample of utility company reinstatements undertaken between 1 April 2018 and 31 March 2019. It is hoped that improvement across the sector will be evidenced, particularly in the telecoms sector.

Commissioner Penalties

There were no Commissioner Penalties issued for failures to comply with Sections 118 or 119 of NRSWA 1991 during the reporting period. However, two roads authorities were issued with a stage 1 penalty letter in respect of proposed enforcement action.

Promotion of Compliance and Good Practice

The promotion of compliance and good practice is fundamental to encouraging organisations undertaking road works to co-operate and co-ordinate. The office continued to engage proactively with the road works community throughout the reporting period.

Consultations and Research

The SRWC continued to take an active role in the Scottish Road Research Board and related technical groups.

Scottish Road Works Register

Management and operation of the SRWR continued with the support of the SRWR Steering Group, the SRWR Systems Assurance Team and the RAUC(S) Gazetteer Group.

There was no significant loss of service recorded during the reporting period.

Various new features and applications were introduced to the SRWR, as required by the 2018 contract, including the introduction of mobile apps for works promotors, inspectors and access to Vault.

Legislation

The SRWC continued as a member of the road works Policy Development Group (PDG). The PDG reviews primary, secondary and tertiary road works legislation in Scotland and informs Scottish Government officials.

Annual Report and Accounts

Scott-Moncrieff Business Advisors and Accountants audited the 2017/18 SRWC Annual Report and Accounts during the summer of 2018.

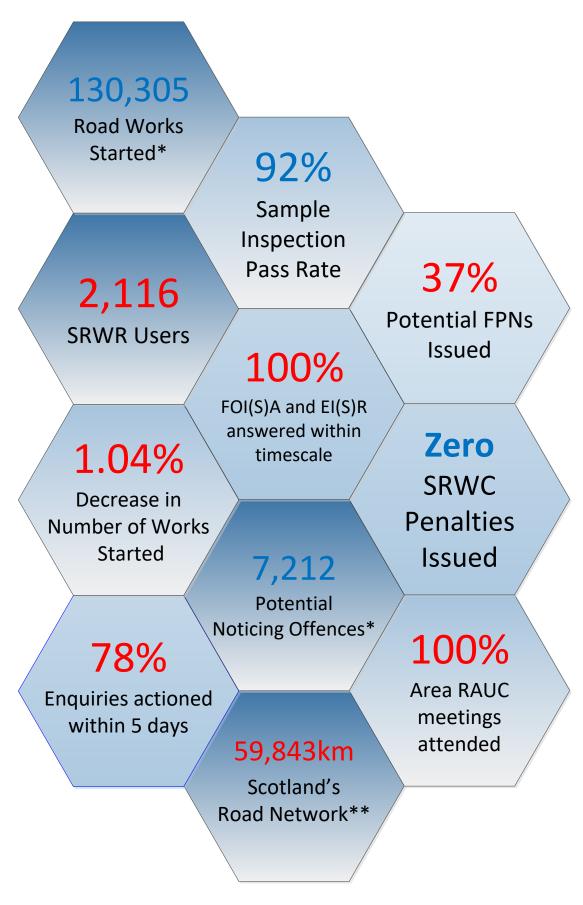
Reflection and Forward Planning

The SRWC remains of the view that changes are required to the current legislative provisions to achieve further improvements in noticing performance, safety at road works sites and in the quality of reinstatements. Looking forward, the Transport Bill provisions will expand the role of the SRWC and the wider regulation of road works in Scotland. Progress of the bill through the Scottish Government parliamentary process is being closely followed by the SRWC.

Reflecting on 2018/19, the Scottish road works community continued to co-ordinate and co-operate collaboratively.



Picture 2 – Is this defective?



^{*} Source - Scottish Road Works Register

^{**} Source - Scottish Transport Statistics 2017

3. The Organisation

The SRWC's permanent staffing numbers remained unchanged. A new Performance Manager and a new Technical Consultant were appointed.



Picture 3 – The staff of the office of the Scottish Road Works Commissioner.

The current establishment consists of:

Policy Manager

Key functions include monitoring compliance with legislation and governance, keeping regulations, codes of practice and advice notes under review, promoting good practice, managing requests under FOI(S)A and EI(S)R and media/complaint handling.

Performance Manager

This role entails the management of indicators, management of statistical information, working with the community to improve compliance and drafting performance reviews.

SRWR Manager

The key responsibility of this post is to manage the operation of the SRWR. The SRWR Manager is the primary contact with the provider of the register, currently Symology Ltd.

Technical Standards Manager

This post provides the office with engineering support. The main priority is to drive improvements in the overall quality and standard of road works through increased scrutiny of road works sites across Scotland.

Technical Consultant

This post was introduced to gather independent evidence and information about works being carried out on Scotland's roads. The Technical Consultant supports the Technical Standards Manager in developing robust quality management systems. This temporary post has been extended to 31 March 2020.

Business Manager

This key role deals with the general administration of the office, in house accounting, enquiries from the public, statutory returns, invoicing, budget monitoring and management of the Commissioner's diary.



Picture 4 - Satisfies SROR but...?

4. Monitoring

Introduction

The duties of the SRWC include "monitoring the carrying out of works in roads in Scotland" to ensure that roads authorities and utility companies are meeting their statutory obligations.

The SRWC has been monitoring the performance of organisations since indicators were introduced in 2009. In parallel, roads authorities and utility companies have been improving their own use of management information, available from the SRWR, to monitor their own works. As organisations continue to reduce resources to make savings, the resulting loss of knowledge continues to prove challenging. It is now increasingly common for previously satisfactory performance to deteriorate.

In September and October 2018 all roads authority and utility company CEOs received their *Annual Performance Review*, in respect of performance during 2017/18. Interim performance reviews were also available throughout the year for roads authorities and utility companies to interrogate, allowing individual organisations to access their own details in a summary format.

Five key questions are considered when monitoring performance:

- are roads authorities co-ordinating works on their roads?
- are utility companies co-operating with roads authorities?
- are works taking too long to complete?
- are works being carried out safely?
- are reinstatements in roads meeting the required standard?

Performance Indicators

Indicator reports are used to identify trends in the performance of roads authorities and utility companies over time. A suite of indicator reports is available directly to roads authorities and utility companies with access to the SRWR. Organisations are encouraged to regularly interrogate the SRWR to monitor their own performance and take appropriate mitigating action.

Quarterly performance dashboards capture key indicators and present them in a red/amber/green status report, as shown in Figure 1.

SRWC indicator reports are continually reviewed and developed to ensure that they are relevant, up to date and transparent. Organisations are required to provide a written response when their performance is poor.

					2018/	13 44													
Scotland Roads Authorities	B68 No of Works	% of Noticing Failures	2 % of Emergen cy/Urgen VRemedial 2 Dangerous	% of Overruns	다 % of Early Starts	01년 % of Late Starts	지 % of Works Extensions	9 Works Awaiting Closure	Works Awaiting Final Site	S 125 Notices Issued/Received	No of interim reinstatements after	Substandard TM	% of Works with misuse of "TM Not Yet Known"	% of works missing Contact Details	Sample Cat A Inspections	Sample Cat B Inspections	Sample Cat C Inspections	Gazetteer Submissions this quarter	VAULT submissions this quarter
SCOTS City Group	Nou	NEG.	Rou	i i i	K.IO	N.IO	NIZ.	NIO .	N.IO	Kire	1110	N.IS	II.E4	1124		Dolle		Our	700
Aberdeen City Council Dundee City Council	194 142	4.1% 7.7%	2.1% 8.5%	12.6%	13.4%	1.5%	26.3% 1.4%	0	2	12			0.5%	0.0%	30 42	52 43	69 62	Y	14/02/
City of Edinburgh Council Glasgow City Council	569 304	4.9% 3.6%	11.1% 13.8%	0.8%	7.6% 14.5%	4.4% 2.6%	8.8% 12.2%	0	0	0			1.8% 11.5%	0.0% 2.0%	131 92	210 182	230 182	Y	11/02/
SCOTS Urban Group																			
Clackmannanshire Council East Dunbartonshire Council	77 129	1.3% 0.8%	1.3%	0.0%	9.1% 27.9%	0.0%	20.8% 7.0%	0	1	6			0.0%	0.0%	12	17 47	43	Y	04/02/
East Renfrewshire Council Falkirk Council	57 193	28.1% 1.6%	0.0% 2.6%	0.0%	21.1% 16.1%	1.8%	15.8% 6.7%	0	3	0			0.0%	7.0% 0.0%	2	40 58	43 54	Y	13/02/
Inverciyde Council North Lanarkshire Council Renfrewshire Council	85 804 253	4.7% 4.7% 0.4%	0.0%	0.0% 2.5% 0.0%	14.1% 24.1% 1.6%	0.0% 2.1% 0.0%	18.8% 8.6% 2.0%	1	0	0			0.0% 0.4% 0.0%	0.0% 0.1% 0.0%	33 154 179	26 115 90		Y	30/01/ 20/02/ 01/02/
West Dunbartonshire Council	9	33.3%	11.1%	0.0%	88.9%	0.0%	0.0%	0	0	0			0.0%	0.0%	0	0	0	N	13/02/
SCOTS Semi-Urban Group East Ayrshire Council	85	5.9%	1.2%	0.0%	11.8%	2.4%	4.7%	0	0	0			0.0%	0.0%	33	46	49	Y	29/11/
East Lothian Council Fife Council	113 267	0.0% 3.4%	1.8%	1.8%	13.3% 27.7%	0.0%	6.2% 12.0%	0	0	3			0.0%	0.0%	23 165	47 140		Y	15/02/
Midlothian Council North Ayrshire Council	109 58	1.8% 5.2%	3.7% 5.2%	0.0%	11.0% 32.8%	0.0%	2.8% 8.6%	0	0	2			0.0%	0.0%	0 54	27 52	77	Y Y	12/02
South Ayrshire Council South Lanarkshire Council	109 482	4.6% 6.6%	0.0% 1.7%	0.0%	3.7% 16.0%	0.0% 3.5%	3.7% 8.3%	0	0	3			0.0%	0.0%	12 92	138	197	Y	29/11
Stirling Council West Lothian Council	102 276	3.9% 2.5%	20.6% 1.1%	1.2% 0.0%	13.7% 2.5%	0.0%	28.4% 5.4%	0	11 0	0			0.0%	2.9% 0.0%	24 43		27 70	Y	05/02 31/01
SCOTS Rural Group																			
Aberdeenshire Council Angus Council Argust & Rute Council	376 59	4.5% 5.1%	3.2% 6.8%	0.3% 3.9% 0.0%	44.9% 15.3% 8.7%	4.3% 0.0% 0.0%	22.6% 8.5% 8.7%	0	23	2			0.5% 0.0% 0.0%	0.3% 1.7%	27 12 22	74 56 29		Y	12/02
Argyll & Bute Council Dumfries & Galloway Council Highland Council	103 227 299	4.9% 1.8% 6.7%	2.9% 2.2% 8.4%	0.0% 0.0% 1.9%	8.7% 13.2% 6.0%	0.0% 0.0% 0.7%	8.7% 8.4% 3.3%	0	0	0			0.0% 0.0% 0.0%	5.8% 0.0% 0.0%	99 27	96	93 82	Y Y Y	16/01/ 11/02/
Moray Council Perth & Kinross Council	299 212 131	0.9% 6.1%	8.4% 6.1% 9.2%	0.0%	6.6% 64.9%	0.7%	3.3% 11.3% 16.0%	0	0	0			0.0% 0.0% 2.5%	0.0%	9 29	21		Y Y Y	06/02/
Scottish Borders Council	160	1.3%	0.6%	0.0%	8.1%	0.6%	3.8%	0	0	0			0.0%	0.0%	31	70	74	Y	05/02/
SCOTS Island Group Comhairle nan Eilean Siar	118	3.4%	3.4%	0.0%	0.8%	0.0%	5.9%	1	3	0			0.0%	0.0%	26	11	15	Y	12/02/
Orkney Islands Council Shetland Islands Council	50 57	0.0%	0.0%	0.0%	8.0%	0.0%	8.0% 5.3%	0	11	0			0.0%	0.0%	1 2	6	7 5	Y	28/01/
Transport Scotland																			
Transport Scotland - Forth Bridges OC Transport Scotland - NE Unit Op Company	69 358	1.4% 0.3%	0.0%	0.0%	5.8% 25.4%	0.0%	1.4% 5.9%	0	0	0			0.0%	0.0%	0	6	7	Y	14/01/ 29/01/
Transport Scotland - NW Unit Op Company Transport Scotland - SE Unit Op Company	602 402	0.2%	9.6% 0.7%	0.0%	9.5% 5.0%	0.0%	4.7% 3.2%	1	0	0			0.6%	0.0%	2	9	12	Y	29/01/
Transport Scotland - SW Unit Op Company	800	5.4%	3.6%	0.1%	27.8%	0.0%	4.3%	0	0	0			0.0%	0.0%	0	28	27	Y	14/10/
Transport Scotland - A90 AWPR DBFO Transport Scotland - M74 DBFO Transport Scotland - M77 DBFO	139 16 26	6.3%	0.0% 6.3% 30.8%	0.0%	0.0%	0.0%	0.0%	0	0	0			0.0% 0.0%	0.0%	0	0	0	Y	11/09/
Transport Scotland - M8, M73, M74 DBFO Transport Scotland - M80 DBFO	175	4.0%	0.0%	0.0%	0.0%	0.0%	0.6%	1 0	1 0	0			0.0%	0.0%	0	0	0	Y Y	11103
Transport Scotland - Traffic Scotland	117	19.7%	0.0%	0.0%	6.0%	2.6%	1.7%	0	281	0			0.0%	32.5%	N/A	N/A	N/A	N/A	17/07/
Other																			
Tay Road Bridge Joint Board National Total/Average	8,938	0.0% 3.9%	33.3% 4.1%	0.0%	0.0% 16.3%	0.0%	0.0% 7.9%	0	9	0			0.0%	50.0% 0.7 %	0	0	0	N	
Undertakers	R9a	R2b	R9a	R6	R10	R10	R12	R16	R16	R17e	R18	R19	R24	R24		Passed %		Gaz	Vau
Gas																1 43524 70			
E S Pipelines Limited Energetics	26 74	15.4% 35.1%	0.0% 5.4%	8.3% 11.5%	3.8% 20.3%	0.0%	3.8% 47.3%	0	57 10	6	3 7	0	0.0%	3.8%	N/A 100.0%	100.0% 58.3%	80.0%	N/A N/A	
Energy Assets Pipelines Ltd Fulcrum	22 14	13.6% 28.6%	9.1% 7.1%	0.0%	50.0% 0.0%	0.0% 7.1%	18.2% 14.3%	0	0 12	0	3	1	0.0% 7.7%	0.0% 14.3%	N/A	N/A 100.0%	N/A 75.0%	N/A N/A	
GTC Pipelines Limited SGN	54 2,687	16.7% 5.2%	3.7% 39.3%	0.0% 5.3%	14.8% 11.7%	3.7% 0.8%	24.1% 8.9%	30	1 53	2	37	2 68	3.8% 0.1%	0.0%	50.0% 80.5%	57.1% 94.0%	100.0% 96.6%	N/A N/A	16/01/
ESP Electricity Ltd National Grid	-	N/A N/A	N/A N/A	0.0% 0.0% 6.1%			N/A N/A 13.5%	0	0	0	0			N/A N/A 0.2%	N/A N/A 89.2%	N/A N/A 93.9%	N/A N/A 96.2%	N/A N/A	18/04/
SP Energy Networks SSE NorthConnect	2,660 622	5.4%	38.4% 43.1%	0.0%	10.5%	0.3%	10.0% N/A	4	541 0	1	20	7	1.7%	0.6%	100.0%	91.5%	98.5% N/A	N/A N/A N/A	13/02/
					IVA	IVA	IVA					- 0	IWA	IVA	iex.	iex.	IVA	New Y	
		N/A	N/A														N/A	N/A	
Pipelines BP	-	N/A	N/A N/A N/A	0.0%			N/A N/A	0	0	0	0				N/A N/A	N/A N/A	N/A	N/A	N/A
Pipelines	-	N/A N/A N/A	N/A		N/A N/A	N/A N/A		0 0	0 0	0 0	0 0 0	0	N/A N/A	N/A N/A	N/A N/A		N/A N/A N/A	N/A N/A	
Pipelines BP CLH Pipelines EnQuest plc		N/A N/A N/A N/A N/A	N/A N/A N/A	0.0% 0.0% 0.0% 0.0%	N/A N/A N/A N/A	N/A N/A N/A	N/A N/A	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0 0 0 0	0 0 0	N/A N/A N/A	N/A N/A N/A	N/A N/A	N/A N/A	N/A	N/A	
Pipelines BP CUIT Pipelines EnGuent Ipl Richards Ipl NECS Forties Pipeline System Petroineos Manufacturing Scotland Ltd Shell	-	N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A	0.0% 0.0% 0.0% 0.0%	N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A	0 0 0 0 0	0 0	0 0 0 0 0 0 0 0 0 0 0 0	000000000000000000000000000000000000000	0 0 0 0	N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A	N/A N/A N/A	
Pipelines BP CLH Pipelines EnQuest plc NRCOS - Forties Pipeline System Petroinees Manufacturing Scotland Ltd Shell Telecoms Artya	-	N/A N/A N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A N/A N/A N/A	0.0% 0.0% 0.0% 0.0% 0.0%	N/A N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A N/A	0 0 0 0 0 0	0 0	0 0 0 0 0	000000000000000000000000000000000000000	0 0 0 0 0	N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A	
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Figure 1 – Example of the quarterly national dashboard.

