

— OFFICE OF THE —
SCOTTISH ROAD Δ WORKS COMMISSIONER



ROAD WORKS MONITORING REPORT

01 April 2023 to 31 March 2024

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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 2023 to March 2024.

Appointment

Kevin Hamilton was appointed in November 2020 as the 4th Scottish Road Works Commissioner.

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. Introduction

I am delighted to present my fifth road works monitoring report since taking up office in November 2020, covering the period 1 April 2023 to 31 March 2024.

During the reporting period, there was a further increase in road works activity, up 8% overall compared to 2022/23. This represents a sustained growth in activity since the end of restrictions put in place as a result of the global covid pandemic.

Recorded road works activity is now approximately 27% higher than it was in the pre-covid period. The reasons for this sustained growth are not entirely clear, although there has been a rise in works in the electricity, water, telecoms and local authority sectors.

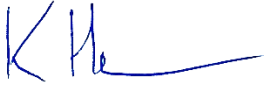
A key indicator of good planning and co-ordination of works is the proportion of so-called 'noticing failures'. This indicator was significantly affected by changes to the time periods for noticing works 'actual starts' and 'works complete'. Despite considerable efforts to raise awareness of these changes in the run up to implementation in April 2023, a large number of organisations struggled to achieve compliance with the new requirements during the initial 6 months. This meant that the average level during the reporting period was well above the 4% target for both utilities and roads authorities.

After a drop in performance related to safety indicators reported in the previous year, I am pleased to say that there was an increase in the pass rate for category A sample inspections in 2023/24 along with a commensurate improvement in the number of reported sub-standard traffic management layouts. This continues to be a priority and has been the focus of compliance officer activity in 2024 which will be covered in next year's report.

The results of the 2022/23 coring programme were published during the reporting period and showed, for the first time, that 90% of sampled reinstatements met the specification. There was also an improvement in the inspection pass rate for category B and C sample inspections which provides evidence that utility reinstatements are improving. However, there remained a small but persistent number of utilities whose reinstatements did not meet the standards, particularly in

the telecoms and electricity sectors. As a result, seven utilities received penalties totalling £138,000.

As ever, I would like to thank my team and everyone in the road works community for their support and co-operation through the year.



Kevin Hamilton

Scottish Road Works Commissioner

2. Executive Summary

The Organisation

Two new posts were created within the year to utilise the new inspection powers granted under the Transport Scotland Act 2019. These posts were filled in early March 2024 with the powers coming into effect on 1 April 2024.

This 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

The main sources of data available to the Scottish Road Works Commissioner's monitoring regime are:

- performance data from a suite of indicator reports in the Scottish Road Works Register (SRWR);
- statutory sample inspections of utility company road works by roads authorities; and
- periodic national coring programmes of the bound layers in utility company reinstatements.

The Scottish Road Works Register (SRWR) suite of indicators, which benchmarks roads authority and utility company road works performance across Scotland, and facilitates benchmarking against the rest of the UK, is regularly reviewed to enable organisations and the Commissioner to demonstrate continuous improvement.

Three new inspection reports were included for information only during the 2023/24 reporting year, and at the time of introduction, non-statutory guidance was provide to allow organisations to improve their outcomes.

Performance Indicator Trends

Road works activity increased during the monitoring period with road works started up 8% on the previous year to 163,147. This level of activity is 27% higher than in the pre-pandemic period.

In the reporting year, ten roads authorities and nine utilities were subject to the commissioner improvement plan process. Six organisations successfully completed the process.

Annual Road Works Performance Reviews covering the period 1 April 2023 to 31 March 2024 were issued to all roads authorities and utility companies operating in Scotland on 23 and 24 May 2024 respectively. In the reporting year, 55% of utility companies and around 74% of roads authorities, performed satisfactorily or better.

The noticing failure percentage for roads authorities (including all Transport Scotland (TS) operators) rose to an average figure of 5.3% (3.04% in 2022/23). Similarly the rate of utility company noticing failures increased to 7.0% (5.6% in 2022/23).

With regard to sample inspections, roads authorities recorded a slight decrease in the total number of inspections they were due to carry out, down to 93.8% from 94.6% in 2022/23. These inspections provide the Commissioner with reliable information on how effectively the utility companies are delivering their works and the quality of their reinstatements.

The remaining key indicators show continuing improvements. In particular, the sample inspection pass rate increased from 92.6% to 94% and the number of sub-standard traffic management issues reduced by 21%.

There remain some areas for improvement including noticing failures, unplanned works in some sectors, delivery of roads authority inspections and their use of direction powers and fixed penalties.

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. Programmes are now undertaken by RAUC(S) every two to three years. The most recent National Coring Programme sampled and tested

reinstatements completed between 1 January 2021 to 31 December 2021. The associated coring report was published in October 2023.

The overall pass rate was 90% against the 2019/20 result of 88%. The full report was delayed due to resource issues in one local area with the report published on 31 October 2023.

The sample inspection pass rates for both Category B and Category C inspections rose to 94.3% in 2023/24. This continues to provide reassurance that the quality of utility reinstatements is improving.

Commissioner Penalties

In 2023/24, penalties totalling £138,000 were imposed on seven organisations who failed to comply with their statutory obligations in relation to reinstatements as identified through the national coring programme.

Promotion of Compliance and Good Practice

The office continued to engage with the road works community at a national, area and local level in addition to membership of various working groups, promoting best practice, encouraging innovation and improved performance monitoring.

Consultations and Research

The Commissioner continued his active engagement with various groups but in particular the Mobility Access Committee for Scotland (MACS) and The Scottish Collaboration of Transportation Specialists (SCOTS). The Commissioner also joined the Transport Scotland Roads for All forum.

The Commissioner and staff have continued to actively participate in the Scottish Road Research Board (SRRB) and the Transport Scotland Pavement Forum (TSPF).

Scottish Road Works Register (SRWR)

Management and operation of the SRWR continued with the support of the SRWR Steering Group and the SRWR Systems Assurance Team. The SRWR Manager and

the Commissioner attended all meetings of the SRWR Steering Group and the Systems Assurance Team. These forums provide community input into the development and operation of the Scottish Road Works Register.

The service suffered from some service loss during the period, with the system being unavailable for a short period in November. The outage was resolved quickly and did not threaten to breach the Service Levels set out in the contract. Overall availability for the year was 99.99%, which is above the 98% target set out in the service contract.

A procurement exercise for the provision of the service after 1 April 2025 was undertaken during this reporting period and the contract subsequently awarded in July 2024.

The 2023/24 prescribed fees and amounts collected for the running of the SRWR totalled £950,387. During 2023/24, 163,147 works were started, meaning an average cost of around £5.83 for each works started.

Legislation

The Road Works (Reinstatement Quality Plans, Qualifications of Supervisors and Operatives and Miscellaneous Amendments) (Scotland) Regulations 2023 came into force on 1 April 2023 and introduced a number of new provisions.

In addition, the Transport (Scotland) Act 2019 (Commencement No. 7) Regulations 2023 came into force on 23 September 2023.

The Fifth edition of the Specification for the Reinstatement of Openings in Roads was published in November 2023. Several other changes were made to advice notes and guidance through the year.

Reflection and Forward Planning

The number of road works registered continued to increase in 2023/24 compared to the previous year with increases in a range of sectors.

The latest National Coring programme results were very encouraging with the target pass rate of 90% being achieved overall for the first time

The vast majority of utilities had Reinstatement Quality Plans approved in the reporting year but there was a small number who did not engage with the process.

The past few years have seen fairly significant changes in road works regulation in Scotland but the next few years should hopefully see more stability and bedding in of good practice.

The Commissioner's Corporate Plan was reviewed in 2023 and the annual Business Plan developed and published in March 2024.

3. The Organisation

The Commissioner's permanent staffing numbers increased by two during the reporting period.

Policy and Quality Manager

Key functions include keeping regulations, codes of practice and advice notes under review, promoting good practice, and media/complaint handling. The role also encompassed the review of Reinstatement Quality Plans (RQPs).

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 and promoting best practice.

Business and Governance Manager

This key role deals with the general administration of the office, in house accounting, enquiries from the public, statutory returns, invoicing, budget monitoring, managing requests under FOI(S)A and EI(S)R and monitoring compliance with legislation and governance.

Compliance Officers (x2)

This new role acts as the 'authorised person' in terms of the inspection functions conferred by the Transport (Scotland) Act 2019. The posts were filled towards the end of the reporting period with powers coming into effect on 1 April 2024.

4. Monitoring

Introduction

The duties of the Commissioner 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 Commissioner 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. Over recent years, the general trend has been towards improvement, with reduced levels of non-compliance. The provision of better technology and user friendly interfaces for accessing the SRWR, has merited greater organisation engagement, improving ‘real time’ administrative operations resulting in continuing improvements.

In May 2024 all roads authority and utility company CEOs respectively received their Annual Performance Review, in respect of performance during 2023/24.

Performance reports are also available throughout the year in the SRWR for roads authorities and utility companies to interrogate, allowing individual organisations to monitor their own performance and take remedial action where necessary.

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 number of indicator reports are 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.

The Commissioner indicator reports are continually reviewed and developed to ensure that they are relevant, up to date and transparent.

Quarterly performance dashboards capture key indicators and present them in a red/amber/green status report which provides transparency for the whole community. Organisations are required to provide a written response when their performance is poor.

Three new inspection reports were included for information only during the 2023/24 reporting year, and at the time of introduction, non-statutory guidance was provided to allow organisations to improve their outcomes. Although improvements were delivered it has been necessary for two of the three reports to be included in the Commissioner's monitoring framework for 2024/25.

Engagement and Improvement

Ongoing engagement is intended to facilitate the delivery of an improved performance without the need to take formal enforcement action.

A number of organisations met with the Commissioner to discuss their performance during 2023/24. In the reporting year, 55% of utility companies and around 74% of roads authorities, performed satisfactorily or better. Again, however, a significant proportion of the telecommunications sector and a number of smaller utility companies operating across all sectors (approx. 45%), along with 16% of roads authorities, were rated as unsatisfactory.

Discussions in relation to performance were held with the following roads authorities:

- Aberdeen City Council
- Aberdeenshire Council
- Angus Council
- Argyll & Bute Council
- City of Edinburgh Council
- Comhairlie nan Eilean Siar

- Clackmannanshire Council
- Dumfries and Galloway Council
- Dundee City Council
- East Ayrshire Council
- East Lothian Council
- East Renfrewshire Council
- Falkirk Council
- Fife Council
- Highland Council
- Midlothian Council
- Moray Council
- North Ayrshire Council
- Scottish Borders Council
- Shetland Islands Council
- South Lanarkshire Council
- Stirling Council
- Transport Scotland (on behalf of Scottish Ministers)

and the following utility companies:

- Arqiva
- BT
- Cornerstone Telecommunications Infrastructure Ltd
- CityFibre
- EE
- Hyperoptic
- Indigo Pipelines/Power Ltd
- Last Mile Electricity/Gas Ltd
- Lothian Broadband
- Mua Electricity Ltd
- Neos Networks
- Network Rail
- Nexfibre Networks Ltd

- Optimal Power Networks Ltd
- Persimmons Homes Ltd
- Scottish Hydro Electric Power Distribution plc
- Scottish Water
- SGN
- SP Energy Networks
- Trooli Ltd
- Zayo

Key Facts 2023/24

Road Works started	163,147 (+8.0% above 2022/23 volumes)
Scotland's Road Network	57,187 km*
SRWR Users	2,818
Potential Noticing Offences	8,387
Potential FPN's Issued	37.8%
Commissioner Penalties issued	£138,000
Sample Inspection Pass Rate	94.0%

Table 4.1 - Key Facts 2023/24

(*Source: *Scottish Transport Statistics 2023*)

5. Performance Indicator Trends

Roads authorities have a statutory duty to co-ordinate the execution of works of all kinds in roads for which they are responsible, whilst undertakers have a statutory duty to use their best endeavours to co-operate with the road works authority and with other undertakers.