Engagement and Improvement

Ongoing engagement is intended to improve performance without the need to take formal enforcement action.

A number of organisations met with the SRWC to discuss their performance during 2018/19. In general terms, the major gas, electricity and water utility companies, and around 40% of roads authorities, performed satisfactorily. However, the telecommunications sector, along with a number of roads authorities, require to give greater priority to meeting their road works statutory obligations.

Liaison took place with the following:

Roads Authorities

Aberdeen City Council

City of Edinburgh

Dumfries & Galloway Council

Dundee City Council

East Ayrshire Council

East Dunbartonshire Council

East Renfrewshire Council

Fife Council

Glasgow City Council

Highland Council

Orkney Islands Council

North Ayrshire Council

North Lanarkshire Council

Titorin Lanariani Counc

Perth & Kinross Council

Renfrewshire Council

Shetlands Islands Council

South Ayrshire Council

Stirling Council

Tay Road Bridge Joint Board

Transport Scotland

West Dunbartonshire Council

Utility Companies

CityFibre Metro Networks

EE

Energetics

Fulcrum

INEOS

Openreach

Royal Mail

Telefonica UK

Verizon

Virgin Media Group

Vodafone

Zayo

Improvement Plans

SRWC Improvement Plans were introduced in 2017/18. The following organisations met with the Commissioner and were required to develop a plan to improve their performance:

Roads Authorities

Aberdeen City
Aberdeenshire
City of Edinburgh Council
Dumfries & Galloway Council
East Renfrewshire Council
Fife Council
Glasgow City Council
Highland Council
Perth & Kinross Council
Scottish Borders Council
West Dunbartonshire Council

Utility Companies

ES Pipelines Energetics Energy Assets Pipelines Fulcrum GTC Verizon Zayo



Picture 5 - Technical Standards Team

5. Trends from Indicator Reports

Roads authorities and utility companies have a statutory duty to register their qualifying road works in the SRWR. This section of the annual report considers trends in compliance using a suite of key performance indicator reports extracted from the SRWR. Utility companies and roads authorities are encouraged to interrogate performance reports on a regular basis and to monitor their own performance.

The following summarises the data analysed in this section:

Trend	Figure(s)
Actual starts (road works commenced)	Figure 2, Figure 3 & Figure 4
Roads authority noticing failures as a percentage of actual starts	Figure 5 & Figure 6
Utility company noticing failures as a percentage of actual starts	Figure 5 & Figure 7
Early and late starts as a percentage of actual starts	Figure 8 & Figure 9
Unplanned works as a percentage of actual starts	Figure 10
Works extensions as a percentage of actual starts	Figure 11
Overrunning works as a percentage of actual starts	Figure 12
Works awaiting closure and/or registration of final site reinstatement details as a percentage of actual starts	Figure 13 & Figure 14
Utility company interim reinstatements	Figure 15 & Figure 16
Sample Inspections undertaken by roads authorities	Figure 17
Sample inspections utility company pass rate	Figure 18
Substandard traffic management from inspection results	Figure 19
Works registered with missing contact details	Figure 20 & Figure 21
Misuse of traffic management type "not yet known"	Figure 22 & Figure 23
Fixed Penalty Notices (FPNs) issued to utility companies	Figure 24
Undue delay (S125) notices issued by roads authorities and received by utility companies	Figure 25 & Figure 26
Roads authority works registered per 100 km	Figure 27 to Figure 34

Analysis in this report considers trends over five financial years, 2014/15, 2015/16, 2016/17, 2017/18 and 2018/19. Each financial year is subdivided into quarters.

Period	Date Range
Quarter 1 (Q1)	1 April 2018 to 30 June 2018
Quarter 2 (Q2)	1 July 2018 to 30 September 2018
Quarter 3 (Q3)	1 October 2018 to 31 December 2018
Quarter 4 (Q4)	1 January 2019 to 31 March 2019



Picture 6 – Raises a number of questions.

Actual starts (road works commenced)

Subject to the scale of the road works, utility companies and roads authorities are required to register 24 hour, 3 day or 7 day advance notifications on the Scottish Road Works Register (SRWR) for all qualifying works.

When road works actually commence on site, organisations are then required to register an actual start notice.

For example, works subject to a 7 day notification require an actual start to be registered between Day 7 and Day 14, and this must be registered by noon the following day.

This indicator shows the number of actual start notices registered on the SRWR by roads authorities and utility companies, including emergency and urgent works.



Picture 7 - Pedestrian barriers?

Analysis of the percentage of roads authority works to utility company works within each roads authority shows that the percentage of road works registered by roads authorities varies significantly across Scotland and within SCOTS groups. For example, North Lanarkshire Council registered 39% of all works and Moray Council 35% of all works whilst West Dunbartonshire Council only registered 5% of all works. The performance of West Dunbartonshire Council is unacceptable.

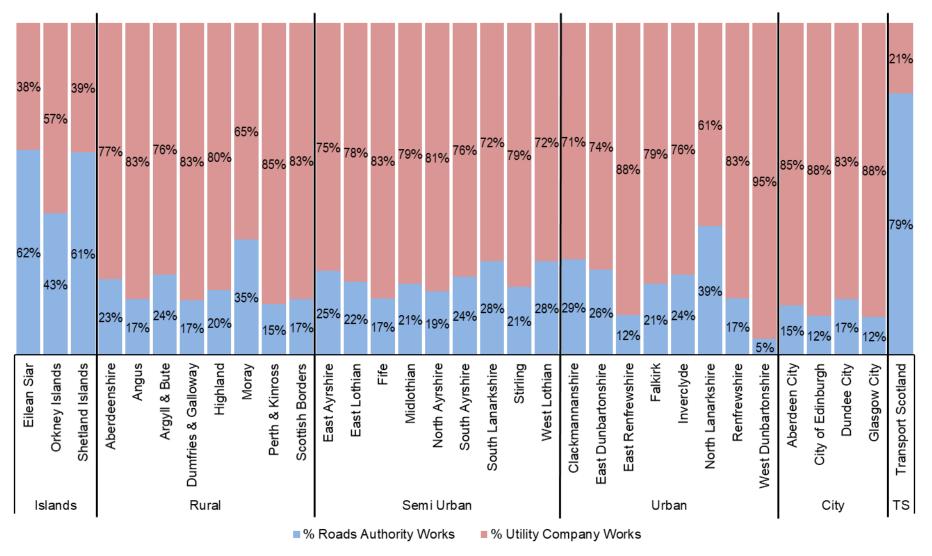


Figure 2 – Comparison of actual starts in each roads authority area. (Source: SRWR Reports 9a & 2b)

Roads authorities - actual starts registered on the SRWR are shown in their respective SCOTS group. Whilst a majority of groups show a small increase in the number of works registered, individual roads authorities need to follow the good practice of North Lanarkshire Council and Moray Council and register all qualifying works.

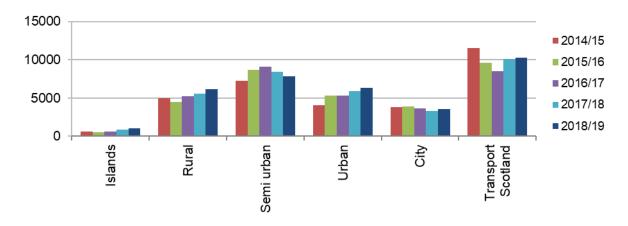


Figure 3 – Actual starts by roads authority SCOTS grouping. (Source: SRWR Report 9a)



Picture 8 – Provision for pedestrians and vulnerable road users?

Utility companies - actual starts registered on the SRWR show a small increase in the number of works registered by the electricity, gas and water sectors. Actual starts registered by the telecommunications sector decreased by approximately 9% which may be due to a reduction in the works associated with the BDUK programme.

Whilst scope remains for some improvement in the number of road works registered by utility companies, it is likely that a high percentage of utility company works are being registered.

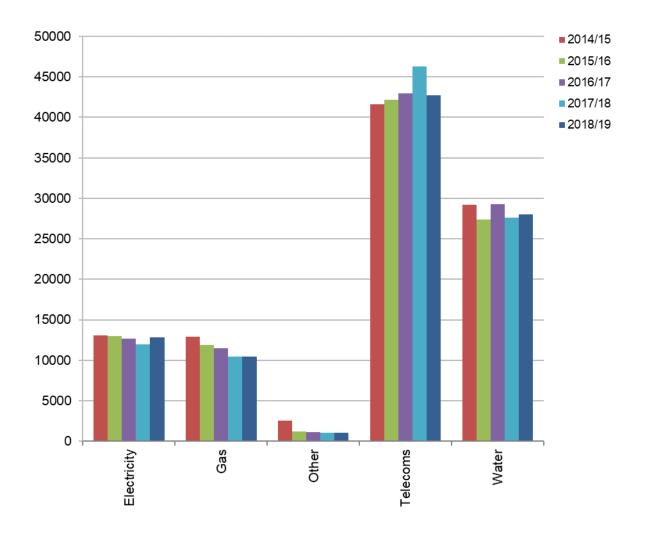


Figure 4 – Actual starts by utility sector. (Source: SRWR Report 9a)

Roads authority and utility company noticing failures as a percentage of actual starts

All qualifying road works carried out by utility companies and roads authorities are required to be registered (noticed) on the Scottish Road Works Register (SRWR).

Utility company noticing failures are system generated by the SRWR and referred to as potential noticing offences. Each potential noticing offence is reviewed by a roads authority and may attract a Fixed Penalty Notice (FPN) (not all roads authorities have taken up the option to issue FPNs).

Roads authority noticing failures are also system generated by the SRWR and referred to as potential noticing failures for comparison purposes with utility company performance. They are not subject to FPNs as an authority cannot issue a penalty against themselves.

This indicator compares the average noticing failure rate of all utility companies against the average noticing failure rate of all roads authorities and the individual failure rates of utility companies and roads authorities.

Notices required to be registered on the SRWR include:

- Advance Notice (NRSWA Section 113(5))
- Start Notice (NRSWA Section 114(5))
- Emergency Notice (NRSWA Section 116(4))
- Works Closed Notice (NRSWA Section 129(6))

It is expected that all roads authorities and utility companies achieve a failure rate of 4% or less, as noticing of road works is an administrative function.

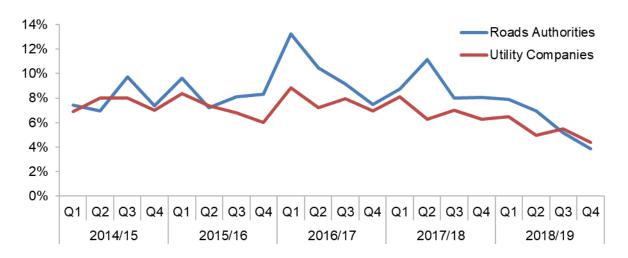


Figure 5 – Roads authority and utility company noticing failures (Source: SRWR Reports 2a and 2b)

Overall, roads authorities improved to 3.6% and utility companies to 4.4%. Whilst 92% of utility companies failed to achieve the 4% target, it is encouraging that once again Scottish Water achieved a failure rate of only 3.1%.

The following organisations achieved a failure rate less than 4%.

Roads Authorities		Utility Companies	
Argyll and Bute Council	2.6%	ESP Electricity Ltd	0.0%
Clackmannanshire Council	2.3%	Scottish Water	3.1%
Comhairle nan Eilean Siar	1.7%	SSE Telecoms	1.6%
Dumfries & Galloway Council	3.7%		
East Dunbartonshire Council	2.5%		
Inverclyde Council	3.0%		
Midlothian Council	1.9%		
Moray Council	0.5%		
Shetland Islands Council	2.5%		
Tay Road Bridge	0.0%		
Transport Scotland	2.0%		

The following organisations recorded an unacceptable failure rate in excess of 10%.

Roads Authorities		Utility Companies	
Aberdeenshire Council	13.1%	Arqiva	14.2%
City of Edinburgh Council	21.1%	Century Link	20.0%
Dundee City Council	15.3%	CSP Ltd	30.0%
East Ayrshire Council	11.6%	Energetics Ltd	30.6%
East Renfrewshire Council	18.4%	Energy Assets Pipelines	13.6%
Highland Council	10.0%	Fulcrum	55.3%
West Dunbartonshire Council	70.7%	GTC Pipelines	24.0%
		INEOS FPS	25.0%
		National Grid	10.5%
		Royal Mail	25.3%
		Sky UK	58.3%
		Verizon	22.2%
		Zayo	72.7%

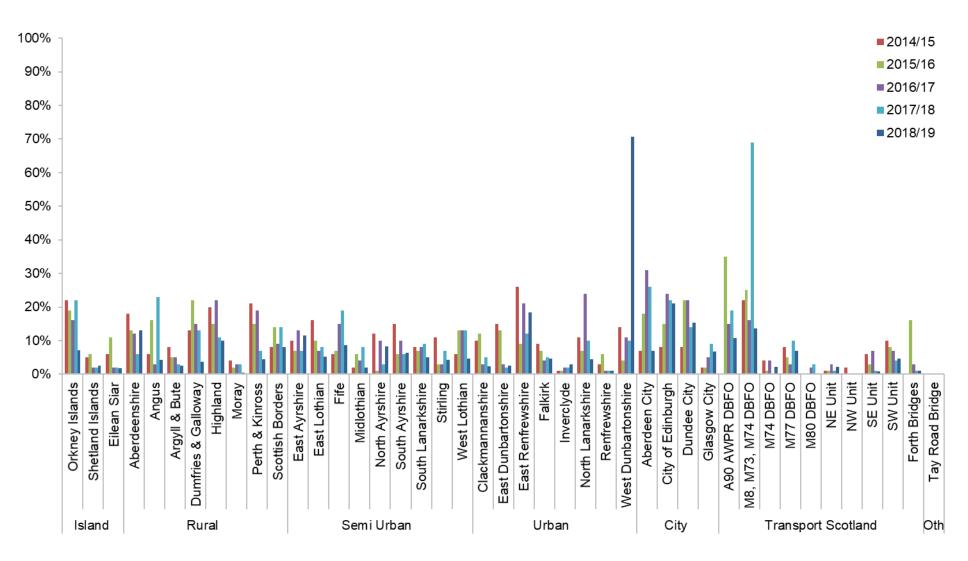


Figure 6 – Roads authority noticing failures as a percentage of actual starts (Source: SRWR Report 2a)

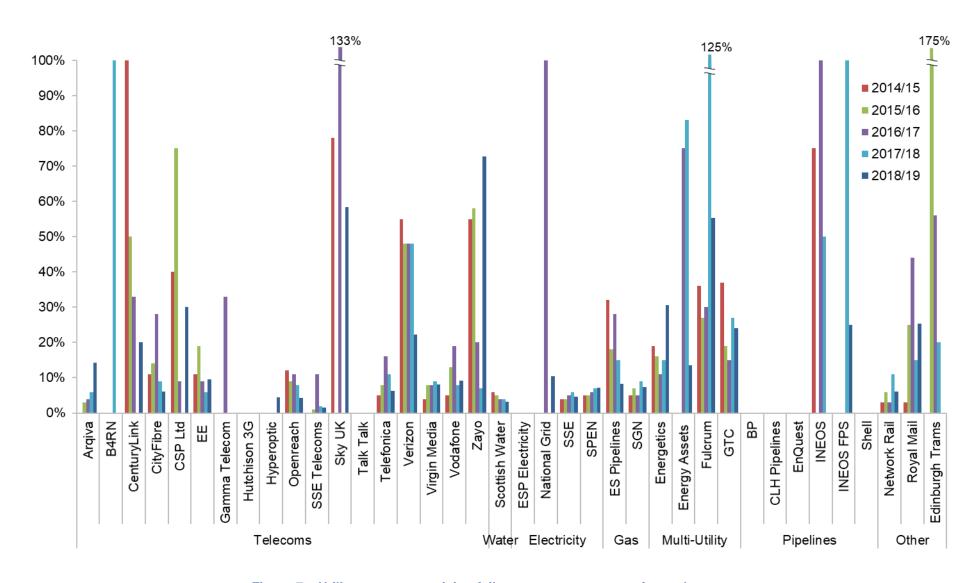


Figure 7 – Utility company noticing failures as a percentage of actual starts (Source: SRWR Report 2b)

Early and late starts as a percentage of actual starts

This indicator records the percentage of works with a registered start date in the SRWR where an early or late start request has subsequently been made.