These endeavours are both in terms of section 118(1) and section 119(1) respectively of the *New Roads and Street Works Act 1991* (NRSWA) and are to ensure that road works are carried out:

- in the interests of safety;
- to minimise inconvenience to persons using the road; and
- to protect the structure of the road and integrity of apparatus in it.

Road work noticing has continued to grow with the majority of both roads authorities and utility companies registering significant increases in volumes of work. Noticing has increased by some 27% to 163,147 compared with the volumes for the 2019/20 (pre-pandemic) reporting year of 128,625. The percentage of noticing by roads authorities has increased over the period from the 2019/20 figure by some 22%. This would suggest that the authorities are placing greater focus on registering all relevant road work operations. Telecommunication noticing continues to dominate the volume of Utility activity with a figure of nearly 60%, a 15% increase compared with 2019/20 volumes.

Several areas remain in need of continuing improvement including:

- Improvements have been delivered, however noticing failures in the both authorities and utilities sector, post the 2hr commencement and closure noticing requirements still requires increased diligence.
- percentage of unplanned works registered by some sectors of the utility companies
- Although reducing, a number of smaller utility companies still require to increase their focus on administrative duties.
- a consistent delivery model of the roads authorities inspection process

- utility companies sample inspection pass rates, particularly in relation to the final reinstatements
- the continued inconsistency of roads authorities to utilise their full range of powers including the issuing of FPN's/section 125 notices.

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.

The 5-year rolling period continues to be utilised with a number of the graphics within appendix D, displaying the short gap in data associated with the onset of the Covid event in March/April 2020. Continuing the assumption from the 2022-23 reporting year, the apparent trend across the displayed reporting period minimises the influence of the above data loss, providing a more relevant graphical presentation.

Improvement Plans

The Commissioner Improvement Plans were first introduced in 2017/18. The following organisations met with the Commissioner and were required to develop a plan to improve their performance during the 2023/24 reporting year:

Authorities:

- Aberdeen City Council
- Aberdeen shire Council
- City of Edinburgh Council
- Clackmannanshire Council
- Dundee City Council
- East Renfrewshire Council
- Midlothian Council
- Moray Council
- Perth & Kinross Council
- Renfrewshire Council

Utility companies were:

- BT
- CityFibre Networks Ltd
- Lothian Broadband
- Netomnia
- Nexfibre Networks Ltd
- Scottish Hydro Electric Power Distribution plc
- SGN
- SP Energy Networks
- Trooli Ltd

Following review meetings, the following organisations were subsequently removed from the Improvement Plan process within the reporting period:

- CityFibre Networks Ltd
- Clackmannanshire Council
- East Renfrewshire Council
- Nexfibre Networks Ltd
- Renfrewshire Council
- SGN

Performance Rating

The following rating was introduced for the individual organisation Performance Reviews in 2021/22 and continues in the reporting year 2023/24, the following is a general description of performance;

Well-managed – good performance across all indicators with minor non-compliance associated with one metric,

Satisfactory – between 1 and 3 non-compliant metrics with either near or slightly out with the respective targets, and

Un-satisfactory – more than 3 non-compliant metrics and/or 1 metric delivering consistently poor performance across 2 quarters or more.

The number of organisations delivering either a well-managed or satisfactory performance reduced by 6% from 54 in 2022/23, to 52 in 2023/24. This represents 62.7% of the total number of organisations undertaking works. However, it is also worth mentioning that the 2hr commencement/completion introduced by the Transport (Scotland) Act 2019 legislation placed nine organisations into the unsatisfactory category from a probable satisfactory rating.

Overall it is considered that the majority of organisations are achieving a compliant performance, with any significant failures being rectified within a short time scale. Organisations undertaking low numbers of work can sometimes fail to meet indicator targets, however in these circumstances, small numbers of failures result in an apparent high percentage of failures. This is sometimes unrepresentative of actual working practices.

The performance rating of roads authorities and utility companies is shown in Table 13.1.

The following summarises and highlights the notable performances and failings of individual organisations for each of the individual indicators:

Potential Noticing Failures

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

Roads Authorities

The noticing failure percentage for roads authorities (including all Transport Scotland (TS) operators) rose to an average figure of 5.3% (3.04% in 2022/23). Performance was greatly affected by the introduction of the 2hr commencement/completion by the Transport (Scotland) Act 2019 legislation.

The following organisations achieved a compliant performance: Angus Council; East Ayrshire Council; East Dunbartonshire Council; South Ayrshire Council; South

Lanarkshire Council; Tay Road Bridge Joint Board and West Lothian Council, all achieving a rate of less than 3.0%.

Unacceptable performance was delivered by: Aberdeenshire Council; City of Edinburgh Council; Clackmannanshire Council; Moray Council & Renfrewshire Council all having a rate, greater than 10.0%.

Utility Companies

Similarly the rate of utility company noticing failures increased to 7.0% (5.6% in 2022/23).

The following organisations had noticing failure rates of greater than 10%; Arqiva; Converged Communications Solutions Ltd; Energy Assets Networks; ES Pipelines; Grain Communications; Hyperoptic Ltd; Indigo Pipelines Ltd; Last Mile Electricity Ltd; Moray Offshore Windfarm (West) Ltd; National Gas Plc; Optimal Power Networks Ltd; Royal Mail; Scottish Hydro Electric Power Distribution plc; Trooli Ltd; Verizon; Voneus Ltd and Zayo. It should be noted that high % failures in some cases are against low work volumes.

Good performance was delivered by; CityFibre; Commsworld Ltd; Cornerstone Telecommunications Infrastructure Ltd; Fulcrum Pipelines; GTC Pipelines Ltd; Internetty Ltd; Lumen Technologies UK Ltd; mua Gas Ltd; Open Fibre Networks Ltd; Persimmon Homes Ltd; Sky UK Ltd and the Electricity Network Company Ltd who had rates of less than 2.0%.

Full details for roads authorities and utility companies see Figure 6.

Actual starts (road works commenced)

Roads authorities further increased their noticing volumes by 12.7% to 43,764 (38,837 in 22/23). Significant increases in noticing volumes were achieved by; Aberdeen City Council; Aberdeenshire Council; City of Edinburgh Council; Comhairle nan Eilean Siar; Dumfries & Galloway Council; Dundee City Council; Fife Council; Glasgow City Council and Moray Council. Utility companies also achieved increases in work volumes, with typically the telecoms and water sectors providing an increase of around 8%. The electricity sector achieved a near 14% increase with activity across most of the undertaker contributing to the growth.

Full details for roads authorities and utility companies see Figure 7.

Early and late starts as a percentage of actual starts

Roads authorities continued the downward trend for early starts with a year average of 5.5% (6.9% in 2022/23). The Q2 increase was influenced by a rise in failings against a reduced volume of noticing. The Utility companies average increased to 7.6% from a figure of 7.0% in 2022/23. Although noticing volumes have increased, early starts numbers have risen by some 14% with the Telecom sector (Gofibre Holdings and Lothian Broadband) having a significant influence on the result.

For full details of early starts see Figure 8.

Late starts delivered by the roads authorities has stabilised from previous years and continues to reduce with the average for the reporting year being 0.6% (0.9% in 2022/23). Q4 finished strongly with a result of 0.4%.

Utility companies again maintained an acceptable performance with a slight slippage to an average for the reporting year of 0.6% (0.5% in 2022/23).

For full details of late starts see Figure 9

Unplanned works as a percentage of actual starts

Roads authorities continue to deliver a consistent level of unplanned works with a slight decrease in the average to 2.1% (2.7% in 2022/23), against a target of 4%.

Usage of significant emergency/urgent noticing will have a negative effect on the co-ordination process and so this should be minimised. Scottish Hydro Electric Power Distribution plc (44.1%); Scottish Water (54.6%); SGN (44.9%) and SP Energy Networks (43.1%) all noticed emergency/urgent at values in excess of the 40% indicator target. The severe weather events of 2023/24, including eleven named storms (Agnes - September, Babet - October, Debi – November, Elin/Fergus/Gerrit – December, Henk/Isha/Jocelyn – January and Kathleen in April) have been cited as a contributing reason for these high totals. Although sympathetic to the operational requirements, the Commissioner continues to promote accuracy around the choice of the chosen works category and asks organisations to minimise the use of these works types.

For full details of unplanned works for roads authorities and utility companies see Figure 10.

Works extensions as a percentage of actual starts

Both roads authorities at 6.1% and utility companies at 9.7% delivered a continuing compliant performance against a target of <15%. A very small decrease in performance was delivered by the Utility companies from 9.2% in 2022/23. The following individual organisations delivered a performance in excess of 20%; Energy Assets Pipelines; ESP Electricity Ltd; ES Pipelines Ltd; Indigo Pipelines Ltd; Last Mile Gas Ltd, Moray Offshore Windfarm (West) Ltd; National Gas Plc; Neos Networks; Optimal Power Networks Ltd; Scottish Hydro Electric Power Distribution plc; and SP Energy Networks.

For full details of works extensions for roads authorities and utility companies see Figure 11.

Overrunning Works as a percentage of actual starts (Major, Minor & Standard Works)

Roads authorities recorded a slight increase above the 0% target performance across all organisations at around 0.7% (0.3% in 2022/23). The utility companies improved with a performance around 1.7% (2.7% in 2022/23). Organisations delivering a non-compliant performance, in excess of 5% against a target of 0% were; Indigo Pipelines Ltd (33%); Moray Offshore Windfarm (West) Ltd (10%); National Gas Plc (12%); Open Fibre Networks Ltd (14%); Shetland Islands Council (9%) and Zayo (22%).

For full details of overrunning works for roads authorities and utility companies see Figure 12.

Works awaiting closure and/or registration of final site reinstatement details

Roads authorities continued to show good compliance with a consistent result to 2022/23 levels with 12 notices awaiting closure. Utility companies also continued to

provide improvements with 36 down from the 2022/23 of 52. Consistency across the full reporting year is again to be encouraged.

For full details of works awaiting closure for Roads authorities and utility companies see Figure 13.

The number of utility notices awaiting final site registration details has unfortunately increased to 332 from a 2022/23 figure of 199. The following three organisations were responsible for 68% of the total; Nexfibre Networks Ltd (48); SGN (79) and SP Energy (92).

For full details of Utility works awaiting registration of final site details see Figure 14.

Utility company interim reinstatements

The number of interim reinstatements recorded has levelled out with 1066 being installed during the final quarter of the year (1045 in 2022/23). Greater focus is required to reduce this level further to reduce the disruption caused by road works with organisations requiring to return to sites to bring running surfaces to required specification.

The average number of interim reinstatements overdue to be made permanent (greater than 6 months) over the year increased above the 607 figure for 2022/23 to 668.

There was a 10% decrease in the number of reinstatements failing to be made permanent within 6 months at the end of the reporting period, with reported figure of 592 (655 in 2022/23). BT delivered a 71% improvement whilst Gofibre Holdings Ltd; Hyperoptic; Scottish Water; SP Energy Networks; Virgin Media all significantly contributed to the above total.

For full details of Utility company interim reinstatements both compliant and failing the 6 month timescale see Figure 15.

Sample Inspections undertaken by roads authorities

Roads authorities recorded a slight decrease in performance to 93.8% of the total number of inspections they were due to carry out (94.6% in 2022/23). These

inspections provide the Commissioner with reliable information on how effectively the utility companies are delivering their works and the quality of their reinstatements. Sixteen authorities; Aberdeenshire Council; Argyll & Bute Council; Dumfries and Galloway Council, East Renfrewshire Council; Falkirk Council; Glasgow City Council; Inverclyde Council; North Lanarkshire Council; Perth & Kinross Council; Renfrewshire Council; Scottish Borders Council; Shetland Islands Council; South Ayrshire Council; South Lanarkshire Council; Stirling Council; Transport Scotland and West Dunbartonshire Council all recorded more than 95%. Three authorities failed to undertake 75% of required inspections; Aberdeen City Council (58.7%); Angus Council (62.9%) and Highland Council (74.6%).

For full details of sample inspections undertaken by roads authorities see Figure 16.

Sample inspections - utility company pass rate

The overall pass rate for sample inspections increased to 94.0% (92.6% in 2022/23). However, a significant number of individual organisations still failed to achieve the required 90% pass rate within the three sample inspection categories.

The overall pass rate for Category A inspections, which are undertaken whilst the works are in progress, increased to 93.3% (90.8% in 2022/23). These inspections focus on the safety aspects of ongoing works. This improvement, whilst relatively small, is welcomed.

The pass rate for Category B inspections, undertaken at completion of works, rose from 93.2% in 2022/23 to 94.3%. Similarly the pass rate for Category C inspections, which are undertaken at the end of the guarantee period, also rose to a figure of 94.3% against a 2022/23 figure of 93.1%. This gives confidence that the quality of the reinstatement continues to improve.

There were fourteen utility companies which failed to achieve the 90% pass rate for Category A inspections. They were; Energy Assets Pipelines; ESP Electricity Ltd; Gofibre Holdings Ltd; Hutchison 3G; Hyperoptic Ltd; Indigo Pipelines Ltd; Last Mile Gas Ltd; Lothian Broadband; mua Electricity Ltd; Neos Networks; Netomnia Ltd; Nexfibre Networks Ltd; Telefonica UK and Trooli Ltd.

For full details of category A sample inspections pass rates see Figure 17.

There were eight utilities which failed to achieve the 90% pass rate for Category B inspections. They were; EE; Energy Assets Pipelines; Hyperoptic Ltd; Neos Networks; Network Rail; Telefonica UK; Vodafone Ltd and Voneus Ltd

For full details of category B sample inspections pass rates see Figure 18.

There were nine utilities which failed to achieve the 90% pass rate for Category C inspections. They were; CityFibre; EE; Energy Assets Pipelines; ES Pipelines Ltd; Last Mile Electricity Ltd; Neos Networks; Netomnia Ltd; Trooli Ltd and Vodafone Ltd.

For full details of category C sample inspections pass rates see Figure 19.

Substandard traffic management from inspection results

There was a significant reduction in the number of sub-standard traffic management issues identified through inspections. The number reduced by 21% from 1361 failures in 2022/23 to 1074 incidences in 2023/24. This fall against an increased work volume is welcomed. However, against a target of 0%, the following organisations contributed significant percentages of the total; BT (10.3%); CityFibre (9.1%); Nexfibre Networks Ltd (13.5%); Scottish Water (19.6%); SGN (12.3%) and SP Energy Networks (19.8%). These failures account for 84.6% of all the substandard traffic management failures identified during the reporting year.

For full details of sub-standard traffic management from inspection results see Figure 20.

Works registered with missing contact details

Failure levels for this indicator continue to improve with current failures, compared to work volumes are less than 0.2% across the community for the reporting year.

Roads authorities delivered a nearly 50% improvement in non-compliance with 39 incidences compared to the 44 incidences in 2022/23. The Utility companies also delivered an improvement with 281 failures, a near 72% reduction from 1009 in 2021/23.

The following organisation delivered significant levels of improvement against their work volumes; BT (+74%); Cityfibre (+99%) and Verizon (+71%). The following

organisations delivered a reducing level of compliance against volumes of work; ES Pipelines Ltd (-36%) and National Gas Plc (-24%).

For full details of roads authorities and utility company works registered with missing contact details see Figure 21.

Misuse of traffic management type “not yet known”

Roads authorities achieved a failure rate of less than 0.04% (17 no.) against their work volumes.

The utility companies also delivered a near compliant performance with an average failure rate of 0.4% (41 no.). The following organisations was responsible for the majority of the failures namely; BT (17%) of the yearly failures.

With the continuing improvement, there is significant evidence to suggest that the vast majority of organisations have embedded processes to deliver compliance for the above two indicators.

For full details of roads authorities and utility company works registered with traffic management “not yet known” details see Figure 22.

Fixed Penalty Notices (FPN’s) issued to utility companies

Fixed Penalty Notices (FPN’s) were issued by 21 of the 33 roads authorities in 2023/24, any increase of 1 above the previous reporting year. Whilst the issuing of FPN’s is discretionary, the improving trend is to be encouraged as it indicates that most authorities are undertaking robust management of road works activity and utilising the full range of powers available to them.

The following road authorities failed to issue FPN’s at any time during the last five years; Angus Council; Comhairle nan Eilean Siar; Dumfries & Galloway Council; Falkirk Council; Moray Council; Perth & Kinross Council and Shetland Islands Council; and the Commissioner would like to see more authorities utilising these powers in a more consistent way across Scotland.

The number of FPN's issued to utility companies was 3,618 out of a potential 8,387 (43%), a similar percentage to 2022/23, however the actual and potential values have both increased by 17% and 34% respectively on the 2022/23 reporting year.

For full details of actual and potential fixed penalty notices issued to utility companies see Figure 23.

Roads authorities collected at least £253,440 from the issue of FPN's, and an increase as noted above of approximately 17%.

For full details of fixed penalty notices issued by roads authorities see Figure 24.

Estimated amounts collected through the issue of FPN's over the last 5 years are:

Year	Amount
2019/20	£162,960
2020/21	£137,600
2021/22	£240,080
2022/23	£217,360
2023/24	£253,440

Table 5.1 – Fixed penalty notice fines collected 2019 to 2024 (estimated)

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

Further improvements were realised for the overall use of section 125 undue delay directions, again delivering improvements by the utility companies down from 393 to 286 in 2022/23 and 2023/24 respectively. However there is a suggestion that a large number of roads authorities fail to utilise this power and the true level of disruption is not known.

East Lothian Council again issued the majority, 158 (55%) of the total 286 directions. Contact has been made with East Lothian Council to establish the reasons for this. A

total of 18 proactive roads authorities issued S125 directions, a figure similar to 2022/23.

For full details of undue delay (S125) notices issued by roads authorities see Figure 25.

Roads authority works registered per 100km

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 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.

Group	Range
Island	12 to 32 works registered per 100km (3 authorities)
Rural	15 to 55 works registered per 100km (8 authorities)
Semi Urban	34 to 174 works registered per 100km (9 authorities)
Urban	35 to 146 works registered per 100km (8 authorities)
City	53 to 214 works registered per 100km (4 authorities)
TS OC	226 to 958 works registered per 100km (4 companies)
TS DBFO	136 to 1,068 works registered per 100km (5 companies)

Table 5.2 – Roads Authority works/100km

There is a continuing wide range of variation across a number of the SCOTS family groups which continues to indicate an inconsistency in how roads authorities identify, schedule and notify their works in the SRWR. The majority of family groups continue to deliver a mean result weighted slightly towards the lower part of the range which again provides some confidence that delivery practices for works are now comparable across the authorities.

Both the city and semi-urban groupings have recorded significantly increased noticing volumes with a mean increase of 53% and 61% respectively with Fife Council, South Lanarkshire Council for the semi-urban and City of Edinburgh Council for the city grouping, recording a near 100% increase on previous year volumes.

The Commissioner welcomes the increased level of noticing by these authorities as it helps to improve co-ordination.

For full details of the range of works per 100km for authorities in each SCOTS group see Figure 26.

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 2022/2023 sampled and tested reinstatements completed between 1 January 2021 to 31 December 2021. The associated coring report was published in October 2023.

The overall pass rate was 90% against the 2019/20 result of 88%. The full report was delayed due to resource issues in one local area with the report published on 31 October 2023 on the Commissioner's website.

A full copy of the report can be downloaded here:

[National Coring Report 2022-23 Programme | Scottish Road Works Commissioner](#)

The results of the coring programme led to the issuing of penalties to seven undertakers as detailed in Table 6.1 below.

Organisations (in alphabetical order)	Penalty Amount
Commsworld Ltd	£4,000
Last Mile Electricity Ltd	£15,000
Mua Electricity Ltd	£5,000
Neos Networks	£7,000
Scottish Hydro Electric Power Distribution plc	£12,000
Virgin Media	£80,000
Vodafone	£15,000

Table 6.1 – Penalties issued relating to National Coring Programme

National Coring Programme 2025

In 2023 RAUC(S) agreed that a further coring programme would be undertaken in 2025. Advice Note 3 is currently being reviewed by the National Coring working group and the process will be agreed by RAUC(S) in due course.

The 2025 programme will cover a 2% sample of utility company reinstatements undertaken between 1 April 2024 and 31 March 2025.

It is anticipated that the results will be published some time in 2026.

Review of Specification for the Reinstatement of Openings in Roads

The *Specification for the Reinstatement of Openings in Roads (SROR)* Fifth Edition came into force on 1 October 2023. The key change is the introduction of a 6-year guarantee for most reinstatements.

7. Commissioner Penalties

Section 119A of NRSWA, as amended by the *Transport (Scotland) Act 2005*, provides powers to the Commissioner 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 Commissioner may impose a financial penalty.

Penalties issued during the reporting period

In 2023/24, penalties totalling £138,000 were imposed on seven organisations who failed to comply with their statutory obligations in relation to reinstatements as identified through the national coring programme.

In the latest five year period, the Scottish Road works Commissioner has issued the following penalties due to individual organisations failing to carry out their duties:

Year	Amount
2019	£nil
2020	£122,000
2021	£nil
2022	£10,000
2023	£138,000

Table 7.1 – Commissioner Penalties issued since 2019

Since the office was established in 2008, the Commissioner has issued penalties to utility companies and roads authorities totalling £592,000 for failures to comply with their statutory obligations.

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 a minimum of 4 local co-ordination meetings which utility companies and other interested parties attend. These local meetings inform area meetings, each of which is represented at RAUC(S). The structure of the area meetings was revised in 2022/23 with 4 areas meeting 3 times a year.

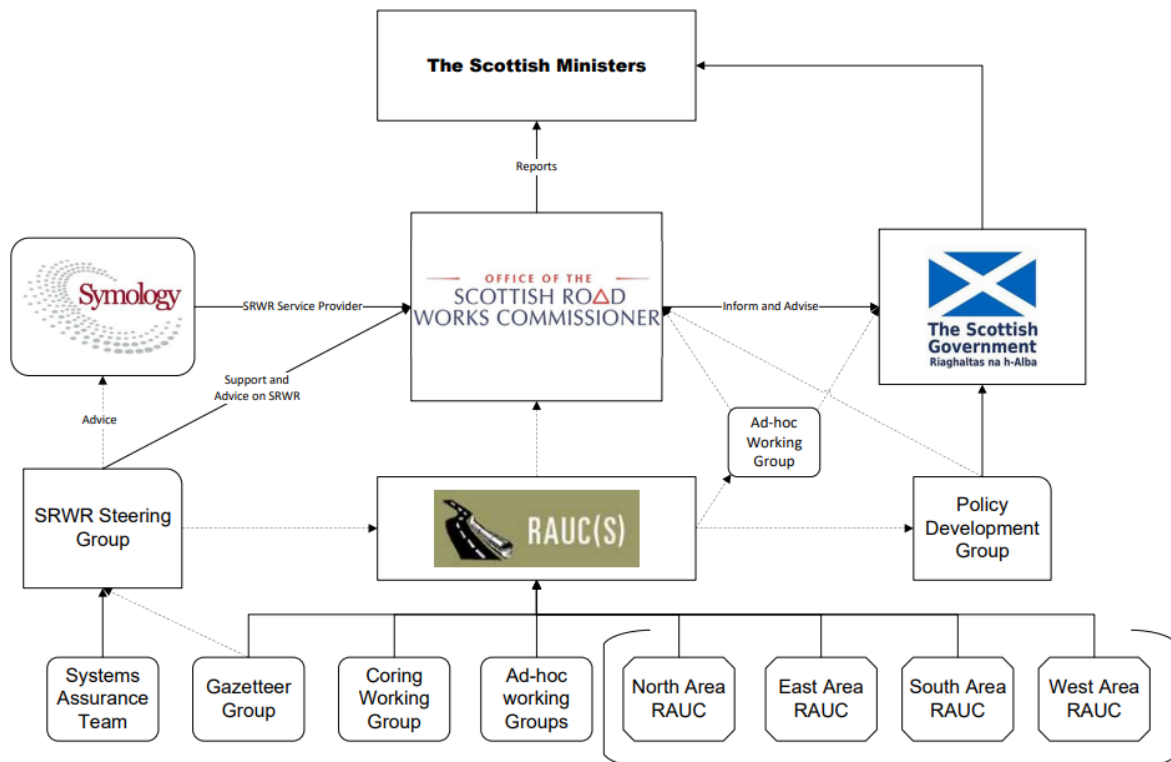


Figure 1 – Scottish road works community structure

The Commissioner 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 Commissioner.