Early starts with the agreement of utility companies and roads authorities can be a sign of good co-ordination. Where a window of opportunity exists to undertake works, it should be considered. Excessive use suggests poor works planning.

Roads authorities continued to make significant use of early starts averaging 16.2% during 2018/19 (2017/18 18.3%). Q3 performance fell to a low of 14% before rising again in Q4. This reflects the trend of previous years and may be due to the impact of winter maintenance activities.

Utility company use of early starts averaged 7.5% during 2018/19 (2017/18 8.4%).

In general terms organisations undertaking roadworks in Scotland used fewer early starts in 2018/19 suggesting improved co-operation and co-ordination.

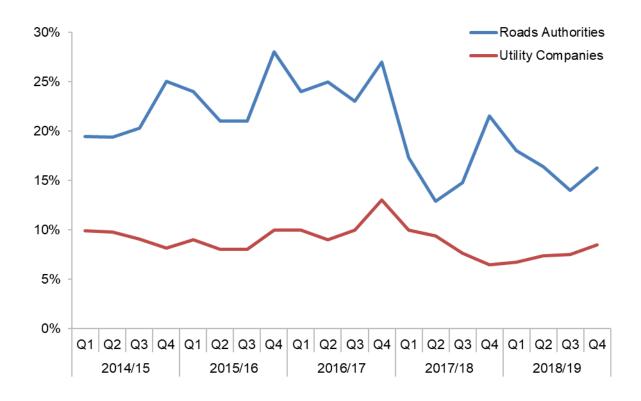


Figure 8 – Early starts as a percentage of actual starts (Source: SRWR Report 10)

The use of late starts by both roads authorities and utility companies showed little variance across all four quarters at around 1%.

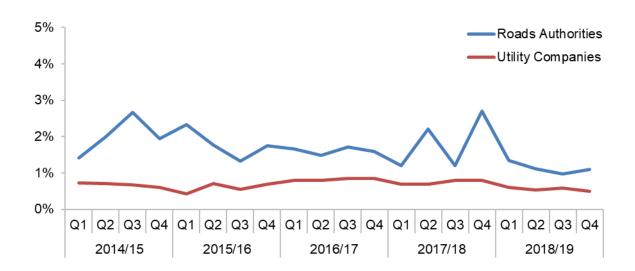


Figure 9 – Late starts as a percentage of actual starts (Source: SRWR Report 10)



Picture 9 – Does this satisfy the safety code?

It is important that early starts and late starts are not used excessively to address poor works planning, co-operation and co-ordination.

Unplanned works as a percentage of actual starts

Where works are considered, by a roads authority or utility company to be emergency, urgent or remedial dangerous they are considered to be unplanned works and there are special noticing procedures which allow works to start as soon as possible.

It is important that the use of unplanned works (emergency, urgent or remedial dangerous works) is minimised and that road works are properly planned and coordinated to minimise disruption to the travelling public. Excessive use of unplanned works is a failure by utility companies to co-operate and a failure by a roads authorities to co-ordinate.

Roads authority use of unplanned works averaged 3.8% in 2018/19 (2017/18 4.3%), peaking at 4.7% in Q3.

Utility company use of unplanned works averaged 31.2% in 2018/19 (2017/18 25.9%). The performance of the major water, gas and electricity providers remains a concern as they appear to focus on meeting the expectations of their other sector regulators. In particular, Scottish Water continued to reflect the noticing practices of previous years averaging 55.2%, peaking at 55.9% in Q4. The performance of SP Energy Networks (42.8%), SSE (40.2%) and SGN (36.1%) is also in need of further improvement.

Use of unplanned works may assist utility companies in meeting the response targets of their regulators, however, it does not demonstrate a commitment to achieve performance targets. This is completely unacceptable in terms of meeting the statutory duty to co-operate.

In addition to the larger utility companies, a number of smaller organisations, undertaking a relatively low number of road works routinely use high numbers of unplanned works. In particular, ESP Electricity (100%), Royal Mail (43%), Verizon (89%) and Zayo (36%) continued to use unplanned works excessively.

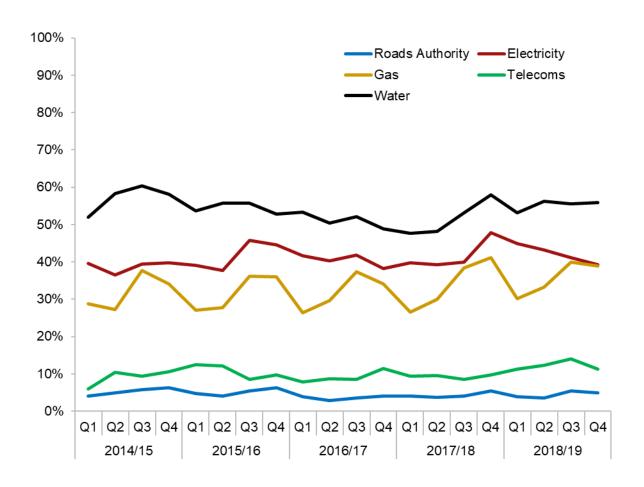


Figure 10 – Unplanned works as a percentage of actual starts (Source: SRWR Report 9a)



Picture 10 – Pedestrian provision?

Work extensions as a percentage of actual starts

Works extensions are granted to a utility company with the agreement of the affected roads authority when an expected completion date is unlikely to be achieved.

This indicator compares the percentage of utility company road works and roads authority works which have been extended beyond their expected end date.

Roads authority and utility company work extensions reduced during 2018/19 averaging 10% and 8% respectively. Wide variances exist in both groupings with individual roads authorities ranging from 0.9% to 27% and utility companies ranging from 0% to 32%. There is a significant downward trend in the use of works extensions by roads authorities this reporting period.

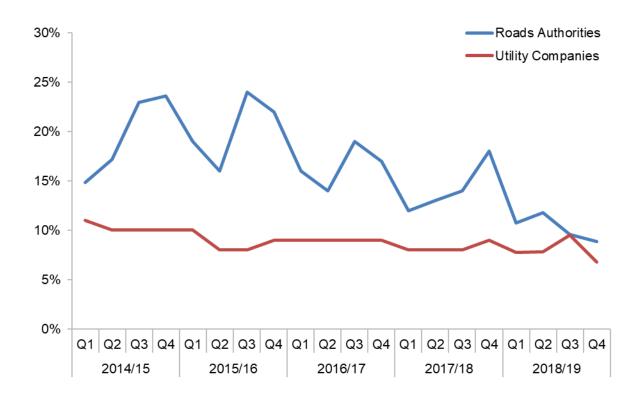


Figure 11 – Works extensions as a percentage of actual starts (Source: SRWR Report 12)

Overrunning works as a percentage of planned works

Works overruns occur when a road works completion date goes beyond the expected end date recorded in the Scottish Road Works Register (SRWR).

The term "planned works" include major, standard and minor works registered on the SRWR.

The performance of roads authorities improved during 2018/19 with only 0.8% overrunning their expected end date.

Utility companies also improved their performance in 2018/19 with only 1.8% overrunning their expected end date.

These statistics suggest that work durations continued to be well planned.

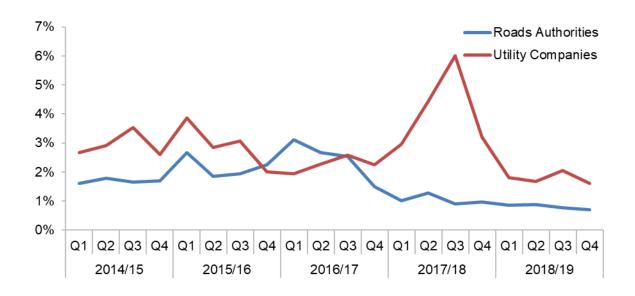


Figure 12 – Overrunning works as a percentage of planned works (Source: SRWR Report 6)

Works awaiting closure and/or registration of final site reinstatement details as a percentage of actual starts

On completion of road works on site, utility companies are required to place a "works closed" notice in the SRWR by 16:30 the following day. This is followed by a "final site reinstatement details" notice within 5 days.

On completion of road works on site, roads authorities are required to place a "works closed" notice in the SRWR by 16:30 the following day. There is no requirement to record site reinstatement details.

This report compares utility company failures to place "works closed" notices against roads authority failures to place "works closed" notices.

Roads authority works awaiting closure notices continued the downward trend of recent years. At the end of 2018/19 only 6 works required closure (2017/18 72). Utility company works awaiting closure decreased to 89 at the end of the reporting period (2017/18 196).

In general terms, these figures suggest that works closed notices are being well managed.

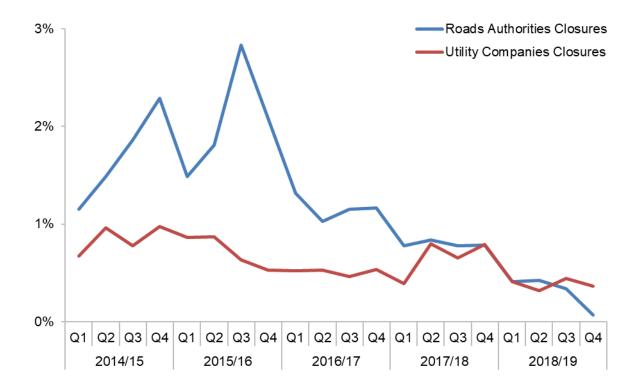


Figure 13 – Works awaiting closure as a percentage of actual starts (Source: SRWR Report 16)

The number of utility company works awaiting registration of final site reinstatement details continued to fluctuate quarterly.



Figure 14 – Utility works awaiting registration of final site reinstatement details as a percentage of actual starts (*Source: SRWR Report 16*)



Picture 11 – Daily maintenance check?

Utility company interim reinstatements

Utility companies are permitted to use a temporary road surface (interim reinstatement) to allow a road to be reopened to the travelling public. A permanent road surface (permanent reinstatement) must be made within 6 months of the temporary road surface being placed.

This indicator shows the number of interim reinstatements overdue to be made permanent without agreement from a roads authority, against the number of interim reinstatements made permanent at the year end.

The use of interim reinstatements should be minimised to avoid repeat visits and excessive disruption to road users.

The average number of interim reinstatements overdue to be made permanent in 2018/19 was 617 (2017/18 849).

A total of 1454 interim reinstatements were made permanent during the final quarter of the year (2017/18 1401).

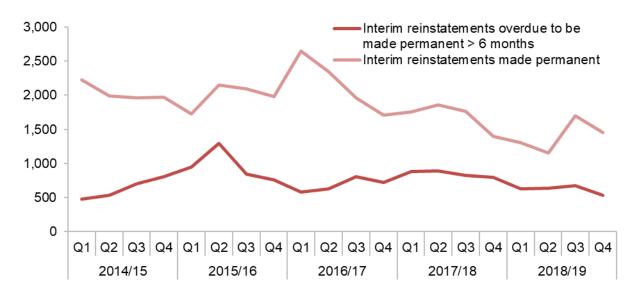


Figure 15 – Utility company interim reinstatements (Source: SRWR Report 14 and Report 18)

Many utility companies reduced their interim reinstatements overdue to be made permanent at the year end. Virgin Media, EE, ES Pipelines, SP Energy Networks and Telefonica UK all show significant improvement at the year end.

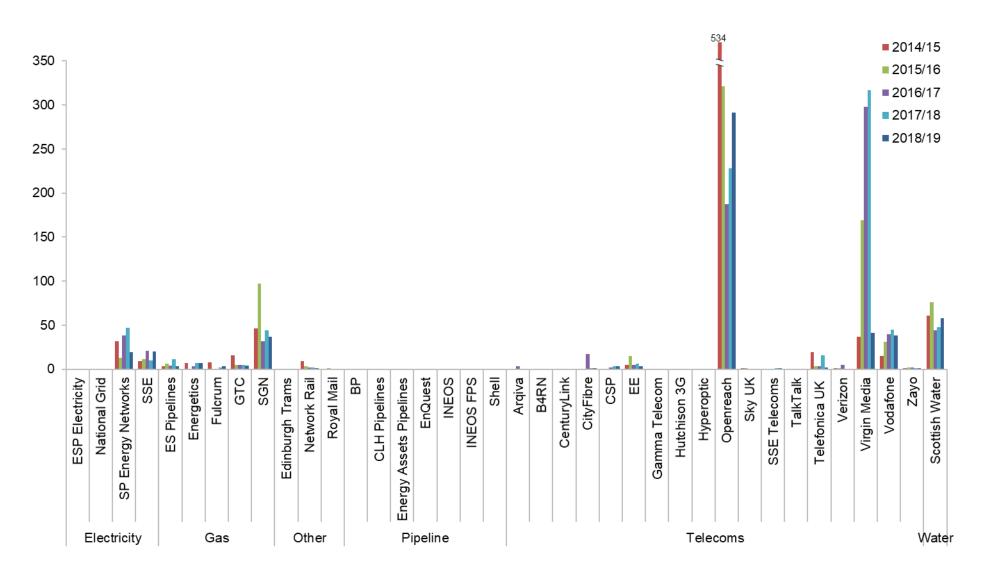


Figure 16 – Interim reinstatements overdue to be made permanent at the year end (Source: SRWR Report 18)

Sample inspections undertaken by roads authorities and utility company failure rate

Sample inspections are undertaken on a 30% randomly generated sample of utility company road works. Inspections are carried out at various stages during the works and the reinstatement guarantee period. These inspections are carried out by roads authorities.

Sample Inspections carried out by roads authorities consist of:

Category A (10% sample) - Undertaken while works are in progress.

Inspections check that works are carried out safely and that signs, barriers, safety zones, compaction, layer depth, etc., comply with *Safety at Street Works and Road Works : A Code of Practice* (commonly known as "The Red Book") and the *Specification for the Reinstatement for Openings in Roads* (SROR).

Category B (10% sample) – Undertaken within the six month period following interim or permanent reinstatement.

Inspections check that works are completed to the proper standards. Checking for items, such as edge depression, crowning, etc., in accordance with the SROR.

Category C (10% sample) – Undertaken within the three month period preceding the end of the guarantee period.

Inspections again check that works are constructed to the proper standards in accordance with the SROR. Greater focus is given to settlement, cracking and joint failure following trafficking.

There were 73% of roads authorities who achieved in excess of 90% of their target sample inspections. East Dunbartonshire Council (70.1%), Glasgow City Council (68.1%) West Dunbartonshire Council (0%) and Transport Scotland (57.8%) undertook less than 75% of their target sample inspections. These inspections are an indication of utility companies co-operation and roads authorities co-ordination and identify which utilities are carrying out road works safely and to the proper standard.



Picture 12 – Sparse traffic management?

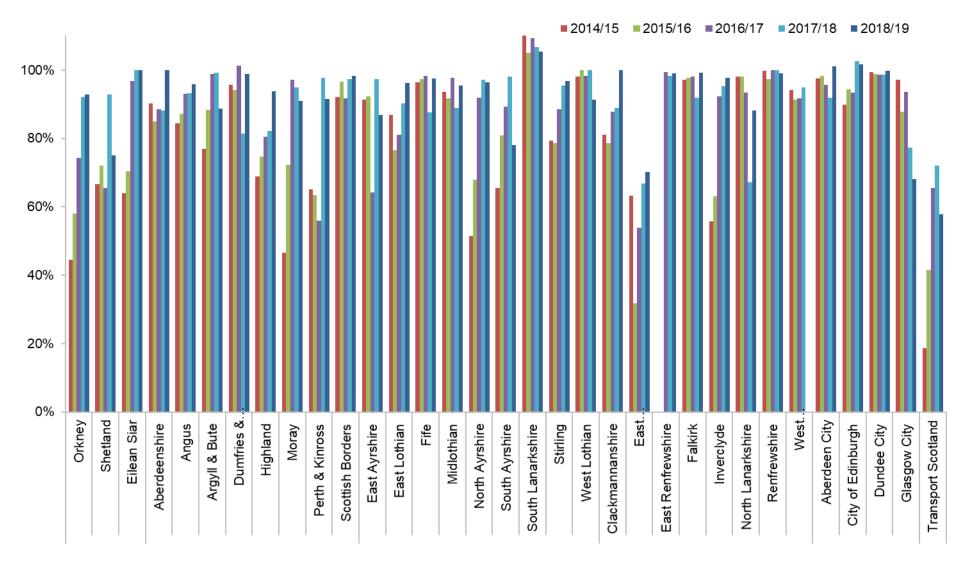


Figure 17 - Sample inspections undertaken by roads authorities (Source: SRWR inspection reports)

When a utility company fails in excess of 10% of their sample inspections, under the *Code of Practice for Inspections*, a roads authority may require a utility company to follow an improvement plan process.