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.

The Commissioner gave presentations to various events through the year including the HAUC UK Convention in Manchester, Roads Expo conference in Glasgow, Smart Classes event in Edinburgh, and the national APSE event held this year in Cumbernauld.

The Technical Standards Manager continued his engagement at a local level to improve compliance and communication between utility companies and roads authorities, helping to informally resolve issues before they significantly impacted road works performance.

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.

A review of the currency and suitability of codes of practice, advice notes and guidance was undertaken in summer 2023. This resulted in an advice note being withdrawn and a series of recommendations being made to RAUC(S) to review or rescind a number of advice notes. It is intended that a similar exercise will be undertaken annually and reported to RAUC(S) in the October cycle each year.

The following codes and advice note documents were revised in the reporting period:

- Specification for the Reinstatement of Openings in Roads (Fifth Edition) – published November 2023
- Code of Practice for Penalties – version 1.5 – published February 2024
- RAUC(S) Advice Note 29 – Guidance on Core & Vac Excavation and Reinstatement – rescinded August 2023

Links to this and other publications can be found at the [Legislation & Guidance](#) section of the Commissioner’s website.

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

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

Training and Accreditation Group (TAG)

Section 126 of NRSWA 1991 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.

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, Office of the Scottish Road Works Commissioner, Welsh Government, Northern Ireland RAUC, utility companies, highway authorities and awarding organisations. The Street Works Qualification Register (SWQR) is also represented. TAG commenced review of all the assessment question banks for the

street works qualifications. This is now complete with reviewed questions due to be implemented by late 2024.

In addition, in late 2023, the Department for Transport (DfT) commissioned a review of the whole training and accreditation process for England. The DfT has indicated that the results of this review will be published later in 2024.

Safety at Street Works and Road Works : A Code of Practice (2013) – (Safety Code)

The safety code now applies to roads authorities as well as utility companies working on Scotland's roads. A review of the safety code was initiated by HAUC(UK) in early 2023. Work continued through 2023 and in January 2024, DfT commissioned consultants to undertake a formal review of the code and formed a steering group which the Commissioner was invited to join. At the time of writing, a first draft has been produced and it is expected to be subject to a formal consultation exercise later in 2024.

9. Consultations and Research

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

This section summarises the involvement of the office during 2023/24.

Scottish Road Research Board (SRRB)

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

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 Commissioner has continued to have representation on this group through the reporting period.

Mobility and Access Committee Scotland (MACS)

The Mobility and Access Committee for Scotland (MACS) was established in 2002 and is an advisory non departmental public body which is constituted to:

- consider matters about the needs of disabled persons in connection with transport that the committee think are appropriate.
- advise the Scottish Ministers about those matters that the committee think are appropriate.

The Commissioner continued to engage with MACS through the reporting period.

Transport Scotland Roads for All Forum

The Transport Scotland 'Roads for All Forum' was established in 2006 comprising representatives of disability groups, Transport Scotland and the Scottish Government. This group continues to meet in order to support, influence and monitor Scottish Government action and policy; to ensure that needs are recognised and understood; and to seek active promotion of equality for disabled people. The commissioner joined the forum in 2023.

Scottish Collaboration of Transportation Specialists (SCOTS)

The Scottish Collaboration of Transportation Specialists (SCOTS), formerly the Society of Chief Officers of Transportation in Scotland was founded in 1996 following a change in local government. It is a strategic body comprising of transportation professionals from all the 32 councils and the seven regional transport partnerships. The society's work involves improving performance and innovation in the design, delivery and maintenance of transportation systems.

The Commissioner is keen to promote best practice amongst roads authorities and is now a regular attendee at the SCOTS Executive Board.

10. Scottish Road Works Register

Under section 112A of NRSWA, the Commissioner has a statutory duty to keep a register of road works. This register is known as the Scottish Road Works Register (SRWR).

The Scottish Road Works Register

The SRWR is a cloud based register used for the transfer, retention and management of data used for the planning of road works 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 to others who undertake road works allowing roads authorities to co-ordinate these works. It 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 a levy of Prescribed Fees and Amounts which are collected annually by the Commissioner.

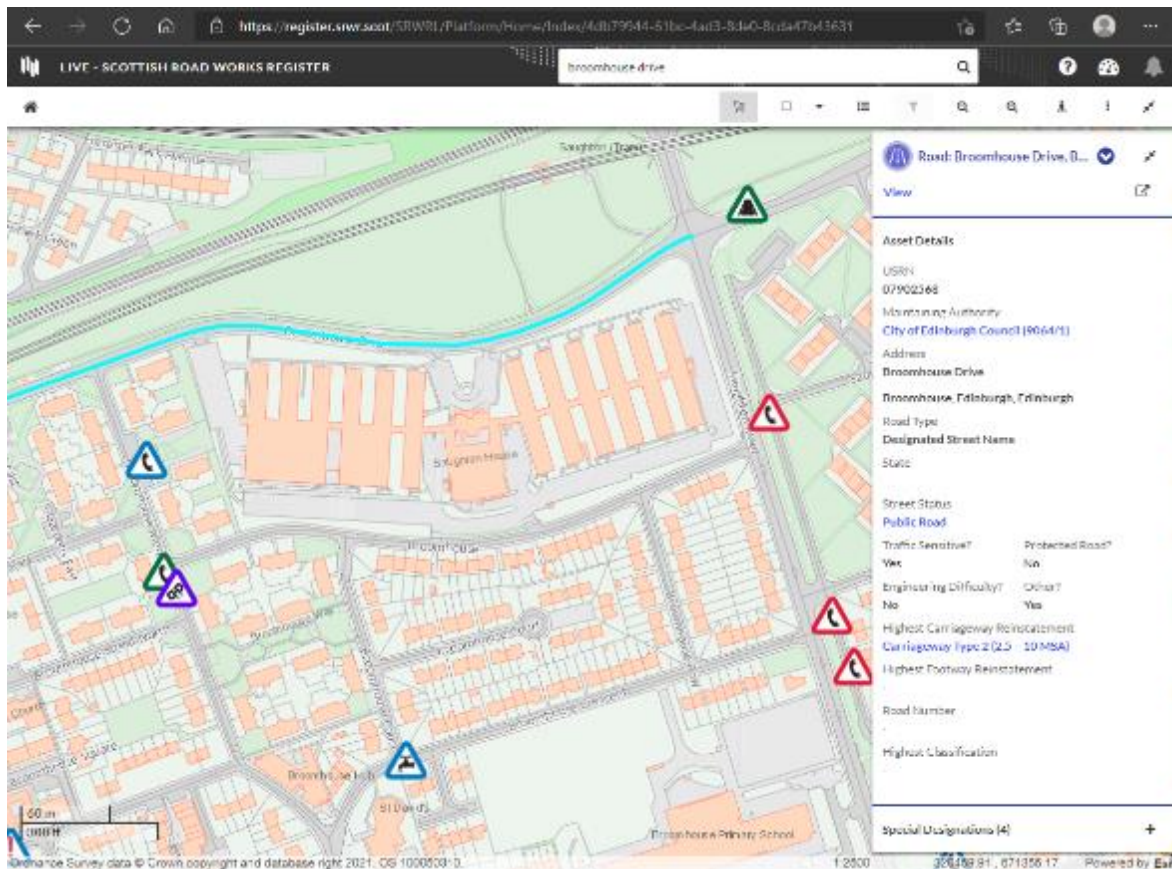


Figure 2 – Screenshot of the Scottish Road Works Register.

In summary, the SRWR is the main tool used by roads authorities and utility companies to:

- share information on road works
- 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

There were several short outages to the SRWR service during the 2023/24 reporting period. None breached the service level agreement levels and overall the service was available for 99.99% of the contracted up-time.

This reporting period was the sixth year of the contract for the provision of the SRWR on behalf of the Commissioner. The contract has been extended to its maximum of 7 years, now finishing on 1 April 2025.

A procurement exercise for the provision of the service after 1 April 2025 was undertaken during this reporting period. Following advice, it was decided to use the Scottish Government's Dynamic Purchasing System for the procurement. The Invitation to Tender was issued on 7 March 2024, with responses received on 26 March 2024. The tenders were subsequently evaluated and the contract awarded in July 2024.

The average number of named users of the SRWR over 2023/24 was 2,818.

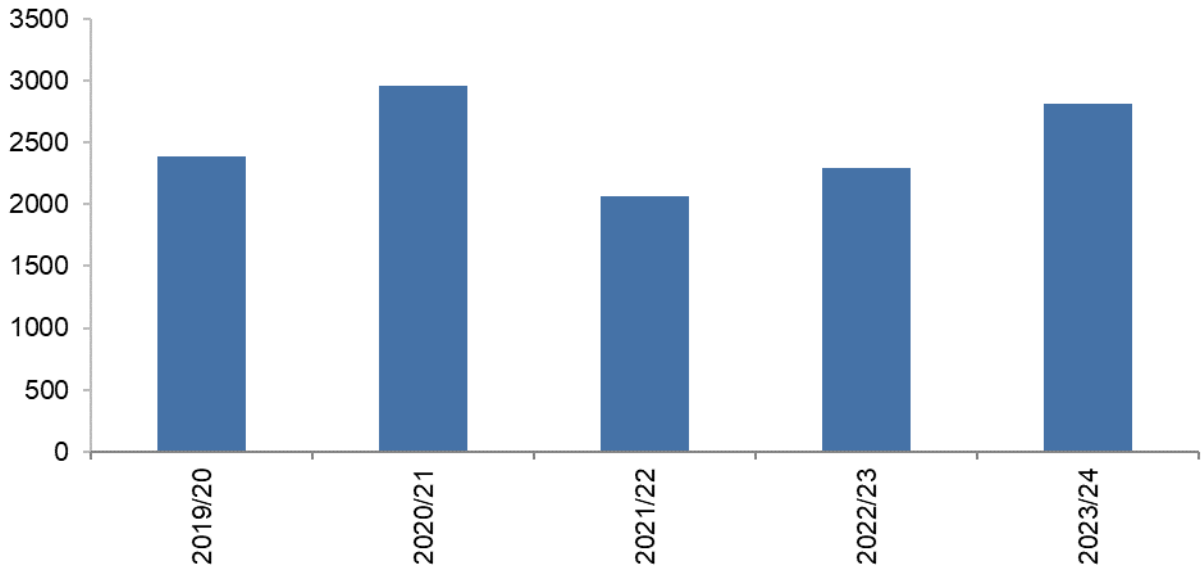


Figure 3 – Number of Named SRWR Users by Year.

Period	Users
2019/20	2,387
2020/21	2,960
2021/22	2,065
2022/23	2,298
2023/24	2,818

Table 10.1 – Number of Named SRWR Users by Year.

The maximum number of concurrent users (those logged into the SRWR at any one time) during 2023/24 was 280.

Also included in the SRWR service are:

Scottish Road Works Online

A simplified version of key information contained within the SRWR is available on the internet for anyone to access information on road works, showing planned and

current road works. The site is compatible with a variety of platforms including desktop, tablet and mobile phones.