Category A results

The number of organisations performing well, achieving greater than a 90% pass rate, increased in 2018/19 with CityFibre, ES Pipelines, Fulcrum, EE, SGN, SSE, Virgin Media and Vodafone achieving the standard.

Several utility companies had unacceptable pass rates. In particular, Energetics at 69%, GTC at 71% and Telefonica UK Ltd at 75%.

Category B results

Scottish Water, SP Energy Networks and SGN exceeded the 90% pass rate, recording less than 7% failures against a combined sample size of 3,982 inspections.

Energetics, Fulcrum, Sky UK, Telefonica UK and Verizon recorded a pass rate of less than 75% which is unacceptable.

Category C results

Century Link, Edinburgh Trams, EE, Openreach, Scottish Water, SGN, SP Energy Networks, SSE, Royal Mail, SSE Telecoms, Telefonica UK, Verizon and Zayo exceeded the 90% pass rate.

Concept Solutions People, Energetics, Fulcrum and GTC recorded unacceptable pass rates of less than 75%.

Regardless of the number of road works undertaken, organisations are required to meet their statutory obligations.

As Category A inspections are based on a 10% sample, the actual number of substandard road works sites across Scotland is likely to be 10 times greater. For example, the yearly report identified 618 failures which would translate into approximately 6000 sites across the country that would have had compliance issues with public safety and specification.

A small number of roads authorities and operating companies again recorded a pass rate of 100% for category A sample inspections during 2018/19. It is unlikely that this is a robust representation of works on site in an environment where utility companies are failing to achieve a 90% pass rate across the rest of Scotland. One roads authority and one operating company have been asked to review their inspection practices.

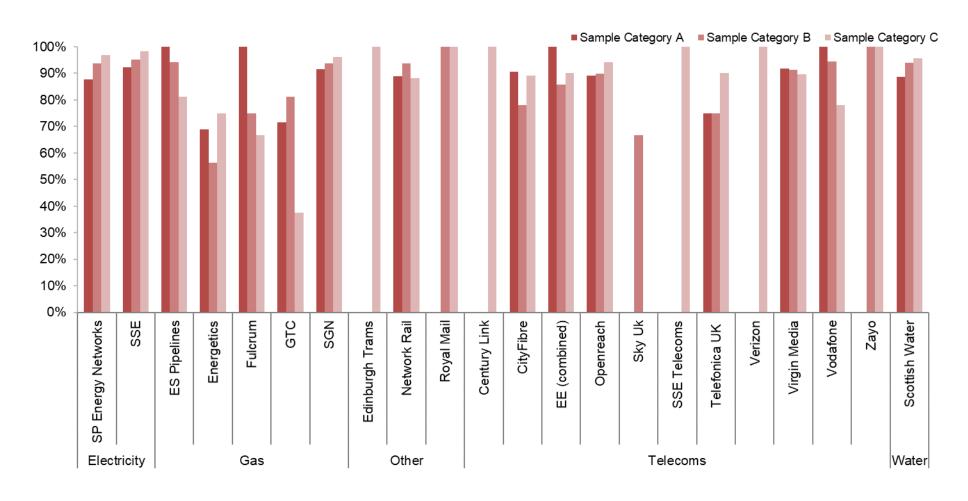


Figure 18 – Sample inspections utility company pass rate (Source: SRWR inspections reports)

Substandard traffic management from inspection results

This indicator considers the number of substandard traffic management layouts recorded during roads authority inspections of utility company road works.

In addition to sample inspections, roads authorities also carry out inspections at their discretion. These inspections include routine inspections, inspections relating to a previously identified defect, inspections following a third party report and inspections following notification of a defective reinstatement. This report shows the total number of inspection results which failed, showing substandard traffic management as the reason for failure.

Performance during 2018/19 was variable, with a low in Q2 and a peak in Q4.

In addition to legislated qualifications for operatives and supervisors, the office Technical Standards Manager continues to offer traffic management awareness sessions for operatives and managers to encourage greater compliance.

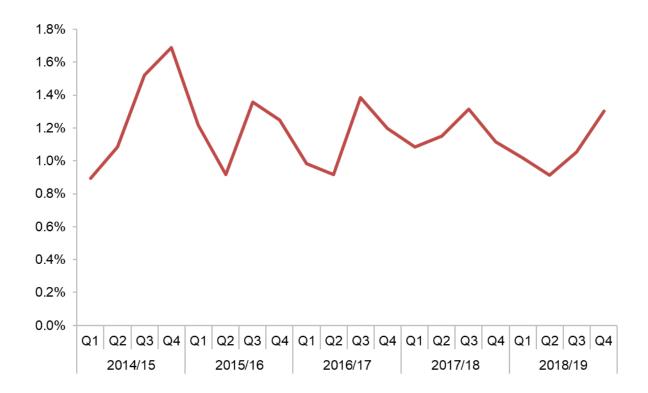


Figure 19 – Substandard traffic management from inspection results (Source: SRWR Report 19)

Works registered with missing contact details

Organisations are required to provide contact details of the contractor carrying out road works and details of the person registering the works on the Scottish Road Works Register (SRWR).

Each road works notice recorded in the SRWR must include the originator name, the originator telephone number, the contractor name and the contractor telephone number. At the very latest, these four fields must be populated when works reach the "in progress" phase. For example when an actual start notice is registered for a works.

Contact details entered in the SRWR by roads authorities and utility companies undertaking road works are expected to be accurate. This information is required for co-ordination and co-operation.

The following organisations performed poorly:

Organisation	Percentage of Failures
Aberdeen City Council	17%
East Renfrewshire	3%
Fife Council	6%
Tay Road Bridge Joint Board	30%
Fulcrum	5%
GTC	12%
Sky UK	50%
SSE	2%
Verizon	33%
Virgin Media	3%

Over the reporting period roads authorities improved their performance, only failing to provide contact details on 2% of all works (2017/18 4%). Utility companies recorded an increased failure rate of 3% (2017/18 2%).

Provision of contact details is an administrative function and 100% compliance is expected.

Figure 20 and Figure 21 show the number of works with missing contact details.

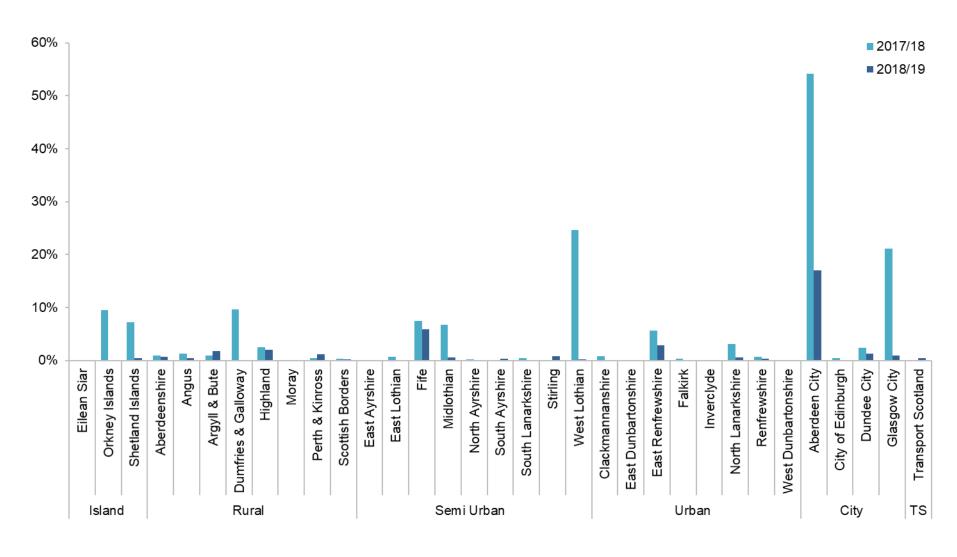


Figure 20 – Roads authority works registered with missing contact details as a percentage of actual starts (Source: SRWR Report 24)

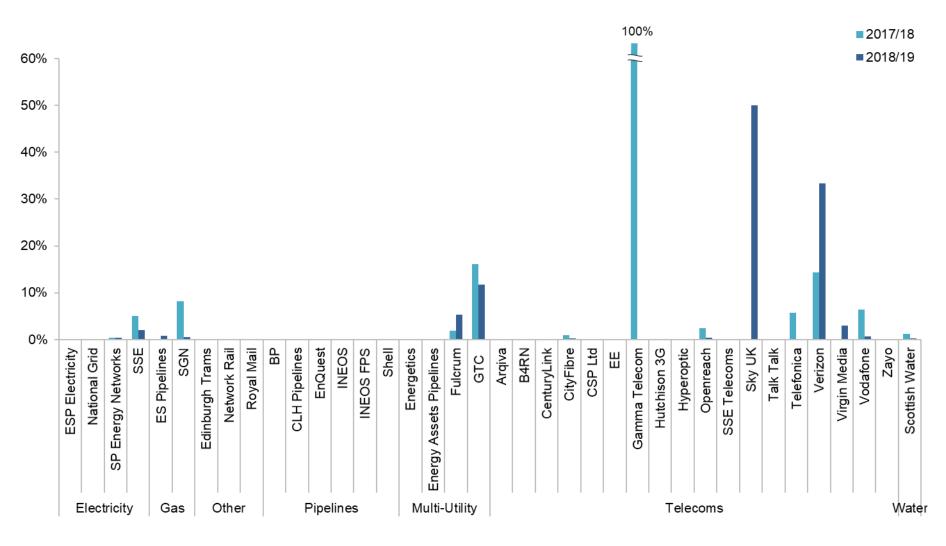


Figure 21 - Utility company works registered with missing contact details as a percentage of actual starts (Source: SRWR Report 24)

Misuse of traffic management type "not yet known"

Organisations are required to provide details of traffic management layouts for each of their road works sites. When registering an expected start date, it is not acceptable to record "Not Yet Known" as the traffic management layout.

It is expected that the correct traffic management types are populated in the SRWR for all road works. This information is used for co-ordination and displayed on the Scottish Road Works Online site. Information must be as accurate as possible to highlight the impact and severity of the works.

When placing a 7 day notice (in advance of planned Substantial, Major and Standard Works), a 24 hour notice (in advance of planned Remedial or Minor Works) or a 2 hour notice (for Urgent and Emergency Works) it is not acceptable to describe the traffic management which is planned to be used as "Not Yet Known". As traffic management types should always be known in advance of works the SRWC considers it unacceptable for this information to be missing.



Picture 13 - Which way?

The failure rate of roads authorities ranged between 1% and 19%. In particular City of Edinburgh Council again recorded the highest rate of misuse at 19% (2017/18 20%). Once again this is unacceptable.

The average failure rate for utility companies was less than 2%. The performance of CityFibre at 5% and Sky UK at 8% was unacceptable.

As traffic management details should be known in advance of works commencing, 100% compliance is expected.



Picture 14 - Accessible to all?

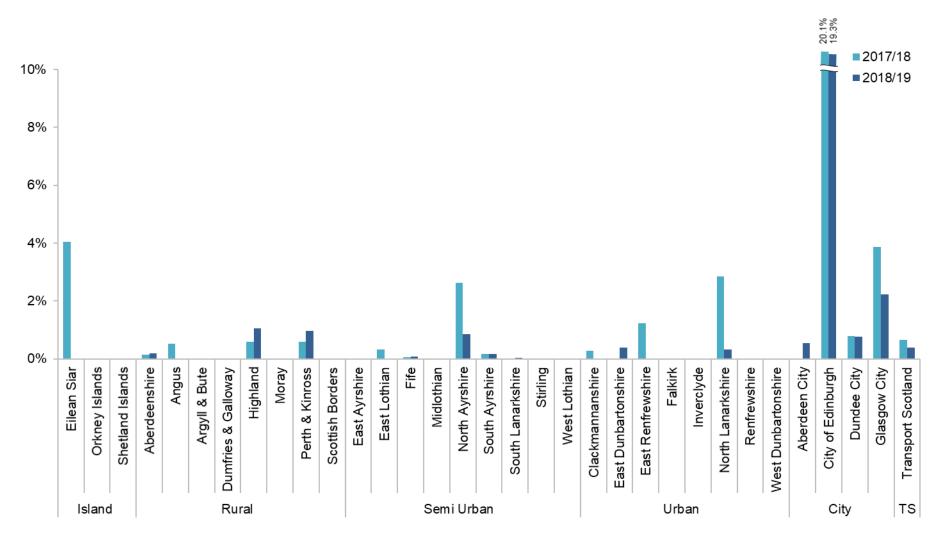


Figure 22 – Roads Authority works which misuse the traffic management type "Not Yet Known" as a percentage of actual starts (Source: SRWR Report 24)

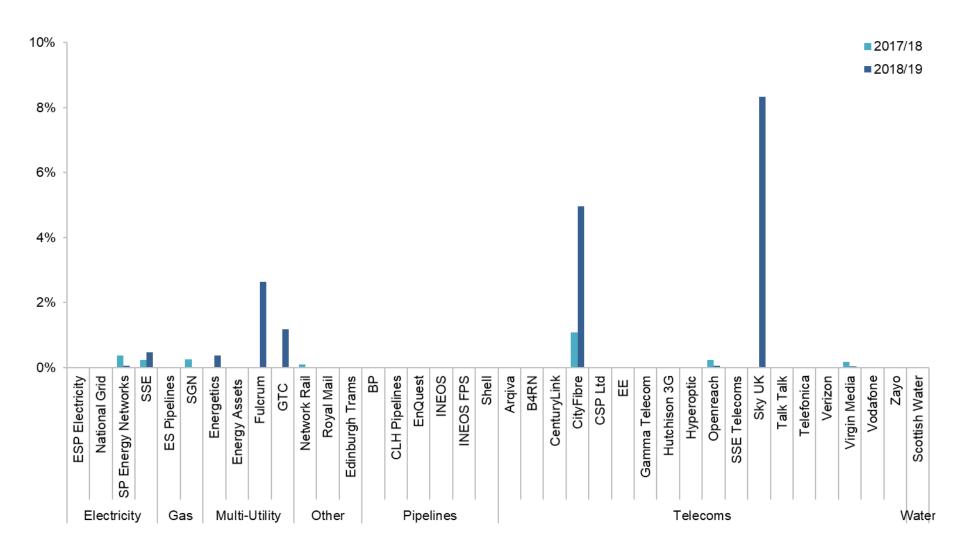


Figure 23 – Utility company works which misuse the traffic management type "Not Yet Known" as a percentage of actual starts (Source: SRWR Report 24)



Picture 15 – Typical information board.



Picture 16 – What is intended here?

Fixed Penalty Notices (FPNs) issued to utility companies

Fixed Penalty Notices (FPNs) are similar in nature to Parking Penalty Charge Notices. Roads authorities are not required by legislation to issue FPNs. Where they are not issued, generally authorities consider that the potential financial returns would not cover the cost of administration. However, the benefit is improved utility company compliance with road works legislation which may provide them with time and cost savings elsewhere

Fixed Penalty Notices (FPNs) were issued by 20 of the 32 council roads authorities and 2 of the 5 Transport Scotland Operating Companies.

The overall rate of FPNs issued to utility companies decreased slightly to 3% of utility company road works being subject to a penalty in 2018/19 (2017/18 3.4%).

It is encouraging that the performance of CityFibre further improved to 2.6% (2017/18 7.3%) and SSE Telecoms improved to 0% (2017/18 4%).

A number of the smaller organisations recorded a disappointing performance with Sky UK at 33.3%, Concept Solutions People at 30% and Verizon at 22.2%. Full details are shown in Figure 24.

Roads authorities collected approximately £229,200 from the issue of FPNs, a decrease of 14.5% on the previous year.

Approximate amounts collected through the issue of FPNs over the last 5 years are:

Year	Amount
2014/15	£323,000
2015/16	£288,000
2016/17	£287,000
2017/18	£268,000
2018/19	£229,200

		2014/15		2015/16				2016/17			2017/18			2018/19		
Organisation	Actual FPNs	Works Started	%	Actual FPNs	Works Started	%										
Arqiva	-	-	-	1	34	2.9%	1	50	2.0%	0	49	0.0%	1	106	0.9%	
BRNB					0		0	2	0.0%	1	1	100.0%	0	No works		
CenturyLink	0	1	0.0%	2	4	50.0%	0	6	0.0%	0	9	0.0%	0	10	0.0%	
CityFibre	0	19	0.0%	45	893	5.0%	416	2587	16.1%	136	1873	7.3%	63	2434	2.6%	
Concept Solutions People	26	108	24.0%	2	4	50.0%	0	23	0.0%	0	4	0.0%	3	10	30.0%	
CLH Pipelines	0	No Works		0	No Works		0	No Works			0		0	No works		
ES Pipelines Limited	58	213	27.0%	16	110	14.5%	30	187	16.0%	11	105	10.5%	-11	133	-8.3%	
Edinburgh Trams	-	-	-	5	8	62.5%	1	9	11.1%	0	5	0.0%	0	No works		
EE	27	430	6.0%	26	424	6.1%	20	797	2.5%	14	518	2.7%	4	168	2.4%	
Energetics	57	472	12.0%	27	329	8.2%	21	270	7.8%	20	241	8.3%	44	268	16.4%	
Energy Assets Pipelines	0	No Works		0	No Works		0	3	0.0%	3	6	50.0%	0	22	0.0%	
Enquest										0	0		0	No works		
ESP Electricity	0	No Works		0	No Works		0	No Works		0	0		0	1	0.0%	
Fulcrum	12	80	15.0%	4	82	4.9%	9	57	15.8%	38	53	71.7%	19	38	50.0%	
Gamma Telecoms								3	0.0%	0	2	0.0%	0	No works		
GTC Pipelines Limited	23	79	29.0%	6	48	12.5%	6	71	8.5%	15	99	15.2%	27	171	15.8%	
Hutchison 3G	0	No Works		0	No Works		0	No Works			No works		0	No works		
Hyperoptic										0	42	0.0%	2	88	2.3%	
INEOS	0	4	0.0%	0	2	0.0%	0	2	0.0%	0	2	0.0%	0	No works		
INEOS FPS										1	1	100.0%	0	8	0.0%	
National Grid	0	No Works		0	No Works		0	5	0.0%	0	1	0.0%	0	19	0.0%	
Network Rail	7	1192	1.0%	5	1056	0.5%	-1	1111	-0.1%	12	1006	1.2%	27	953	2.8%	
Openreach	1781	28126	6.0%	1222	28175	4.3%	1279	25823	5.0%	1053	26982	3.9%	619	26637	2.3%	
Royal Mail	16	1371	1.0%	14	170	8.2%	10	36	27.8%	-6	55	-10.9%	8	75	10.7%	
Shell	0	No Works		0	No Works		0	No Works			No works		0	No works		
Sky UK	None	9	0.0%	0	0		0	3	0.0%	0	0		4	12	33.3%	
SP Energy Networks	301	10573	3.0%	293	10247	2.9%	341	10193	3.3%	305	9392	3.2%	427	10244	4.2%	
Scottish Water	1014	29188	3.0%	702	27356	2.6%	584	29252	2.0%	401	27595	1.5%	533	28021	1.9%	
SGN	341	12042	3.0%	421	11358	3.7%	234	10866	2.2%	353	9910	3.6%	320	9873	3.2%	
SSE	20	2516	1.0%	51	2783	1.8%	34	2522	1.3%	47	2614	1.8%	47	2582	1.8%	
SSE Telecoms	0	21	0.0%	0	74	0.0%	10	116	8.6%	3	173	1.7%	0	190	0.0%	
Talk Talk	0	No Works		0	No works											
Telefonica	10	420	2.0%	10	370	2.7%	5	236	2.1%	17	227	7.5%	10	386	2.6%	
Verizon	0	11	0.0%	11	75	14.7%	6	33	18.2%	5	21	23.8%	2	9	22.2%	
Virgin Media Group	320	11510	3.0%	661	10924	6.1%	540	12749	4.2%	907	15953	5.7%	706	12333	5.7%	
Vodafone	28	935	3.0%	70	1164	6.0%	46	534	8.6%	10	457	2.2%	7	331	2.1%	
Zayo	1	11	9.0%	0	12	0.0%	0	10	0.0%	1	14	7.1%	3	11	27.3%	
Total	4042	99331	4.0%	3594	95702	3.8%	3592	97556	3.7%	3347	97410	3.4%	2865	95133	3.0%	

Figure 24 – Fixed Penalty Notices issued to utility companies (Source: SRWR Report 1)

Undue delay (S125) notices issued by roads authorities and received by utility companies

When a utility company unduly delays completion of their road works, a roads authority has the power, under section 125 of the New Roads and Street Works Act 1991 (NRSWA), to serve an undue delay direction on the utility, directing that the works are completed within a specified time.

The overall use of section 125 undue delay directions remains very low, with only 109 issued (2017/18 174). Only 14 of the 33 roads authorities made use of their statutory powers to accelerate works which had been unduly delayed.

41% of directions issued were served on Scottish Water, 13% on Openreach and 17% on SP Energy Networks. Some small multi-utility organisations also received directions.

The following 5 authorities issued 84 of the total 109 directions:

Authority	S125
Aberdeen City	15
East Lothian Council	10
Clackmannanshire Council	12
Perth & Kinross Council	33
South Lanarkshire Council	14

Aberdeen City Council and South Lanarkshire Council significantly increased their use of directions. Midlothian Council decreased their use to 6 (2017/18 63).

It is unlikely that authorities the size of City of Edinburgh Council, Dundee City Council, Fife Council, Glasgow City Council, Highland Council and Scottish Borders Council were not subject to significant numbers of unduly delayed utility company road works. The view of the SRWC is that roads authorities are reserving this power for extreme situations and are not fully utilising the available legislation to improve the co-ordination of road works in their area.

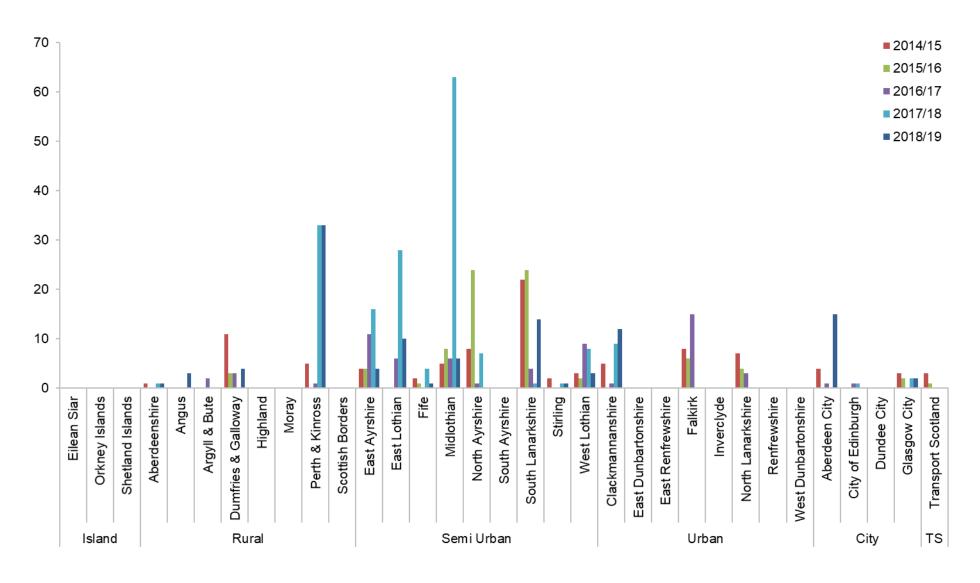


Figure 25 – Number of undue delay (S125) direction notices issued by roads authorities (Source: SRWR Report 17e)

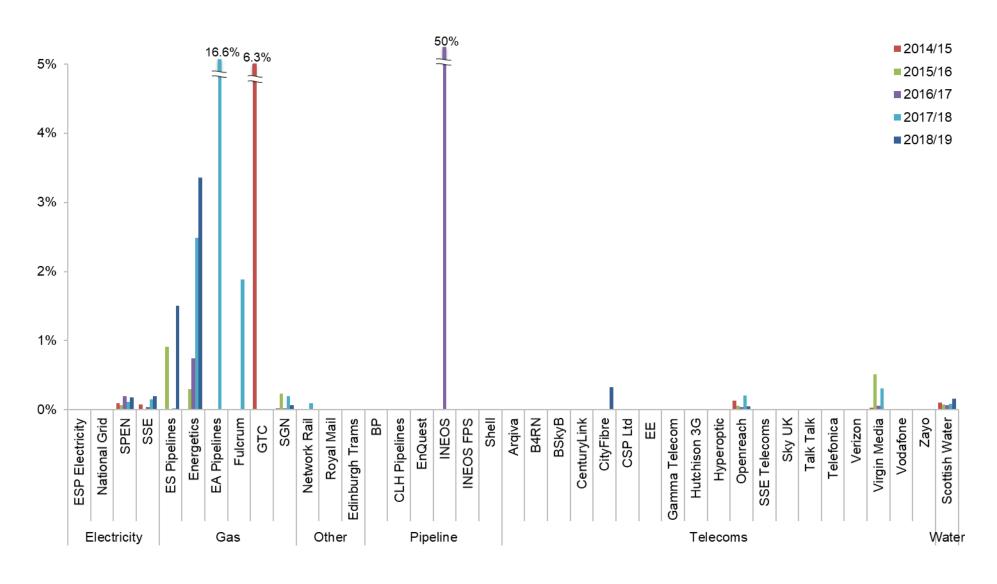


Figure 26 – Number of undue delay (S125) direction notices received by utility companies as a percentage of actual starts (Source: SRWR Report 17e)

Roads authority works registered per 100km

Prior to enactment of the Transport (Scotland) Act 2005, only utility companies were required to register their qualifying road works in the Scottish Road Works Register (SRWR).

Since 2005, roads authorities have also been required to register their qualifying works, however, their performance remains inconsistent and in need of further scrutiny.

This indicator compares roads authority works registered against others with a similar demographic make-up.

This indicator scrutinises the number of road works registered on the SRWR by council roads authorities, Transport Scotland trunk road operating companies and Transport Scotland trunk road DBFO companies across Scotland.

Road works registered are influenced by many factors such as geographic location, political priorities, population, weather, available resources (numbers of operatives), structural and routine budgets, road network lengths, etc. For example, islands and rural authorities register fewer road works than urban authorities. Consequently, for reporting purposes, authorities are grouped with peer organisations and any view on their performance is relative.

Improvement was again recorded, with 17 of the 32 council roads authorities increasing the number of works registered. It remains the view of the SRWC that roads authorities are not registering all of their qualified works.

As in previous years, there were significant variations in the numbers of road works noticed by roads authorities within each of the five SCOTS groups and across the trunk road network managed by Transport Scotland.

Group	Range
Island	23 to 46 works registered per 100km (3 authorities)
Rural	16 to 53 works registered per 100km (8 authorities)
Semi Urban	43 to 117 works registered per 100km (9 authorities)
Urban	15 to 231 works registered per 100km (8 authorities)
City	60 to 99 works registered per 100km (4 authorities)
TS OCs	160 to 458 works registered per 100km (5 companies)
TS DBFOs	90 to 994 works registered per 100km (5 companies)

In general terms, the noticing of works by roads authorities across all groups was inconsistent. Transport Scotland operating companies (Amey, BEAR & Scotland Transerv) did not sustain the improvement delivered in 2017/18.

The number of works registered increased by more than 30% in Dundee City Council, East Lothian Council, Glasgow City Council, North Lanarkshire Council, Orkney Islands Council, Scottish Borders Council and the Transport Scotland - AWPR DBFO.

West Dunbartonshire Council reduced their works registered to an unacceptable level of 15 works per 100km in 2018/19 (2017/18 71). The SRWC has raised this with senior representatives of the organisation.

It is reasonable to expect a degree of correlation across Scotland within SCOTS family groups and within trunk road operating areas. Further scrutiny of authorities at the lower end of each group will continue to confirm that all qualifying works are being registered.



Picture 17 - Clean and tidy?

Grouping	Organisation	2014/15	2015/16	2016/17	2017/18	2018/19
Island Group	Comhairle nan Eilean Siar	22	21	31	48	46
Island Group	Orkney Islands Council	28	15	10	15	24
	Shetland Islands Council	9	10	16	18	23
	Shetiana Islanus Council	9	10	10	10	23
Rural Group	Aberdeenshire Council	28	24	25	26	27
	Angus Council	33	31	35	21	23
	Argyll & Bute Council	12	13	20	23	25
	Dumfries & Galloway Council	15	11	17	15	18
	Highland Council	6	6	7	14	16
	Moray Council	45	44	47	53	53
	Perth & Kinross Council	23	18	19	21	21
	Scottish Borders Council	9	12	13	13	18
Semi-Urban Group	East Ayrshire Council	25	28	26	57	60
	East Lothian Council	41	38	37	33	43
	Fife Council	89	86	72	70	48
	Midlothian Council	34	40	35	46	53
	North Ayrshire Council	27	29	46	55	46
	South Ayrshire Council	31	36	31	50	50
	South Lanarkshire Council	96	156	186	108	105
	Stirling Council	59	51	52	64	50
	West Lothian Council	75	80	90	118	117
Lieb an Crave	Clackmannanshire Council	00	F.7	405	122	106
Urban Group		66	57	105		
	East Dunbartonshire Council East Renfrewshire Council	53 24	54 22	95 28	135 34	101 43
	Falkirk Council	24 44	44	26 44	75	43 68
	Inverclyde Council	121	130	125	92	106
	North Lanarkshire Council	125	198	169	168	231
	Renfrewshire Council	53	49	72	85	69
	West Dunbartonshire Council	65	94	72 78	71	15
	West Durbartonshire Council	03	94	70	71	13
City Group	Aberdeen City Council	26	27	66	79	60
•	City of Edinburgh Council	84	132	98	108	70
	Dundee City Council	68	101	60	45	99
	Glasgow City Council	111	71	73	46	69
Transport Scotland	Forth Bridge OC	-	661	218	388	<i>45</i> 5
Operating Companies	NE OC	505	340	303	352	242
	NW OC	240	214	150	239	160
	SE OC	302	239	204	402	324
	SW OC	531	498	455	554	458
Transport Scotland	AWPR DBFO	-	546	340	179	432
DBFOs	M74 DBFO	81	34	112	90	90
	M77 DBFO	257	167	344	392	348
	M8, M73, M74 DBFO	360	481	938	804	994
	M80 DBFO	265	56	205	370	363
		200	00	200	0.0	000

Figure 27 – Roads authority works registered per 100km (Source: SRWR Report 9a and Scottish Transport Statistics "Public Road Lengths")

SCOTS – Island group

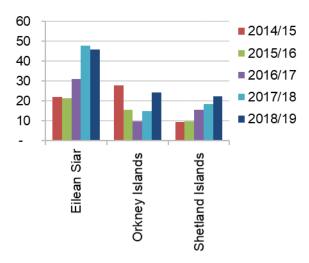


Figure 28 – SCOTS Island group – works registered per 100km

Year	Range
2017/18	15 to 48 works per 100km
2018/19	23 to 46 works per 100km

Orkney Islands Council and Shetland Islands Council continued to improve, increasing works registrations by 62% and 22% respectively. Orkney Islands Council returned to near 2014/15 levels. Although showing significant improvements, works registrations continue to be low at approximately 50% of works registered by Comhairle Eilean Siar. It remains the view of the SRWC that significant increases could be achieved by both authorities.



Picture 18 - What is under our feet?

SCOTS - Rural group

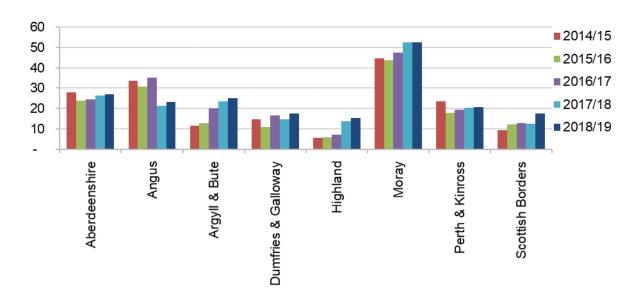


Figure 29 – SCOTS Rural group – works registered per 100km

Year	Range
2017/18	13 to 53 works per 100km
2018/19	16 to 53 works per 100km

This group recorded an average increase of 8% with all organisations showing improvement. Dumfries & Galloway Council and Scottish Borders Council recorded significant increases at 20% and 41% respectively.



Picture 19 – A little bit extra thought?