Scottish Road Works Online can be found here:

[Scottish Road Works Online](https://www.roadworks.scot.nhs.uk/)

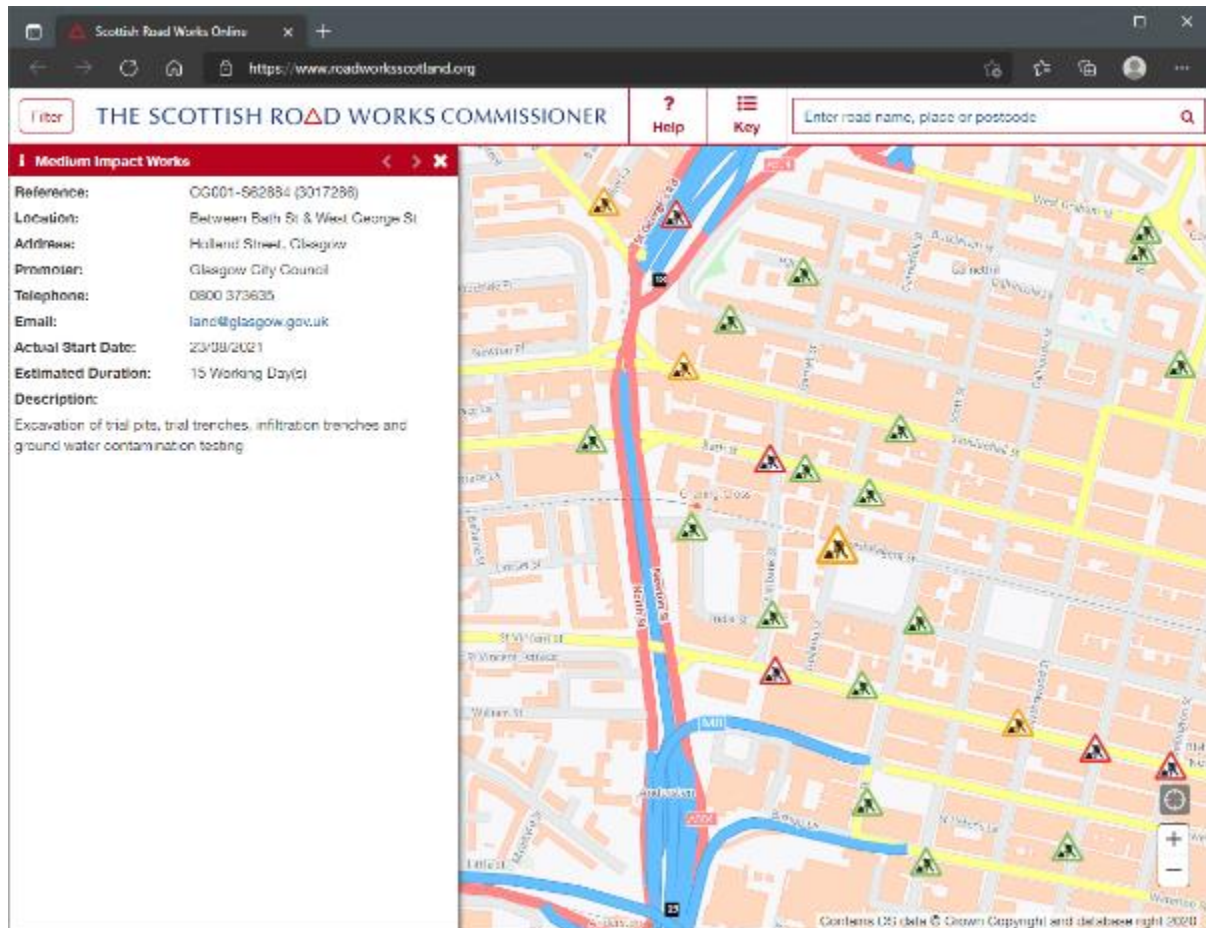


Figure 4 – Screenshot from Scottish Road Works Online

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 undertakers or roads authorities) can request information using the Dial Before You Dig Plant Information request facility. This protects operatives carrying out works from harm and protects assets from accidental damage caused by works.

Calls placed to the Dial Before You Dig service are handled by the service provider, Symology Ltd, 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 93 requests per month were received during 2023/24.

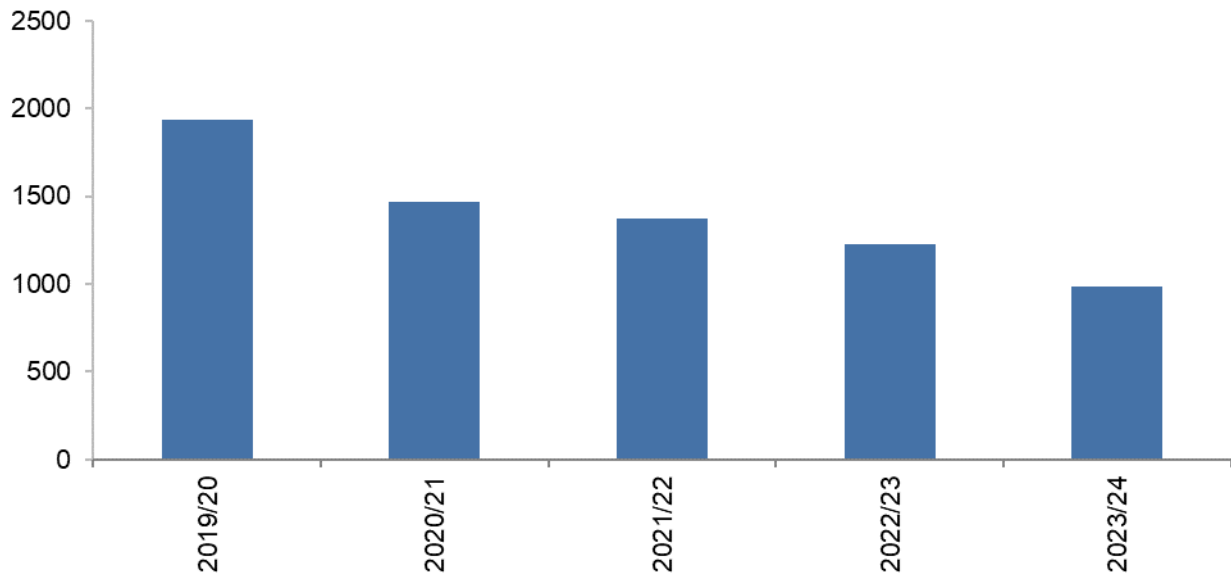


Figure 5 – Number of Dial Before You Dig requests processed

Year	Requests
2019/20	1,935
2020/21	1,468
2021/22	1,374
2022/23	1,228
2023/24	986

Table 10.2 – Number of Dial Before You Dig requests processed

Details on this service can be found at:

<https://roadworks.scot/dialbeforeyoudig> or by calling 08000 231 251

Community Apparatus Data Vault

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.

While over the reporting period it was voluntary for organisations to provide data to Vault, this changed on 1 April 2024. After this point it is a legal requirement for both road works authorities and undertakers to record details of any assets they install or maintain in the Scottish Road Works Register to be displayed in Vault.

SRWR System Training

The training in the use of the SRWR is now provided in a suite of 12 e-learning modules, which can be tailored to the users expected usage of the SRWR. Over the period 983 modules were completed by users.

SRWR Open Data

As part of the 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 is available for download in a set of CSV (Comma Separated Value) files.

Further information can be found here:

[Scottish Road Works Register Open Data](#)

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.

This engagement helps ensure that the SRWR continues to serve the needs of roads authorities and utility companies. These groups support both the Commissioner 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 Commissioner.

The Parliamentary Regulations supporting the collection of “Fees and Amounts” required for the 2023/24 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 in force.
- *The Scottish Road Works Register (Prescribed Fees) Amendment Regulations 2022* which came into force on 1 April 2022 prescribes the fee to be collected for 2023/24.

The 2023/24 prescribed fees and amounts collected for the running of the SRWR totalled £950,387. Invoices for the operation of the SRWR were issued to the community on 1 April 2023. Of the 95 invoices issued, 46 were paid before the due date of 3 May 2023. The remaining 49 were all paid by 30 June 2023.

The Road Works (Scottish Road Works Register Fees and Miscellaneous Amendment) Regulations 2024 were laid before the Scottish Parliament on 23 January 2023. In conjunction with *The Scottish Road Works Register (Prescribed Fees and Amounts) Regulations 2008*, these regulations prescribe the £901,314 required to operate the SRWR in 2024/25.

During 2023/24 163,147 works were started, meaning an average cost of around £5.83 for each works started.

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. In 2019 this was supplemented by the *Transport (Scotland) Act 2019*. Part 9 of the 2019 Act makes provisions to enhance the role of the Commissioner and to improve the regulation of road works in Scotland.

The *Transport (Scotland) Act 2019* received royal assent in November 2019, and of the provisions contained in Part 9, the majority have now been commenced. The remaining provisions are due to be commenced during 2024/25.

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.

Links to this legislation and other publications can be found at the [Legislation & Guidance](#) section of the Commissioner's website.

Specification for the Reinstatement of Openings in Roads (SROR)

The Fifth Edition of the SROR was granted ministerial approval on 25 May 2023 and came into operation on 1 October 2023.

Code of Practice for Penalties (v1.5)

The remaining provisions of the *Transport (Scotland) Act 2019* include the introduction of Commissioner compliance powers. These will make provision for the Commissioner to issue compliance notices to road works authorities, roads authorities and statutory undertakers. Failure to comply with a compliance notice may result in a financial penalty. Accordingly, the Penalties Code was revised in advance of compliance powers coming into effect on 1 April 2024. The revised version of the Code came into effect on 29 February 2024.

Policy Development Group (PDG)

The road works PDG meets quarterly and is chaired by the Scottish Government. Membership includes representatives from the Commissioner, 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.

Regulations

The Road Works (Reinstatement Quality Plans, Qualifications of Supervisors and Operatives and Miscellaneous Amendments) (Scotland) Regulations 2023 came into force on 1 April 2023 and introduced a number of new provisions, namely:

- A process for Reinstatement Quality Plans to be entered on the Scottish Road Works Register;
- A requirement for roads authorities to have qualified operatives and supervisors;
- A requirement for statutory undertaker reinstatements completed after 1 October 2023 to be subject to a six year guarantee period; and
- A requirement for works promoters to enter notices on the Scottish Road Works Register within two hours of works having commenced or ended.

In addition, the Transport (Scotland) Act 2019 (Commencement No. 7) Regulations 2023 came into force on 23 September 2023. This had the effect of commencing sections 110, 111 and 119 of the New Roads and Street Works Act 1991 from 1 April 2024.

Legislation and Future Legislation

Other than the small number of remaining provisions of the Transport (Scotland) Act 2019, no future legislation is currently anticipated. That said, the Commissioner will continue to work closely with Scottish Government as required should any future legislation require to be developed and implemented.

12. Annual Report and Accounts

Audit Scotland undertook an external audit of the 2023/24 Commissioner Annual Report and Accounts during the summer of 2024.

The Annual Report and Accounts for 2023/24 will be published by 31 December 2024 and be available to download here:

[Scottish Road Works Commissioner's Annual Accounts](#)

13. Reflection and Forward Planning

Reflection

The number of road works registered continued to increase in 2023/24 compared to the previous year. Road works activity was approximately 27% higher than in the pre-covid period. Much of the increase was previously as a result of fibre-broadband rollout. However, 2023/24 saw increases in a wider range of sectors including electricity, water and local authorities. Whilst the increases in the utility sectors reflect greater numbers of road works actually being undertaken, in the local authority sector it seems mainly due to an increased level of recording works that previously may not have been notified on the SRWR. This is to be welcomed as it greatly improves the chances of effective co-ordination and the authorities who are now taking this approach are to be congratulated. I would encourage all authorities to follow suit.

The 2022/23 National Coring programme results were very encouraging with the target pass rate of 90% being achieved overall for the first time. The coring programme has shown significant improvements in utility reinstatements since it was first undertaken nearly 25 years ago (when the pass rate was just 44%). I hope that the road works community will celebrate this achievement and continue to push for continual improvement in the years to come.

2023/24 was the first year of mandatory Reinstatement Quality Plans. I was delighted that nearly all utilities who had to submit a plan did so and had it agreed by the mandatory deadline. However, there remained a small number of utilities who did not engage proactively in the process, albeit they remain responsible for a very small proportion of reinstatements undertaken.