SCOTS - Semi Urban group

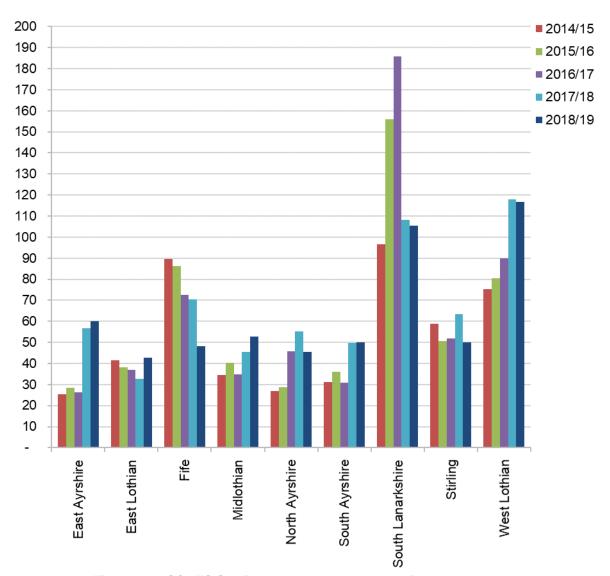


Figure 30 - SCOTS Semi Urban group - works registered per 100km

Year	Range
2017/18	33 to 118 works per 100km
2018/19	43 to 117 works per 100km

The group average reduced from 67 to 64 works registered per 100km.

In this group, 5 of the 9 organisations failed to increase their works registered. Significant improvements were made by East Lothian Council at +31%. The performance of Fife Council and South Lanarkshire Council has deteriorated over a number of years and is in need of early improvement.

SCOTS - Urban group

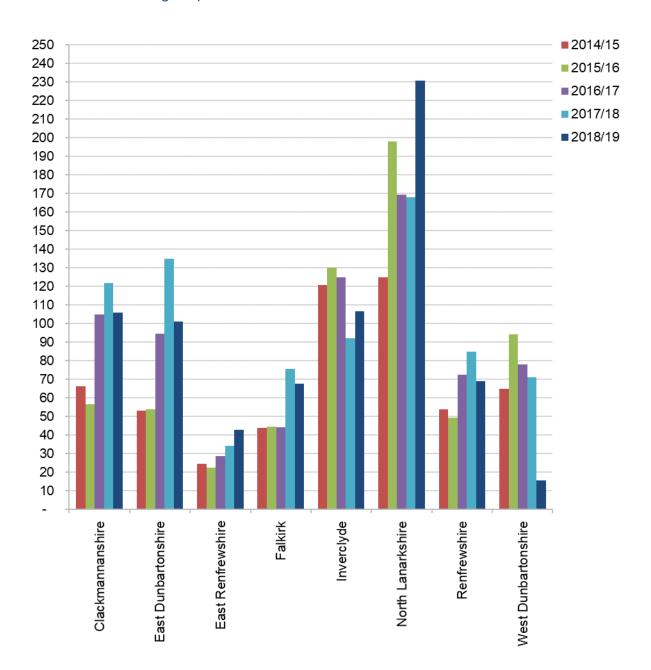


Figure 31 – SCOTS Urban group – works registered per 100km

Year	Range
2017/18	34 to 168 works per 100km
2018/19	15 to 231 works per 100km

The urban group average fell by some 6% to 93 works per 100km.

The group continued to show a wide variation. North Lanarkshire Council, Inverclyde Council and East Renfrewshire Council recorded increases between 16% and 38%. West Dunbartonshire Council decreased by 78% to an unacceptable level of 15 works per 100km (2017/18 71).



Picture 20 - Compliant?

SCOTS - City group

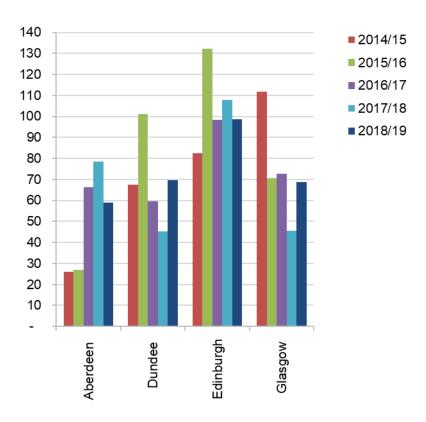


Figure 32 – SCOTS City group – works registered per 100km

Year	Range
2017/18	45 to 108 works per 100km
2018/19	60 to 99 works per 100km

The city group average increased by 7% to 74 works per 100km.

Dundee City Council and Glasgow City Council both improved by 50%, however, the group continued to register an inconsistent number of works.

Aberdeen City Council and City of Edinburgh Council both recorded reduced performances, decreasing by 25% and 9% respectively.

Transport Scotland - Trunk Road Operating Companies

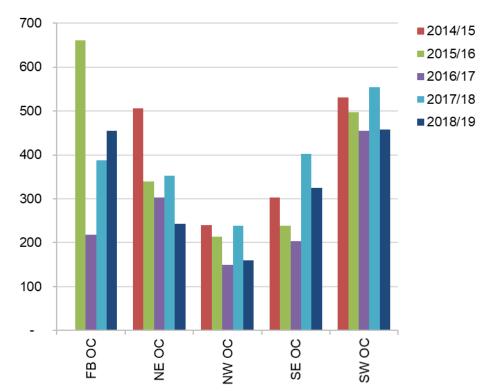


Figure 33 – Transport Scotland Trunk Road OC – works registered per 100km

Year	Range
2017/18	239 to 554 works per 100km
2017/18	160 to 458 works per 100km

The group average has fallen from 387 to 328 works per 100km (15%).

NW Operating Company, NE Operating Company, SW Operating Company and SE Operating Company all registered fewer works than in previous years, reducing by between 17% and 33%. This is disappointing given the improved performance in 2017/18.

Transport Scotland - Trunk Road DBFO Companies

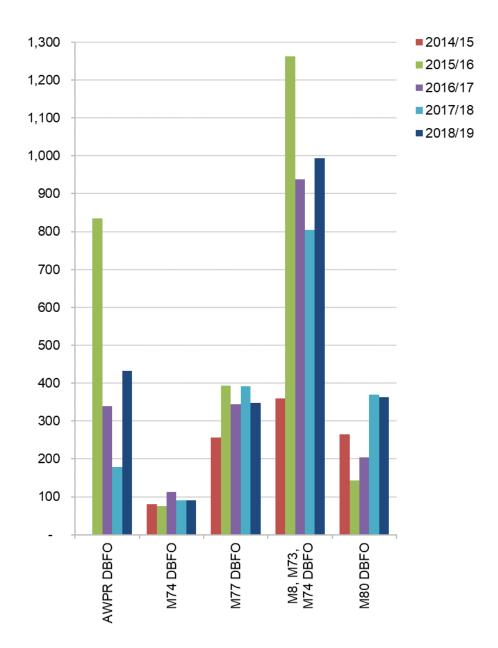


Figure 34 – Transport Scotland Trunk Road DBFO Companies – works registered per 100km

Year	Range
2017/18	90 to 804 works per 100km
2018/19	90 to 994 works per 100km

DBFO companies maintain networks of between 30km and 99km in length. It continues to be difficult to compare the performance of DBFO companies.

6. Quality of Utility Company Reinstatements

Utility company reinstatements are required to be undertaken in accordance with the Specification for the Reinstatement of Openings in Roads (SROR).

Since 1997, roads authorities across Scotland have undertaken coring of the bituminous bound layers of utility company reinstatements as part of their investigative regime.

In September 2011, RAUC(S) agreed that a minimum acceptable pass rate of 90% should be introduced for all future National Coring Programmes.

A Commissioner Direction was issued to all organisations on 23 January 2012 requiring all utility companies to achieve a pass rate of 90% during all future National Coring Programmes, so far as reasonably practical.

The most recent National Coring Programme sampled and tested reinstatements completed between 1 January 2015 and 31 December 2015. The associated coring report was published in December 2017.

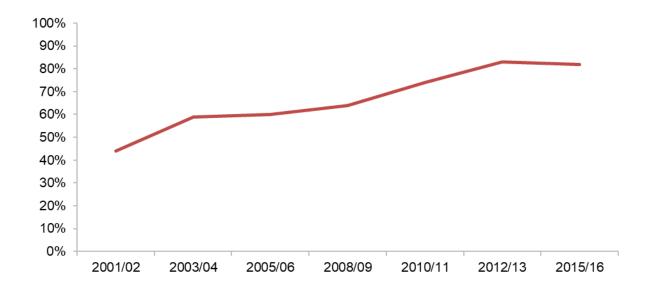
A full copy of the report can be download here:

https://roadworks.scot/news/nationalcoring2015-16

The 2018/19 National Coring Programme

In 2017 RAUC(S) agreed that a further coring programme would be undertaken to investigate the bituminous bound layers in utility company reinstatements completed between 1 April 2018 and 31 March 2019. Advice Note 3 was updated in January 2019 and the process agreed by RAUC(S). It is hoped that the positive trend of improvement, achieved prior to the last programme, will once again be evidenced.

The SRWC welcomes the first time participation of Transport Scotland and Comhairle nan Eilean Siar.



2001/02	2003/04	2005/06	2008/09	2010/11	2012/13	2015/16
44%	59%	60%	64%	74%	83%	82%

Figure 35 – National Coring Programmes Percentage pass rates



Picture 21 – Inadequate compaction of the unbound backfill?

7. Commissioner Penalties

Section 119A of NRSWA, as amended by the *Transport (Scotland) Act 2005*, provides powers to the SRWC to impose penalties.

Where the Commissioner is satisfied that a roads authority has failed to comply with duties imposed on them under section 118 of NRWSA, or a utility company has failed to comply with duties imposed on them under section 119 of NRSWA, the SRWC may impose a financial penalty.

Penalties issued during the reporting period

The Commissioner issued no financial penalties during the reporting period.

Although there were no penalties issued, in March 2019, two roads authorities received formal notification from the SRWC that he was considering enforcement action as a result of a failure to provide information. Information had been requested under section 18 of the *Transport (Scotland) Act 2005*. Both authorities supplied evidence in mitigation and the process was suspended for a period of 6 months.

Penalties issued prior to the current reporting period

- 2012 £92,500
- 2013 £58,000
- 2014 £57,500
- 2017 £35,000
- 2018 £89,000

Since the office was established in 2008, the SRWC has issued penalties to utility companies and roads authorities totalling £332,000 for failures to comply with their statutory obligations.



Picture 22 – Is this acceptable on a 60 mph road?

8. Promotion of Compliance and Good Practice

The promotion of compliance and good practice is key to driving up standards across the road works community.

The committee and working group structure is long established in Scotland and is central to good practice across all road works undertaken.

Organisational Structure

Roads authorities convene quarterly local co-ordination meetings which utility companies and other interested parties attend. These local meetings inform five area meetings, each of which is represented at RAUC(S).

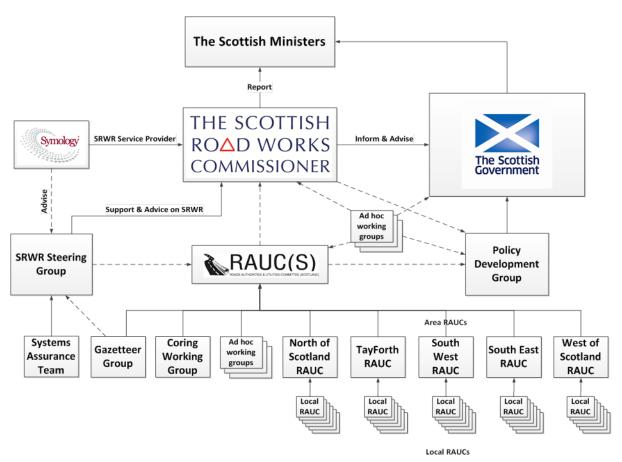


Figure 36 - Scottish road works community structure

The SRWC has the overarching objective of improving the planning, co-ordination and quality of road works in Scotland.

RAUC(S) consists of representatives from both sectors of the road works community and provides support and advice to the SRWC.

In addition to the RAUC(S) committee hierarchy, the road works community is represented on a wide range of working groups in Scotland and across the UK. These working groups inform the development of advice on:

- Legislation
- Codes of Practice
- Advice Notes
- Management and development of the SRWR

Working groups generally report directly to RAUC(S) or, where there are legislative or policy implications, to the Scottish road works Policy Development Group (PDG) which is chaired by the Scottish Government.

Publication of Codes of Practice and Advice

The continued participation of roads authorities and utility companies in the development of guidance ensures that legislation, codes of practice and advice notes are fit for purpose. The Commissioner appreciates the resourcing challenges facing both the public and the private sectors, and continues to encourage organisations to maintain their support and participation in this vital area of work.

The Commissioner would like to take this opportunity to thank those members of the Scottish road works community and their employing organisations for their continued participation and contribution.

The following direction and guidance was developed during the reporting period:

- Direction Under Section 119(2a)(A) of the New Roads And Street Works Act 1991 (GDPR & Open Data) (June 2018)
- Advice Note 3 National Coring Programme 2019 (January 2019)

Links to these and other publications can be found at:

https://roadworks.scot/legislationguidance

The development of legislation and guidance is an ongoing process and updates will be included in future reports.

Appendix E lists committees and working groups which met during the period of this report. The SRWC was represented at all meetings.

Superfast Broadband

The Department for Digital, Culture, Media and Sport (DCMS), in conjunction with the Scottish Government, have been delivering the Broadband Delivery UK (BDUK) initiative since 2010.

In December 2017 the Scottish Government announced plans for their Reaching 100% (R100) programme. This programme is intended to provide superfast broadband of 30 Megabits per second (Mbps) to 100% of premises in Scotland by 2021 and will provide vital improvements to Scotland's national infrastructure. It is the biggest investment made in a single UK broadband project.

The R100 programme will be monitored closely by the SRWC across the three contractual lots (areas) being procured.

Further information on the R100 programme can be found at:

https://www.gov.scot/publications/digital-scotland-reaching-100-programme

Technical Standards Monitoring Programme

The temporary technical consultant post continued to monitor road works sites and report on technical standards. This post, which was established in June 2017, supports the role of the Technical Standards Manager, monitoring safety, quality and noticing compliance.

There were 72 ad hoc site visits on live road works sites between April 2018 and March 2019.

Of the 72 site visits:

- At 37 sites, works were being undertaken but there were no operatives
- At 4 sites, no works were being undertaken
- At 2 sites, no works had started but they were registered as completed on the SRWR

The standard of traffic management observed was generally very good. Any request to amend or correct signage was well received by on-site staff. There was also a good response to phone and email requests to amend the information recorded on the SRWR.

Training and Accreditation Group (TAG)

In 1991 section 126 of NRSWA introduced a requirement for supervisors and operatives to be qualified as prescribed in regulations. In parallel, the first edition of Safety at Street Works and Road Works: A Code of Practice ("the Red Book") was introduced in 1992.

Whilst the Red Book has been updated several times, most recently in 2013, the associated formal classroom training has remained largely undeveloped.

TAG was established in 2017 to review the qualifications of supervisors and operatives and to develop question banks for use by accredited training providers. The group is co-chaired by a highway authority and a utility company. It consists of representatives from DfT, SRWC, Welsh Government, Northern Ireland RAUC, utility companies, highway authorities and awarding organisations. The Street Works Qualification Register (SWQR) is also represented. This is a major change to the process for training supervisors and operatives and is due to be introduced across the UK in March 2020.

Code of Practice for Inspections

During the reporting period a RAUC(S) group was formed to review the Code of Practice for Inspections.

9. Consultations and Research

The SRWC supports and encourages consultations, research and the promotion of good practice.

This section summarises the involvement of the office during 2018/19.

Scottish Road Research Board (SRRB)

SRRB is a partnership between Transport Scotland, SCOTS and the SRWC.

SRRB commissions research and development to inform improvements in safety, construction, operation and maintenance of the Scottish road network. Objectives include promoting innovation and best practice across roads authorities.

The research programme is jointly funded by Transport Scotland and SCOTS.

Transport Scotland Pavement Forum (TSPF)

The TSPF was established to promote and develop best practice in the selection and use of paving materials, specifically for use on the Scottish trunk road network. The remit was broadened in 2010 to cover all aspects of road pavement design, construction and maintenance, selection of material types and drainage across both trunk and local road networks.

The SRWC continues to support the work of this group.

National Transport Strategy Review

In August 2016, the Transport Minister announced that the National Transport Strategy (NTS) would be subject to a comprehensive review.

The review aims to develop a successor strategy which sets out a comprehensive transport vision for the next 20 years.

Over the last 3 years, the SRWC Policy Manager has continued to support this work stream through participation in the Safe & Resilient Transport Working Group.