The year also saw the introduction of a new specification, the Fifth edition of the *Specification for the Reinstatement of Openings in Roads (SROR)*. Reinstatements completed after 1 October 2023 have to comply with this new specification and in the vast majority of cases will be subject to a six-year guarantee period.

The past few years have seen fairly significant changes in road works regulation in Scotland but the next few years should hopefully see more stability and bedding in of good practice.

Forward Planning

The *Business Plan 2024/25* developed in March 2024, is published on the Commissioner's website:

[Business Plan 2024-25 | Scottish Road Works Commissioner](#)

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 work to assist Transport Scotland, associated with the progression of the *Transport (Scotland) Act 2019*.

The *2023-26 Corporate Plan*, reviewed in 2023, is also published on the Commissioner's website:

[Corporate Plan 2023-26 | Scottish Road Works Commissioner](#)

Appendix A. List of Terms and Descriptions

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

Term	Description
Area RAUC	Area sub-group of the roads authorities and utilities Committee
Commissioner	Scottish Road Works Commissioner
DBFO	Transport Scotland contractors engaged to Design, Build, Finance and Operate the road
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, as amended by the Transport (Scotland) Act 2005 and the Transport (Scotland) Act 2019
PDG	Policy Development Group
RAUC(S)	Roads Authorities and Utilities Committee (Scotland)
Register	Scottish Road Works Register
Roads Authority (RA)	The authority responsible for the maintenance of the road and co-ordination of road works taking place on that road.
SCOTS	Scottish Collaboration of Transportation Specialists
SROR	Specification for the Reinstatement of Openings in Roads
SRRB	Scottish Road Research Board
SRWR	Scottish Road Works Register

Term	Description
Utility Company (U)	Those organisations with the statutory powers to place and maintain apparatus in the road. Referred to “undertakers” in NRSWA.

Appendix B. List of Roads Authorities and Utilities

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 on behalf of Scottish Ministers

Other

Tay Road Bridge Joint Board

Utility Companies

Electricity

Eclipse Power Networks Ltd
Electricity Network Company Ltd
Energy Asset Networks
ESP Electricity
Fulcrum Electricity Assets Ltd
Indigo Power Ltd
Last Mile Electricity Ltd
Moray Offshore Windfarm (West) Ltd
mua Electricity Ltd
NorthConnect
Optimal Power Networks Ltd
Premier Transmission Ltd
Scottish Hydro Electric Power Distribution plc
SP Energy Networks

Gas

Energy Assets Pipelines
ES Pipelines Ltd
Fulcrum Pipelines Ltd
GTC Pipelines Ltd
Indigo Pipelines Ltd
Last Mile Gas Ltd
mua Gas Ltd
National Gas Transmission Plc
SGN

Pipelines

BP
EnQuest
Exolum Pipeline Systems Ltd
INEOS FPS
INEOS O & P UK
Petroineos Manufacturing Scotland Ltd
Shell UK Ltd

Telecoms

Arqiva
BT
CityFibre
Commsworld Ltd
Converged Communications Solutions Ltd
Cornerstone Telecommunications Infrastructure Ltd
EE
Fibrus Networks GB Ltd
Gamma Telecom
Giggle Fibre Ltd
Glide Fibre Ltd
GoFibre Holdings Ltd
Grain Communications
Hutchison 3G
Hyperoptic Ltd
InFocus Public Networks Ltd
Internetty Ltd
Lothian Broadband Networks Ltd
Lumen Technologies UK Ltd
Neos Networks
Netomnia Ltd
Nexfibre Networks Ltd
NorthConnect
Persimmon Homes Ltd
Sky UK
TalkTalk Communications Ltd
Telefonica UK
Trooli Ltd
Verizon
Virgin Media Group
Vodafone Ltd
Voneus Ltd
Wifinity Ltd
Zayo

Water

Scottish Water

Others

Network Rail
Royal Mail

Appendix C. Extent of Engagement

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

Committees	Frequency	Reports to
Highway Authorities and Utilities Committee (UK)	4 per year	N/A
Roads Authorities and Utilities Committee (Scotland)	3 per year	N/A
Area RAUC	3 per year	RAUC(S)
Local RAUC	3 per year	Relevant Area RAUC

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	The Commissioner/RAUC(S)
RAUC(S) Gazetteer Working Group	Quarterly	RAUC(S)
SRWR System Assurance Team	Quarterly	SRWR Steering Group
SRWR Reporting Group	When required	SRWR Steering Group
Code of Practice for Co-Ordination of works in roads Group	Quarterly	RAUC(S)
Code of Practice for Inspections Working Group	Monthly	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 Commissioner during 2023/24.

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.
Continued professional development	Staff development and knowledge exchange to ensure good practice within the industry.
SRWR contract meetings	Quarterly liaison meetings with the software provider.

Appendix D. Performance Indicator Reports

Performance Review Rating 2023/24

Type	Organisation	Rating
RA	Comhairle nan Eilean Siar	Well Managed
U	Commsworld Ltd	Well Managed
U	Cornerstone Telecommunications Infrastructure Ltd	Well Managed
RA	East Ayrshire Council	Well Managed
RA	East Dunbartonshire Council	Well Managed
RA	East Lothian Council	Well Managed
U	Electricity Network Company Ltd	Well Managed
RA	Fife Council	Well Managed
U	Fulcrum Pipelines Ltd	Well Managed
RA	Glasgow City Council	Well Managed
U	GTC Pipelines Ltd	Well Managed
RA	Highland Council	Well Managed
U	Internetty Ltd	Well Managed
RA	Inverclyde Council	Well Managed
U	Lumen Technologies UK Ltd	Well Managed
U	mua Electricity Ltd	Well Managed
U	Network Rail	Well Managed
U	Open Fibre Networks Ltd	Well Managed
U	Persimmons Homes Ltd	Well Managed
RA	Scottish Borders Council	Well Managed
U	Scottish Water	Well Managed

Type	Organisation	Rating
RA	South Ayrshire Council	Well Managed
RA	South Lanarkshire Council	Well Managed
RA	Stirling Council	Well Managed
RA	Tay Road Bridge Joint Board	Well Managed
RA	Transport Scotland	Well Managed
U	Virgin Media Group	Well Managed
RA	West Dunbartonshire Council	Well Managed
RA	West Lothian Council	Well Managed
U	Wifinity Ltd	Well Managed
RA	Angus Council	Satisfactory
U	BT	Satisfactory
U	CityFibre	Satisfactory
RA	Dumfries & Galloway Council	Satisfactory
RA	East Renfrewshire Council	Satisfactory
U	EE	Satisfactory
U	GoFibre Holdings Ltd	Satisfactory
U	Hutchison 3G	Satisfactory
RA	Midlothian Council	Satisfactory
U	mua Gas Ltd	Satisfactory
U	Neos Networks	Satisfactory
U	Netomnia Ltd	Satisfactory
RA	North Ayrshire Council	Satisfactory
RA	North Lanarkshire Council	Satisfactory
RA	Orkney Islands Council	Satisfactory

Type	Organisation	Rating
RA	Perth & Kinross Council	Satisfactory
U	Royal Mail	Satisfactory
U	SGN	Satisfactory
RA	Shetland Islands Council	Satisfactory
U	Sky UK	Satisfactory
U	Telefonica UK	Satisfactory
U	Vodafone Ltd	Satisfactory
RA	Aberdeen City Council	Unsatisfactory
RA	Aberdeenshire Council	Unsatisfactory
RA	Argyll & Bute Council	Unsatisfactory
U	Arqiva	Unsatisfactory
RA	City of Edinburgh Council	Unsatisfactory
RA	Clackmannanshire Council	Unsatisfactory
U	Converged Communications Solutions Ltd	Unsatisfactory
RA	Dundee City Council	Unsatisfactory
U	Energy Assets Networks	Unsatisfactory
U	Energy Assets Pipelines	Unsatisfactory
U	ES Pipelines Ltd	Unsatisfactory
U	ESP Electricity	Unsatisfactory
RA	Falkirk Council	Unsatisfactory
U	Grain Communications	Unsatisfactory
U	Hyperoptic Ltd	Unsatisfactory
U	Indigo Pipelines Ltd	Unsatisfactory
U	Last Mile Electricity Ltd	Unsatisfactory

Type	Organisation	Rating
U	Last Mile Gas Ltd	Unsatisfactory
U	Lothian Broadband	Unsatisfactory
RA	Moray Council	Unsatisfactory
U	Moray Offshore Windfarm (West) Ltd	Unsatisfactory
U	National Gas Transmission Plc	Unsatisfactory
U	Nexfibre Networks Ltd	Unsatisfactory
U	Optimal Power Networks Ltd	Unsatisfactory
RA	Renfrewshire Council	Unsatisfactory
U	Scottish Hydro Electric Power Distribution plc	Unsatisfactory
U	SP Energy Networks	Unsatisfactory
U	Trooli Ltd	Unsatisfactory
U	Verizon	Unsatisfactory
U	Voneus Ltd	Unsatisfactory
U	Zayo	Unsatisfactory

Table 13.1 – Performance review rating 2023/24

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.

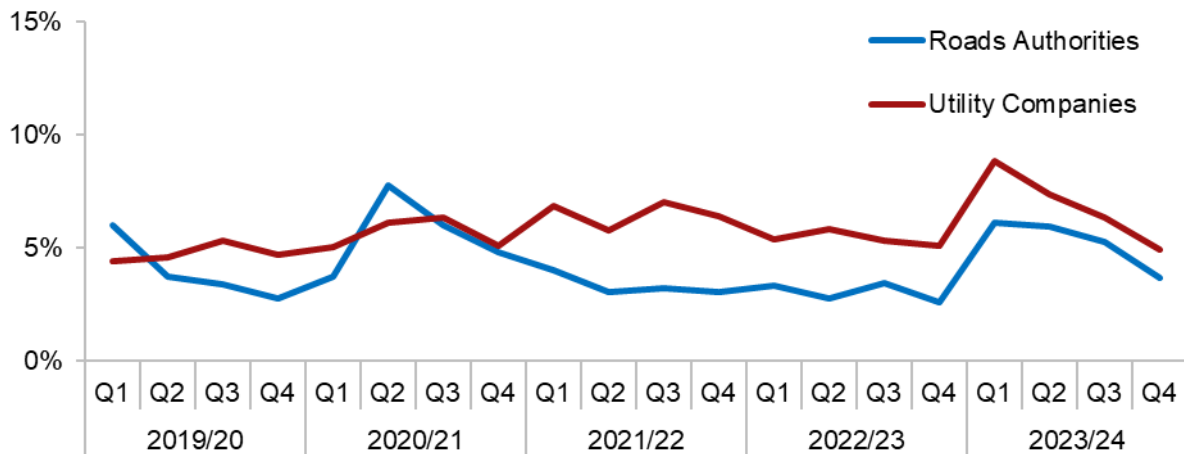


Figure 6 – Roads authority and utility company noticing failures as a percentage of actual starts
(Source: SRWR Reports 2a and 2b)

Roads Authorities	2019/20	2020/21	2021/22	2022/23	2023/24
Aberdeen City Council	3.9%	5.5%	3.8%	2.6%	7.5%
Aberdeenshire Council	4.0%	6.9%	6.4%	8.4%	9.6%
Angus Council	1.2%	3.4%	1.4%	9.3%	1.5%
Argyll & Bute Council	5.8%	13.7%	4.1%	3.2%	7.1%
City of Edinburgh Council	7.8%	9.4%	5.5%	9.7%	13.9%
Clackmannanshire Council	0.6%	6.1%	8.8%	11.7%	10.2%
Comhairle nan Eilean Siar	0.8%	1.0%	1.2%	2.7%	3.4%
Dumfries & Galloway Council	2.5%	12.0%	8.6%	7.0%	4.7%
Dundee City Council	14.6%	17.6%	9.8%	5.0%	9.4%
East Ayrshire Council	16.7%	10.5%	4.1%	2.8%	1.8%
East Dunbartonshire Council	1.6%	2.5%	1.6%	0.8%	2.3%
East Lothian Council	10.1%	19.7%	2.3%	2.3%	4.9%
East Renfrewshire Council	10.0%	5.6%	3.6%	4.7%	6.3%