Transport (Scotland) Bill

During 2018 the Scottish Government published the results of their consultation on the proposed provisions to improve the quality and regulation of road works in Scotland. At the end of the reporting period Stages 1 and 2 of the Bill process were complete.

10. Scottish Road Works Register

Under section 112 of NRSWA, the SRWC has a statutory duty to keep a register. This is known as the Scottish Road Works Register.

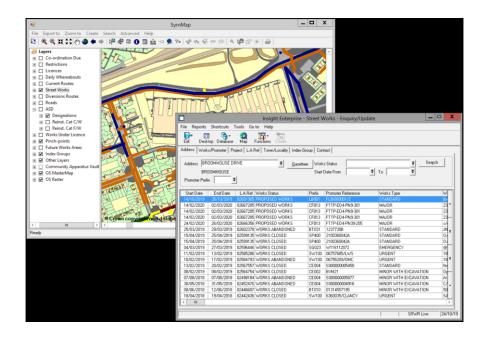
The Scottish Road Works Register (SRWR)

The SRWR is a centralised cloud based register used for the transfer, retention and management of road works data across Scotland. Utility companies and roads authorities operating in Scotland have access to the SRWR and are required to give notice of their proposed road works. It allows roads authorities to co-ordinate works in roads and includes a public facing website to inform the travelling public and others affected by works of potential disruptions. It is funded by the user community through the levy of Prescribed Fees and Amounts which are collected annually by the SRWC.

In summary, the SRWR is:

- the main tool used by roads authorities and utility companies to:
 - share information on road works
 - o assist in the planning and co-ordination of works in roads and
 - share the results of inspections carried out for compliance with safety and reinstatement standards
- a source of data for management information to measure the performance of organisations undertaking works in roads and
- a source of information for the public and other interested parties regarding planned, on-going and completed works

During the 2018/19 reporting period, the SRWR was available for over 99% of the contracted core operational time.



Picture 23 – Screenshot of the Scottish Road Works Register.

The average number of named users of the SRWR over the period was 2,110. Following a gradual increase in the number between 2013 and 2016, this figure has stabilised over the last few years.

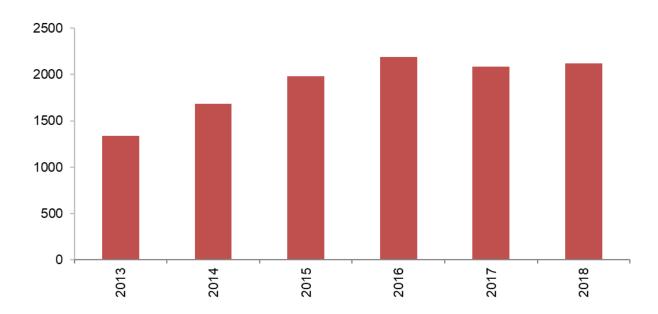


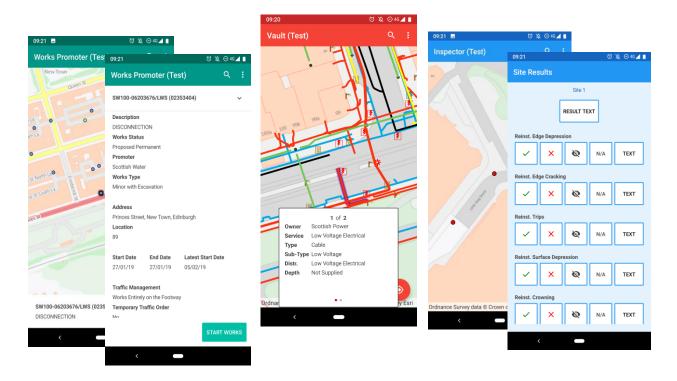
Figure 37 – Number of Named SRWR Users by Year.

The contracted maximum number of concurrent users (those logged into the SRWR at any one time) during 2018/19 was 350.

This reporting period was the first year of a new contract for the provision of the SRWR on behalf of the SRWC. The new contract has a minimum duration of 4 years with the option to extend for an additional 3 years, in 1 year increments.

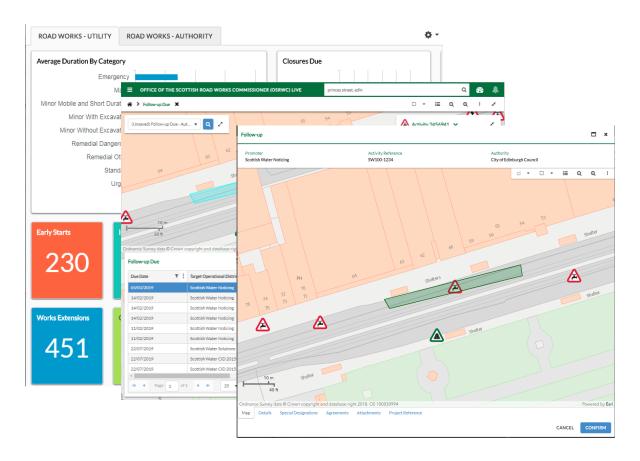
The new contract includes enhancements to the SRWR in areas such as:

- the addition of a Works Promoter App, allowing organisations to record actual start notices, works clear & works closed notices whilst working on-site
- the addition of an Inspectors App, providing access to information in the SRWR and the recording of inspections whilst attending sites
- the addition of a Vault App, providing organisations with access to plant information records whilst working on-site
- the addition of new reports to automate the production of performance reviews and facilitate self-scrutiny by organisations
- the addition of transactional alerts to the Scottish Road Works Online website
- improvements to areas of interest, allowing the filtering of notices received by organisations
- enhanced functionality to enable publication of information recorded in the SRWR as Open Data
- · options to make use of gazetteer data from different sources and
- the addition of many relatively minor enhancements to the functionality of the SRWR, improving the system for the user community



Picture 24 – Screenshots of the three SRWR Apps available.

The contract includes a continuous improvement clause requiring the service provider to keep the SRWR compliant with all relevant legislation and regularly provide enhancements to the service. Plans are already in place for a major overhaul of the software used in the provision of the SRWR which includes a more accessible web based interface. This new system is expected to be implemented at the start of the 2020/21 period.



Picture 25 – Screenshots of the proposed update to the SRWR

Also included in the SRWR service are:

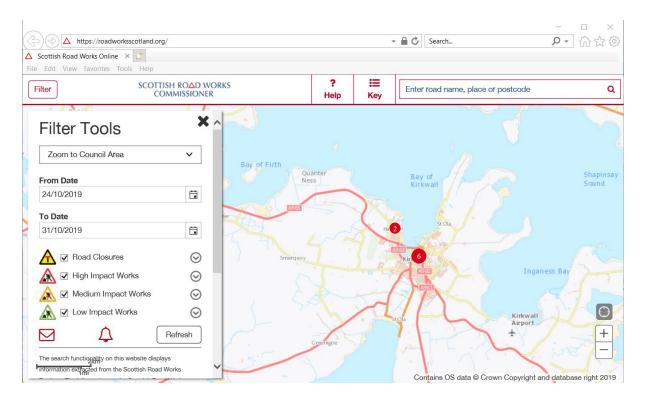
Scottish Road Works Online

A cut down version of the SRWR is available on the internet for the travelling public to access information on road works. Known as Scottish Road Works Online, this site shows summary details of planned and current road works. The site is compatible with a variety of platforms including touch-screen operation.

In 2018 the ability to set up email alerts was introduced. Users can now click on an alert icon and request an email when works are planned at a particular location.

Scottish Road Works Online can be found at:

https://roadworksscotland.org/



Picture 26 - Screenshot from Scottish Road Works Online

Dial Before You Dig

Whilst the SRWR allows utility companies and roads authorities to exchange details of their apparatus, third parties (those not classed as utility companies or roads authorities) can request information using the Dial Before You Dig Plant Information Request facility offered by the SRWR.

Before any road works take place it is important that operatives on site are aware of the location of all nearby utility company and roads authority assets. This protects operatives carrying out works from harm and protects assets from accidental damage caused by works. The availability of plant information to third parties through the Dial Before You Dig service is particularly relevant to underground buried apparatus and overhead apparatus where the danger is not always immediately obvious.

Calls placed to the Dial Before You Dig service are handled by the service provider as part of their contractual obligations for the provision of the SRWR. The provider uses the SRWR to pass details of the request to utility companies and roads authorities, who may have apparatus in the affected area. On receipt of a request utility companies and roads authorities are expected to respond with details of affected assets.

On average 193 requests/month were received during 2018/19.

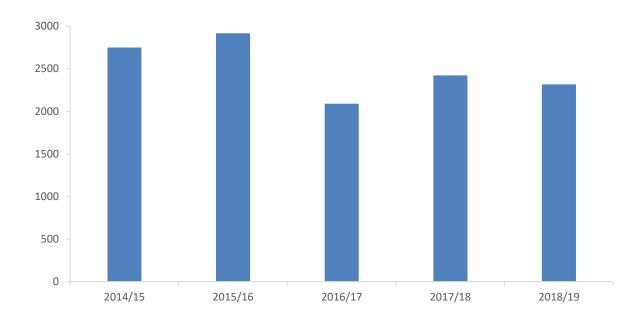


Figure 38 – Number of Dial Before You Dig requests processed

Further details can be found at:

http://dialbeforeyoudig.scot or by calling 08000 231 251

Community Apparatus Data Vault (Vault)

Before any works take place in a road it is important that those working are aware of the location of buried and nearby apparatus/plant.

RAUC(S) Advice Note 1 – The Sharing of Plant Information requires that records relating to apparatus/plant are made freely available for inspection by any roads authority or utility company. This information is provided using websites showing maps, CDs containing the data, maps by email or printed paper plans sent by post.

The Community Apparatus Data Vault (Vault) is a non-statutory addition to the SRWR introduced in 2011. It is one of the easiest ways available to an organisation

to comply with its statutory obligation to share information. Vault displays information from all participating organisations simultaneously on one screen.

Although Vault is a non-statutory facility, it is the opinion of SRWC that its use represents best practice when sharing apparatus/plant information. To encourage the supply of data and to help ensure the data is as up to date as possible, updates are now accepted 6 times per year (every 2 months).

SRWR System Training

SRWR training courses were available to the user community in July 2018, October 2018 and February 2019.

Courses offered were:

- New users of the SRWR and
- Advanced Noticing Course

The course take up was good, with most courses filled to capacity.

SRWR Open Data

As part of the new contract for the supply of the SRWR, it is a requirement that road works data recorded on SRWR is made available to download as Open Data. Every transaction relating to works from 2008 is available for download in a set of CSV (Comma Separated Value) files.

Further information can be found at:

https://roadworks.scot/opendata

SRWR Steering Group and the System Assurance Team

To ensure that SRWR services are fit for purpose, representatives of the SRWR user community meet regularly as members of the SRWR Steering Group and the System Assurance Team. These meetings are attended by representatives of the software contractor.

In addition, with the planned upgraded to the SRWR in April 2020, Super User Forums were held to engage with the community and get feedback to inform development of the system.

This engagement helps ensure that the SRWR continues to serve the needs of roads authorities and utility companies. These groups support both the SRWC and RAUC(S).

Financing of the Scottish Road Works Register

Provision of the SRWR is funded by the user community through a statutory Prescribed Fees and Amounts levy which is collected annually by the SRWC.

The Parliamentary Regulations supporting the collection of "Fees and Amounts" required for the 2018/19 financial year were:

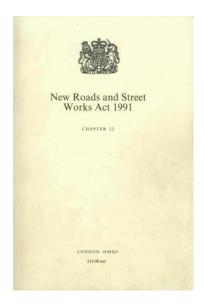
- The Scottish Road Works Register (Prescribed Fees and Amounts)
 Regulations 2008 which came into force on 29 February 2008. Whilst the
 "Fees" element of this legislation has been superseded, the "Amounts"
 element remains current.
- The Scottish Road Works Register (Prescribed Fees) Regulations 2018 which came into force on 1 April 2018 prescribes the fee to be collected for 2018/19.

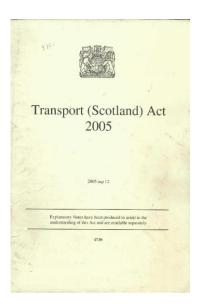
The 2018/19 prescribed fees and amounts collected for the running of the SRWR totalled £746,249. Invoices for the operation of the SRWR were issued to the community on 1 April 2018. Of the 73 invoices issued, 53 were paid before the due date of 1 June 2018. The remaining 20 were all paid by 31 July 2018, after the 60 day period set for payment in legislation.

The Scottish Road Works Register (Prescribed Fees) Amendment Regulations 2019 were laid before the Scottish Parliament on 18 March 2019. In conjunction with *The Scottish Road Works Register (Prescribed Fees and Amounts) Regulations 2008,* these regulations prescribe the £855,000 required to operate the SRWR in 2019/20.

11. Legislation

The legal framework for road works in Scotland are the *New Roads and Street Works Act 1991* (as amended by the *Transport (Scotland) Act 2005*) and the associated secondary legislation, codes of practice and advice notes.





Picture 27 - Primary Legislation

Reviewing legislation is an ongoing process which most public sector agencies undertake at some time. Reviews can be driven by sector developments, changes in technology/materials, changes in processes or be policy driven and should benefit stakeholders and the public. Consultation is an essential part of any review and a key part of developing legislation.

The 2016/17 Programme for Government made provision for a Transport Bill including enhancements to the role of the SRWC and the wider regulation of road works in Scotland.

The 2016 "Barton Report", commissioned by the Minister for Transport and the Islands in October 2015, reviewed the office and functions of the SRWC. The report made 21 recommendations, the principle of which informed Scottish Government officials drafting the road works element of the Bill.

Part 5 of the Transport Bill laid before the Scottish Parliament in May 2018 includes provision to expanded the scope of the SRWC and introduces an inspection function to the office. The bill progressed through the parliamentary process during 2018/19.

Policy Development Group (PDG)

The road works PDG meets quarterly and is chaired by the Scottish Government. Membership includes representatives from the SRWC, RAUC(S), SCOTS, Street Works UK and the SRWR Steering Group. The group considers amendments to road works policy and provides advice on legislation, codes of practice and advice notes.

The main priority in this reporting period was informing the policy direction for the Transport Bill during its passage through the parliamentary process.

Regulations

The Scottish Road Works Register (Prescribed Fees) Regulations 2019 were made on 14 March 2019. These regulations revoked The Scottish Road Works Register (Prescribed Fees) Regulations 2017 and The Scottish Road Works Register (Prescribed Fees) Amendment Regulations 2018.

When applied in conjunction with *The Scottish Road Works Register (Prescribed Fees and Amounts) Regulations 2008*, the 2019 regulations formed the basis for the collection of the 2019/20 Prescribed Fees and Amounts for the operation of the SRWR.

Future Legislation

The Transport Bill laid before Scottish Parliament in spring 2018, completed stage 1 and stage 2 of the parliamentary process.

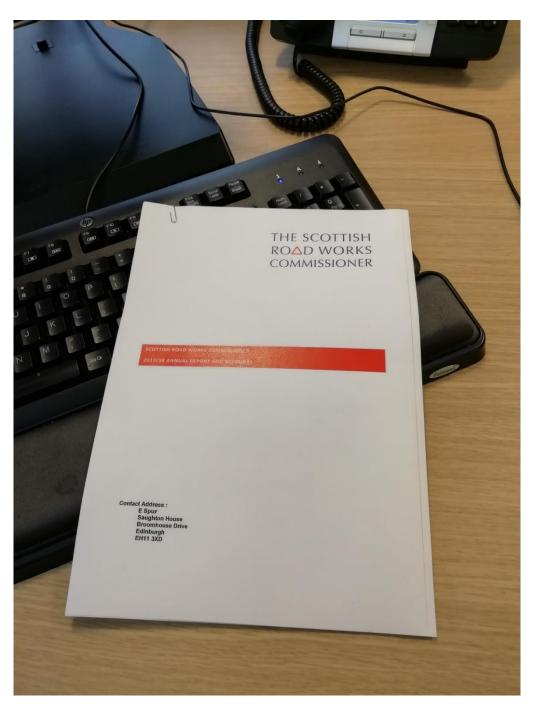
The SRWC will continue to work closely with Scottish Government in the development of this and any future legislation.

12. Annual Report and Accounts

Scott-Moncrieff Business Advisors and Accountants undertook an external audit of the 2017/18 SRWC Annual Report and Accounts during the summer of 2018.

The 2017/18 Annual Report and Accounts are available to download at:

https://roadworks.scot/publications/annual-accounts



Picture 28 – Annual Report 2017/18

13. Reflection and Forward Planning

Reflection

The SRWC continued to engage with the wider Scottish road works community, promoting collaborative working between roads authorities and utility companies.