Roads Authorities	2019/20	2020/21	2021/22	2022/23	2023/24
Falkirk Council	4.2%	6.8%	4.6%	5.9%	5.7%
Fife Council	2.9%	6.9%	4.5%	4.5%	3.1%
Glasgow City Council	4.1%	17.9%	7.8%	3.0%	4.7%
Highland Council	7.8%	11.4%	9.0%	1.4%	3.1%
Inverclyde Council	1.7%	1.4%	2.4%	2.9%	3.8%
Midlothian Council	0.6%	4.0%	0.0%	0.5%	9.3%
Moray Council	2.5%	12.1%	5.3%	7.1%	13.1%
North Ayrshire Council	2.8%	15.2%	2.0%	2.8%	7.3%
North Lanarkshire Council	1.9%	3.8%	2.0%	2.1%	5.7%
Orkney Islands Council	8.7%	21.5%	9.7%	12.0%	7.3%
Perth & Kinross Council	1.2%	3.0%	5.6%	5.3%	5.6%
Renfrewshire Council	0.9%	3.7%	1.2%	5.2%	12.9%
Scottish Borders Council	3.2%	7.3%	4.1%	3.2%	3.1%
Shetland Islands Council	4.3%	10.4%	7.9%	7.8%	8.8%
South Ayrshire Council	6.3%	5.8%	3.6%	2.2%	1.1%
South Lanarkshire Council	2.6%	6.1%	5.2%	1.6%	2.8%
Stirling Council	4.6%	14.8%	2.8%	3.9%	4.4%
Tay Road Bridge Joint Board	9.1%	200.0%	0.0%	16.7%	0.0%
Transport Scotland	3.1%	3.1%	1.3%	1.5%	4.1%
West Dunbartonshire Council	35.8%	5.2%	3.8%	2.3%	5.4%
West Lothian Council	3.0%	4.3%	1.8%	3.8%	2.9%

**Table 13.2 – Roads authority noticing failures as a percentage of actual starts
(Source: SRWR Report 2a and SRWR Report 9a)**

Organisation	2019/20	2021/22	2021/22	2022/23	2023/24
Arqiva	2.9%	0.0%	66.7%	66.7%	200.0%
BT	3.4%	3.7%	4.2%	6.1%	8.9%
CityFibre	6.1%	5.6%	4.0%	3.4%	3.2%
Commsworld Ltd	N/A	0.0%	6.8%	2.8%	1.1%
Converged Communication Solutions Ltd	N/A	N/A	N/A	100.0%	28.6%
Cornerstone Telecommunications Infrastructure Limited	N/A	N/A	N/A	N/A	0%
EE	3.5%	5.6%	3.3%	5.1%	4.6%
Electricity Network Company Ltd	N/A	N/A	N/A	N/A	0.0
Energy Asset Networks	N/A	N/A	N/A	11.1%	21.2%
Energy Assets Pipelines	16.3%	14.9%	10.3%	8.9%	4.9%
ES Pipelines Ltd	9.2%	50.8%	42.5%	2.8%	66.1%
ESP Electricity	N/A	N/A	100.0%	35.7%	3.0%
Fulcrum Pipeline Ltd	67.7%	46.2%	42.9%	20.0%	0.0%
GoFibre Holdings Ltd	N/A	N/A	42.5%	2.7%	5.0%
Grain Communications	N/A	N/A	N/A	N/A	100.0%
GTC Pipelines Ltd	24.6%	7.9%	3.1%	1.7%	1.0%
Hutchison 3G	N/A	N/A	N/A	20.4%	6.6%
Hyperoptic Ltd	20.0%	17.0%	25.1%	19.0%	14.4%
Indigo Pipelines Ltd	N/A	N/A	0.0%	0.0%	100.0%
Indigo Power Ltd	N/A	N/A	50.0%	N/A	N/A
INEOS FPS	N/A	0.0%	N/A%	N/A	N/A

Organisation	2019/20	2021/22	2021/22	2022/23	2023/24
Internetty Ltd	N/A	N/A	N/A	45.5%	0.0%
Last Mile Electricity Ltd	16.2%	8.8%	10.9%	11.1%	14.0%
Last Mile Gas Ltd	N/A	4.2%	6.2%	15.1%	12.2%
Lothian Broadband	0.0%	0.0%	15.7%	14.2%	5.8%
Lumen Technologies UK Ltd	17.6%	50.0%	N/A	0.0%	0.0%
Moray Offshore Windfarm (West) Limited	N/A	N/A	N/A	N/A	83.3%
mua Electricity Ltd	N/A	65.4%	36.7%	4.7%	4.5%
mua Gas Ltd	N/A	100.0%	N/A	N/A	0.0%
National Gas Transmission Plc	N/A	N/A	N/A	121.4%	41.2%
Neos Networks	3.2%	7.4%	1.3%	0.4%	3.6%
Netomnia Ltd	N/A	N/A	N/A	8.8%	8.1%
Network Rail	2.0%	3.9%	3.4%	3.1%	4.1%
Nexfibre Networks Ltd	N/A	N/A	N/A	6.0%	9.1%
Open Fibre Networks Ltd	N/A	N/A	N/A	N/A	0.0%
Optimal Power Networks Ltd	N/A	N/A	N/A	50.0%	200.0%
Persimmon Homes Ltd	N/A	N/A	N/A	33.3%	0.0%
Petroineos Manufacturing Scotland Ltd	66.7%	N/A	N/A	N/A	N/A
Royal Mail	4.1%	25.3%	0.0%	10.9%	25.0%
Scottish Hydro Electric Power Distribution plc	13.5%	8.2%	9.6%	6.8%	13.4%
Scottish Water	3.1%	3.4%	4.5%	3.6%	4.4%
SGN	5.6%	7.9%	6.6%	6.0%	7.3%

Organisation	2019/20	2021/22	2021/22	2022/23	2023/24
Sky UK	0.0%	0.0%	N/A	0.0%	0.0%
SP Energy Networks	6.2%	5.8%	8.1%	8.1%	6.9%
Telefonica UK	5.3%	11.6%	4.1%	2.2%	3.7%
Trooli Ltd	0.0%	7.1%	28.0%	9.2%	2.7%
Verizon	0.0%	50.0%	10.0%	0.0%	71.4%
Virgin Media Group	6.9%	13.6%	19.3%	3.9%	3.7%
Vodafone Ltd	3.2%	4.1%	2.3%	12.0%	4.3%
Voneus Ltd	N/A	N/A	N/A	2.7%	27.3%
Zayo	50.0%	20.0%	54.5%	30.0%	108.7%

Note: N/A indicates the organisation did not undertake any works in that year.

**Table 13.3 – Utility company noticing failures as a percentage of actual starts
(Source: SRWR Report 2b and SRWR Report 9a)**

Actual starts (roads authority and utility company)

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.

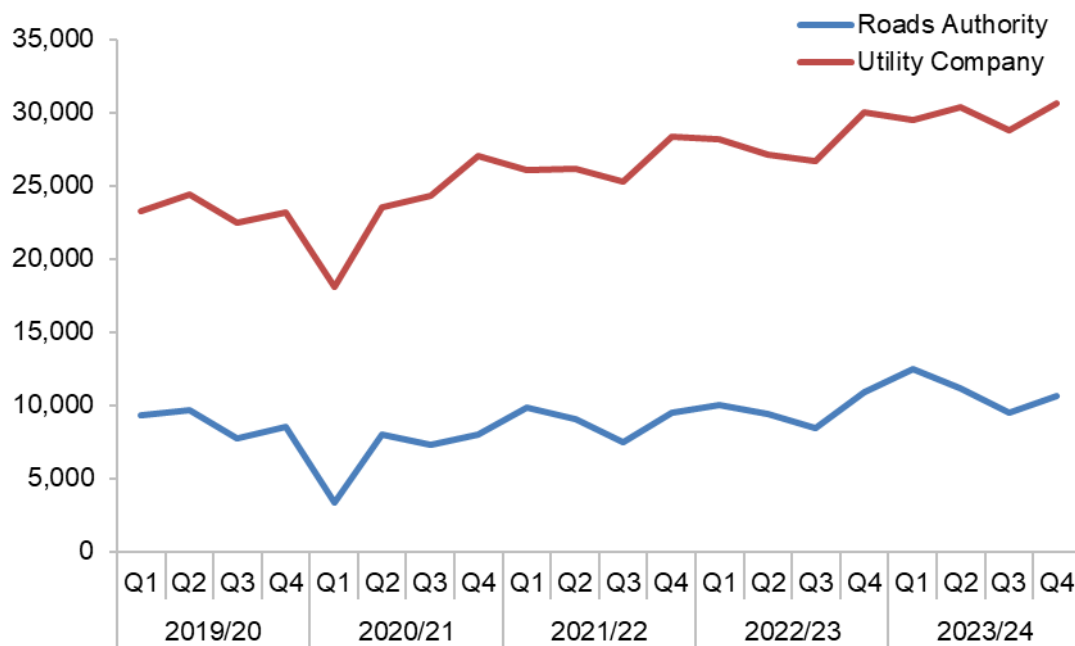


Figure 7 – Roads authority and utility company actual starts
(Source: SRWR Report 9a)

Period	Roads Authorities	Utility Companies
2019/20 Q1	9,375	23,265
2019/20 Q2	9,842	24,470
2019/20 Q3	7,786	22,494
2019/20 Q4	8,725	23,216
2020/21 Q1	3,388	18,101
2020/21 Q2	7,990	23,519
2020/21 Q3	7,316	24,325
2020/21 Q4	8,019	27,066
2021/22 Q1	9,820	26,083
2021/22 Q2	9,076	26,179
2021/22 Q3	7,458	25,253
2021/22 Q4	9,515	28,359
2022/23 Q1	10,018	28,217
2022/23 Q2	9,439	27,100
2022/23 Q3	8,472	26,695
2022/23 Q4	10,908	30,023
2023/24 Q1	12,466	29,519
2023/24 Q2	11,182	30,404
2023/24 Q3	9,451	28,818
2023/24 Q4	10,665	30,642

**Table 13.4 – Roads authority and utility company noticing actual starts
(Source: SRWR Report 9a)**

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.