The SRWC continued to monitor compliance with road works legislation and good practice guidance over the reporting period.

An extract of the SRWC's *Business Plan 2018/19* is attached in Appendix C. It covers a range of objectives designed to further the strategic aims of the SRWC. Objectives included specific targets, development of existing systems and specific responsibilities by business area.

The Business Plan is published on the SRWC's website at the following location:

https://roadworks.scot/publications/corporate-business-plans

Forward Planning

The *Business Plan 2019/20*, developed in April 2019, is published on the SRWC's website. An extract of the activities section is in Appendix D.

In addition to addressing the corporate aims of the office, the plan focuses on the overall governance and objective setting by business area. The plan acknowledges the anticipated work to assist Transport Scotland, associated with the progression of the Transport Bill.

The 2018-20 Corporate Plan is also published on the SRWC's website.

Appendix A – List of Acronyms and Terms

The table below proves a list of acronyms and terms used in this report.

Acronym	Term
Area RAUC	Area Roads Authorities and Utilities Committee
BDUK	Broadband Directive UK
Commissioner	Scottish Road Works Commissioner
COSLA	Convention of Scottish Local Authorities
DBFO	Design, Build, Finance and Operate
DCMS	Department for Digital, Culture, Media and Sport
EI(S)R	Environmental Information (Scotland) Regulations 2004
FOI(S)A	Freedom of Information (Scotland) Act 2002
FPN	Fixed Penalty Notice
Gazetteer	List of all roads maintained by a Roads Authority
HAUC (UK)	Highway Authorities and Utilities Committee (UK)
Local RAUC	Local Roads Authorities and Utilities Committee
NRSWA	New Roads and Street Works Act 1991
OC	Operating Company (working on behalf of Transport Scotland)
PDG	Policy Development Group
RAUC(S)	Roads Authorities and Utilities Committee (Scotland)
Register	Scottish Road Works Register
SCOTS	Society of Chief Officers of Transportation in Scotland
SOLACE	Society of Local Authority Chief Executives
SROR	Specification for the Reinstatement of Openings in Roads
SRRB	Scottish Road Research Board
SRWC	Scottish Road Works Commissioner
SRWR	Scottish Road Works Register
T(S)A	Transport (Scotland) Act 2005

Appendix B – List of Scottish Roads Authorities and Utility Companies

Roads Authorities

City Group

Aberdeen City Council Dundee City Council City of Edinburgh Council Glasgow City Council

Island Group

Comhairle nan Eilean Siar Orkney Islands Council Shetland Islands Council

Rural Group

Aberdeenshire Council
Angus Council
Argyll & Bute Council
Scottish Borders Council
Dumfries & Galloway Council
Highland Council
Perth & Kinross Council
Moray Council

Semi-Urban Group

East Ayrshire Council
East Lothian Council
Fife Council
Midlothian Council
North Ayrshire Council
South Ayrshire Council
South Lanarkshire Council
Stirling Council
West Lothian Council

Urban Group

Clackmannanshire Council
East Dunbartonshire Council
East Renfrewshire Council
Falkirk Council
Inverclyde Council
North Lanarkshire Council
Renfrewshire Council
West Dunbartonshire Council

Trunk Road

Transport Scotland

Other

Tay Road Bridge Joint Board

Utility Companies

Electricity

ESP Electricity
SP Energy Networks

SSE

National Grid Fulcrum Electricity

Gas

ES Pipelines Limited North Connect SGN

Multi-Utility

Energetics
Energy Assets
Fulcrum
GTC Pipelines Limited

Pipelines

BP CLH Pipelines INEOS INEOS FPS Shell

Telecoms

Argiva

Broadband for the Rural North (B4RN) CityFibre Metro Networks Ltd

CenturyLink

Concept Solutions People Limited (CSP Ltd)

FF

Gamma Telecom Hutchison 3G Hyperoptic Openreach SSE Telecoms Sky UK TalkTalk Telefonica UK

Verizon

Virgin Media Group Vodafone Limited

Zayo

Water

Scottish Water

Others

Network Rail Royal Mail Edinburgh Trams

Appendix C - Business Plan 2018/19

This section is an extract from the 2018/19 business plan.

The full business plan is available on the SRWC's website at:

https://roadworks.scot/publications/corporate-business-plans

The following abbreviations are used in the activities tables:

SRWC Scottish Road Works Commissioner

PM Policy Manager

TSM Technical Standards Manager

SRWRM Scottish Road Works Register Manager

Acc Accountant

BusM Business Manager
PrM Performance Manager

SROR Specification for the Reinstatements of Openings in Roads

RAUC(S) Roads Authorities and Utilities Committee (Scotland)

Area RAUC Area Roads Authorities and Utilities Committee

Local RAUC Local Roads Authorities and Utilities Committee

SCOTS Society of Chief Officers of Transportation in Scotland

FReM Financial Reporting Manual

Business Area 1 : Technical/Quality Monitoring

	Objective	Key Milestones/Performance Measures	Owner	Corporate Aim	
1.1	Work with road works community at all levels to improve communication.	100% Attendance at National RAUC(S)	SRWC		
	improve communication.	Attendance at Area RAUC meetings	SRWC	4.2.2	
		Attendance at 15% of Local RAUC meetings	TSM	1,2,3	
		Assist with Advice Notes and Codes of Practice	PM		
1.2	Contribute to National (UK) working groups.	Represent Scotland at the Training and Accreditation Group (TAG) UK (quarterly attendance)	TSM	2,3	
1.3	Further develop the Technical Standards programme with	Review programme and strategy by June 2019	PM		
regard to planned government major infrastructure projects.		Further develop the TSM programme with regard to future legislation.	TSM	1,2	
1.4	Review the 2017/18 ad-hoc site inspections by the oSRWC to include in-situ	Review 2017/18 Testing/Data Collection Plan	TSM		
	compaction testing of the unbound layers of utility company reinstatements.	Collaborate on a final report on data collected by technical consultant (Aug 18)	TSM	1,2,3	
1.5	Continue to engage with the road works community to provide an advisory role on Signing Lighting and Guarding and good practice.	Continue to provide Traffic Management Advice sessions at a rate of 2 per quarter (depending on uptake as required)	TSM	3	

Business Area 2 : Policy

	Objective	Key Milestones/Performance Measures	Owner	Corporate Aim
2.1	Continue to work with the wider Scottish road works community to develop strategies to improve the overall standards of road reinstatements.	SRWC represented at 90% of meetings as follows: RAUC(S) Scottish Road Research Board Strategic Action Group Roads Maintenance Stakeholder Group	SRWC/PM	1,2,3
2.2	Continue to scrutinise and participate in the review of advice notes and codes of practice.	Comment from SRWC provided on 90% documents referred to SRWC for review by RAUC(S)	PM	2,3
2.3	Continue to provide technical advice to the Scottish Government to inform the Transport Bill process.	 Provide input to the proposed consultation. Dedicate staff time to sponsor body as required to assist with Bill 	SRWC/PM SRWC/PM	1,2,3
2.4	Continue to input to the development of policy through participation in the Scottish Government Policy Development Group.	 SRWC is represented at 100% of meetings Provide input to group output, as required. 	SRWC/PM SRWC/PM	1,2,3

Business Area 3: SRWR Operation And Management

	Objective	Key Milestones/Performance Measures	Owner	Corporate Aim
3.1	Produce annual matrix for the collection of prescribed fees and amounts.	Levels of fee determined	SRWRM	
	Issue invoices pertaining to prescribed fees and amounts, and training in accordance	Invoices issued	BusM	1,2,3,4
	with SPFM segregated duties. Collect all fees due in accordance with SPFM segregated duties.	Collection of all Training fees as required, and of all Statutory Fees for use of the Register by end June 2018.	BusM	
3.2	Ensure that the Scottish Road Works Register operates in line with contractual requirements and continue to ensure that it develops to provide added benefits to the Commissioner and the road works community.	 Monthly performance and progress review of Symology (Incumbent SRWR Provider) Quarterly contract meeting with Symology (Incumbent SRWR Provider) Quarterly meetings with SRWR 	SRWRM SRWC/ SRWRM	1,2,4
		Steering Group	SRWRM	
3.3	Issue SRWR Newsletter.	Four per year	SRWRM	3,4
3.4	SRWR Specification of Requirements.	Ongoing review of SRWR changes	SRWRM	
	requirements.	Annual review of Technical Specification	SRWRM	1,2,4
3.5	Promote compliance and good practice across the	Arrange SRWR user seminars (as required)	SRWRM	
	SRWR user community.	Organise register specific training (as required)	SRWRM	2,3,4
3.6	Preparatory work for procurement of the next SRWR contract.	Annually review contract terms.	SRWRM	1,2,4

Business Area 4: Performance Monitoring

	Objective	Key Milestones/Performance Measures	Owner	Corporate Aim
4.1	Operational objectives monitoring.	Record any failure to achieve operational objective following January, May, August and December team meetings PrM		1,2,3,4
4.2	Increased scrutiny of roads authorities and their use of the register.	 Continue to monitor inconsistencies in the placing of notices in the SRWR by roads authorities in each of the five SCOTS peer groups. Scrutinise the use of Section 125 notices by Road Works Authorities. 		1,2
4.3	Increased scrutiny of utility companies.	 Examine the use of urgent works notices October 2019 Scrutinize undertakers who consistently fail to achieve a sample inspection pass rate of 90% by October 2019 	PrM PrM	1,2
4.4	Refine quarterly performance reviews to track performance though the year.	 Produce quarterly dashboard – using red, amber, green Flags Provide SRWR statistics prior to Area RAUC meetings 	PrM/SRWRM	1,2
4.5	Produce SRWC Annual Performance Reviews of organisations.	Performance reviews issued to all SRWR organisations by end of July 2018.	PrM	1,2
4.6	Review Annual Performance Trends.	Review the 2017/18 and 2018/19 performance of SRWR organisations and take follow up action where required by December 2019.	PrM	1,2
4.7	Improvement Plan Strategy	Develop a formal SRWC improvement plan strategy for undertakers and roads authorities.	PM/PrM	1,2,3
4.8	Review un-actioned items on SRWR.	Develop a standard performance review mechanism for SRWR items with outstanding actions	PrM	1,3

Business Area 5: Business and Office Governance

	Objectives	Key Milestones/Performance Measures	Owner	Corporate Aim
5.1	Financial policy review	Review written financial procedures by August 2018	BusM	4
5.2	Statutory Returns	All returns submitted on time	BusM	4
5.3	Adhere to service standards	100% FOISA/EIRS request timescales met 100% SRWC timescales met	BusM	4
5.4	Publish 2017-2018 Annual Report	Publish report by the end August 2018	BusM	4
5.5	Undertake staff development and review process	Reviews undertaken by May 2019	SRWC	
	and review process	Mid-year reviews undertaken by November 2018	SRWC	1,2,4
5.6	Compliance with SRWC policies and controls,	Monthly meetings held	BusM	
	including the FReM	95% of payment made to suppliers within 10 days	BusM	4
5.7	Publish Annual Accounts 2017-2018	Accounts prepared and submitted to Auditors by end of August 2018 with associated working papers and report text.	SRWC	4
		Accounts agreed and published by end September 2018	SRWC	
5.8	Implementation of SAGE accounting.	Full integration of Sage for financial year 2017-18.	BusM	4
5.9	Maintenance of SRWC website.	Review website content twice a year	SRWRM	3.4
		Procure new website provision by June 2018	PrM	5,4
5.10	Oversee all financial transactions and ensure they are recorded correctly	100% of invoices recorded correctly	BusM	4

Appendix D - Business Plan 2019/20

This section is an extract from the 2019/20 business plan. It is a working document which details objectives and activities designed to achieve the strategic aims of the SRWC.

Activities undertaken by the SRWC have been broadly split into 5 business areas in the following extract. The full business plan is available on the SRWC's website at:

https://roadworks.scot/publications/corporate-business-plans

SRWC Business Areas

The SRWC has a small office and a defined remit. To promote collaborative and effective working, the Commissioner has structured the business areas around the corporate priorities set out in his Corporate Plan. Each business area is further broken down in individual staff work plans.

Policy

Corporate Priority:

To promote good practice and to ensure compliance with road works legislation and the obligations imposed under it.

Leader:

Policy Manager

Purpose:

Road Works in Scotland are currently governed by the New Roads and Street Works Act 1991 and the Transport Scotland Act 2005. A new Transport Bill is currently partially way though the parliamentary process and the SRWC is focused on assisting Transport Scotland with this. It is likely that the new bill will introduce significant changes to the road works legislative landscape in Scotland. This requires to be monitored and reviewed to ensure Codes of Practice align.

Programmes:

Review of the Specification of Reinstatement of Openings in Roads. Supporting Transport Scotland during the Transport Bill process. Monitoring compliance and internal governance.

Performance

Corporate Priority:

To monitor the carrying out of works in roads in Scotland.

Leader:

Performance Manager

Purpose:

Management of indicators and statistical information data contained in the Scottish Road Works Register, allowing analysis of trends and provision of evidence of noncompliance for escalation.

Programmes:

Issue of Annual Performance Reviews. Monitoring of community compliance and producing the community indicator reports. Escalation of matters concerning noncompliance.

Scottish Road Works Register

Corporate Priority:

Delivery and Management of the Scottish Road Works Register (Compliance).

Leader:

SRWR Manager

Purpose:

The New Roads and Street Works Act 1991 requires that all those carrying out road works in Scotland provide information to the Scottish Road Works Register, the contract for this is managed by the SRWC as the "Keeper of the Register". The Register must be available for organisations to carry out their statutory duties.

Programmes:

Collection of fees. Review of enhancements. Organisation of training. Contract review and monitoring. Reviewing the capability of the SRWR in line with potential changes which may be required as a result of the new Transport Bill.

Technical Standards

Corporate Priority:

Promotion of good practice and quality review.

Leader:

Technical Standards Manager

Purpose:

The technical standards function is required to drive improvement across the road works community, review and provide expertise for technical documents and specifications as well as increased scrutiny of road works sites across Scotland.

Programmes:

Preparation for the possibility of an Inspectorate. Technical input into the HAUC (UK) Training and Accreditation (TAG) group and Road Works Scrutiny.

Business And Governance

Corporate Priority:

Effective operation of the Commissioner's office.

Leader:

Business Manager

Purpose:

Effective operation of organisation within budget.

Programmes:

Publication of the annual report and accounts. Financial management and day to day accounts. Review of internal governance in line with the FReM and Scottish Government standards.

Appendix E – Extent of Engagement

Committees and working groups which met during the reporting period at which the SRWC or a representative attended.

Committees	Frequency	Reports to
Highway Authorities and Utilities Committee (UK)	3 per year	-
Roads Authorities and Utilities Committee (Scotland)	Quarterly	-
Area RAUC	Quarterly	RAUC(S)
Local RAUC	Quarterly	Area RAUCs

Working Groups	Frequency	Reports to
Policy Development Group	Quarterly	Scottish Government
Specification for the Reinstatement of Openings in Roads Working Group	When required	RAUC(S)
SRWR Steering Group	Quarterly	SRWC/RAUC(S)
Gazetteer Working Group	Quarterly	RAUC(S)
System Assurance Team	Quarterly	SRWR Steering Group
Code of Practice for Inspections Working Group	When Required	RAUC(S)
Training and Accreditation Group (UK)	Quarterly	HAUC (UK)

In addition to the above specific groups, the following summarises other engagements undertaken during the reporting period by the SRWC during 2018/19.

Meeting/Engagement	Frequency/Summary
Utility company specific meetings	Meetings include the promotion of good practice, compliance and enforcement.
Roads authority specific meetings	Meetings include the promotion of good practice, compliance and enforcement.
Scottish Government	Specialist technical policy groups to assist in the progress of specialist policies and directives. Input into significant national events. Liaison meetings as required.
Research and development	Meetings to progress road works research and development, e.g. research into long term damage and aggregate performance.
Innovation showcases	SRWC representatives attended various sessions promoting new technology or processes, e.g. core & vac and trenchless technology.
Industry training seminars/conferences	Staff development and knowledge exchange to promote the good practice within the industry. The SRWC has spoken at various industry seminars including the HAUC (UK) Convention.
SRWR contract meetings	Quarterly liaison meetings with the software provider.

SCOTTISH ROAD WORKS COMMISSIONER

Contact Details

You can phone us on 0131 244 9936

You can email us at enquiries@roadworks.scot

You can contact us by post at:

Scottish Road Works Commissioner E Spur Saughton House Broomhouse Drive Edinburgh EH11 3XD

Our website is https://roadworks.scot

Other Formats

The SRWC is committed to making services, policies and guidance available to everyone. This document may be available in other formats. Please contact us if you wish to discuss this matter.