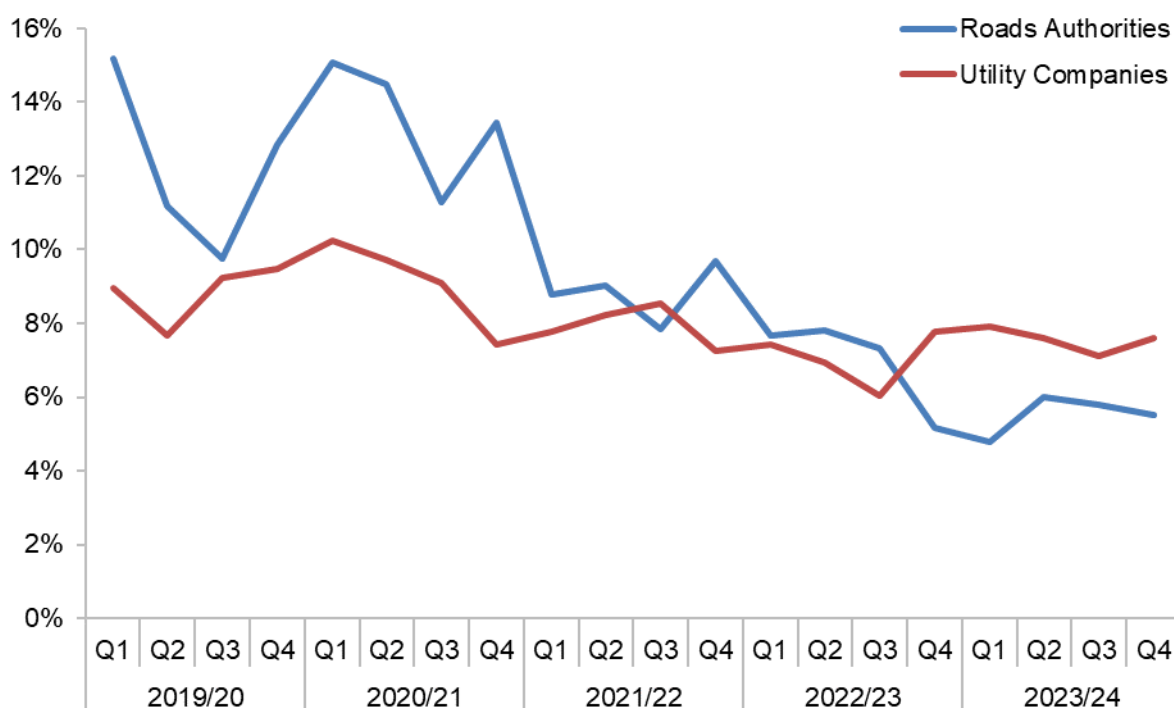
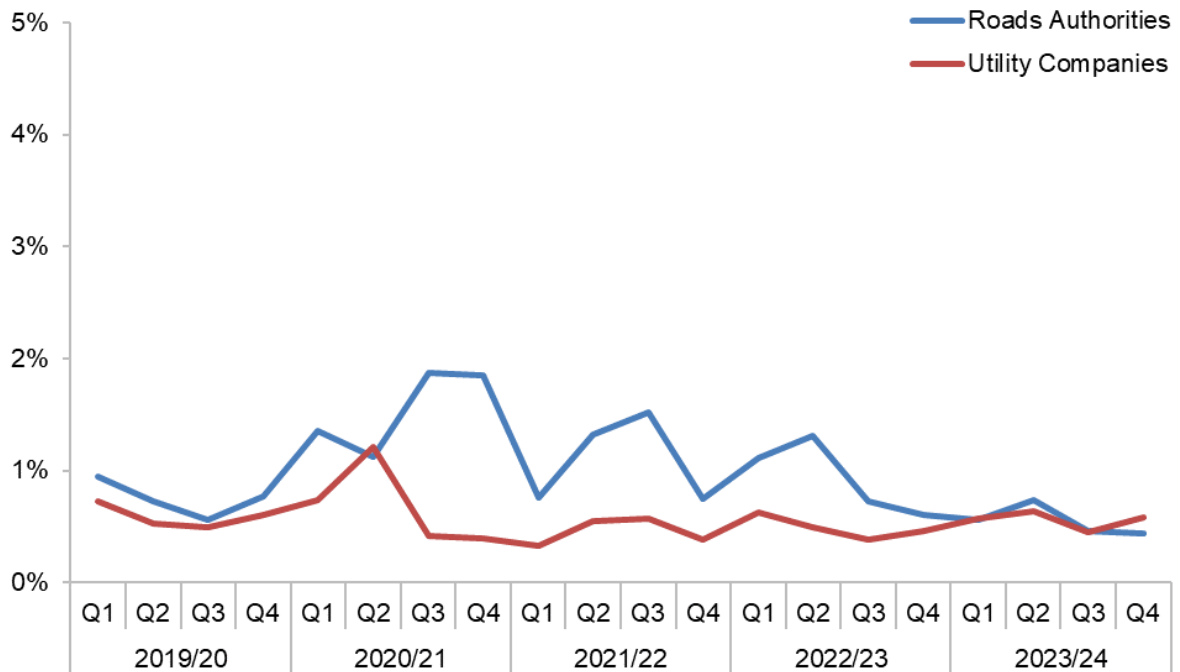


Figure 8 – Early starts as a percentage of actual starts
(Source: SRWR Report 10 and SRWR Report 9a)

Period	Roads Authorities	Utility Companies
2019/20 Q1	15.2%	9.0%
2019/20 Q2	11.2%	7.7%
2019/20 Q3	9.8%	9.2%
2019/20 Q4	12.9%	9.5%
2020/21 Q1	15.1%	10.2%

Period	Roads Authorities	Utility Companies
2020/21 Q2	14.5%	9.7%
2020/21 Q3	11.3%	9.1%
2020/21 Q4	13.5%	7.4%
2021/22 Q1	8.8%	7.8%
2021/22 Q2	9.0%	8.2%
2021/22 Q3	7.8%	8.5%
2021/22 Q4	9.7%	7.3%
2022/23 Q1	7.7%	7.4%
2022/23 Q2	7.8%	6.9%
2022/23 Q3	7.3%	6.0%
2022/23 Q4	5.2%	7.8%
2023/24 Q1	4.8%	7.9%
2023/24 Q2	6.0%	7.6%
2023/24 Q3	5.8%	7.1%
2023/24 Q4	5.5%	7.6%

**Table 13.5 – Early starts as a percentage of actual starts
(Source: SRWR Report 10 and SRWR Report 9a)**



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

Period	Roads Authorities	Utility Companies
2019/20 Q1	1.0%	0.7%
2019/20 Q2	0.7%	0.5%
2019/20 Q3	0.6%	0.5%
2019/20 Q4	0.8%	0.6%
2020/21 Q1	1.4%	0.7%
2020/21 Q2	1.1%	1.2%
2020/21 Q3	1.9%	0.4%
2020/21 Q4	1.8%	0.4%
2021/22 Q1	0.8%	0.3%
2021/22 Q2	1.3%	0.5%

Period	Roads Authorities	Utility Companies
2021/22 Q3	1.5%	0.6%
2021/22 Q4	0.7%	0.4%
2022/23 Q1	1.1%	0.6%
2022/23 Q2	1.3%	0.5%
2022/23 Q3	0.7%	0.4%
2022/23 Q4	0.6%	0.5%
2023/24 Q1	0.6%	0.6%
2023/24 Q2	0.7%	0.6%
2023/24 Q3	0.5%	0.4%
2023/24 Q4	0.4%	0.6%

**Table 13.6 – Late starts as a percentage of actual starts
(Source: SRWR Report 10 and SRWR Report 9a)**

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.

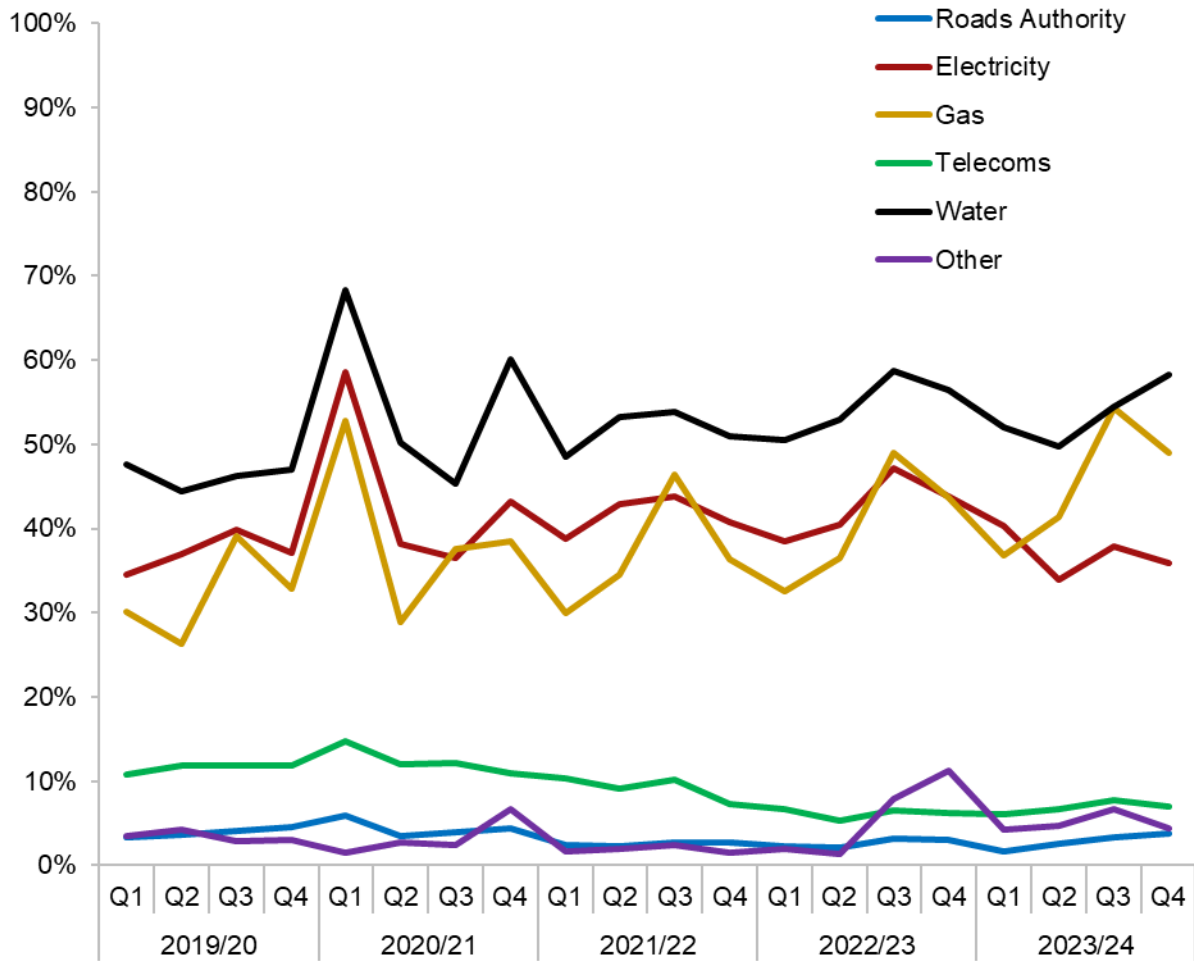


Figure 10 – Unplanned works as a percentage of actual starts
(Source: SRWR Report 9a)

Period	Elec	Gas	RA	Tel	Water	Other
2019/20 Q1	34.6%	30.2%	3.3%	10.8%	47.6%	3.6%
2019/20 Q2	36.9%	26.3%	3.6%	11.9%	44.5%	4.2%
2019/20 Q3	39.9%	39.1%	4.1%	11.9%	46.2%	3.0%
2019/20 Q4	37.2%	32.8%	4.6%	11.9%	47.0%	3.0%
2020/21 Q1	58.6%	52.7%	5.9%	11.5%	68.3%	1.5%
2020/21 Q2	38.2%	29.0%	3.4%	10.5%	50.3%	2.7%
2020/21 Q3	36.5%	37.6%	4.0%	10.6%	45.3%	2.4%
2020/21 Q4	43.2%	38.5%	4.4%	9.6%	60.1%	6.7%
2021/22 Q1	38.8%	29.9%	2.4%	10.4%	48.6%	1.7%
2021/22 Q2	43.0%	34.5%	2.3%	9.1%	53.3%	2.0%
2021/22 Q3	43.8%	46.4%	2.8%	10.2%	53.9%	2.5%
2021/22 Q4	40.8%	36.4%	2.7%	7.3%	51.0%	1.6%
2022/23 Q1	38.5%	32.5%	2.2%	6.7%	50.5%	1.9%
2022/23 Q2	40.5%	36.5%	2.2%	5.3%	53.0%	1.3%
2022/23 Q3	47.2%	49.0%	3.2%	6.5%	58.7%	7.9%
2022/23 Q4	43.8%	43.7%	3.1%	6.3%	56.4%	11.2%
2023/24 Q1	40.4%	36.9%	1.7%	6.0%	52.1%	4.3%
2023/24 Q2	34.0%	41.4%	2.6%	6.7%	49.8%	4.7%
2023/24 Q3	37.9%	54.4%	3.4%	7.7%	54.5%	6.7%
2023/24 Q4	35.9%	49.1%	3.8%	7.0%	58.2%	4.5%

**Table 13.7 – Unplanned works as a percentage of actual starts
(Source: SRWR Report 9a)**

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.

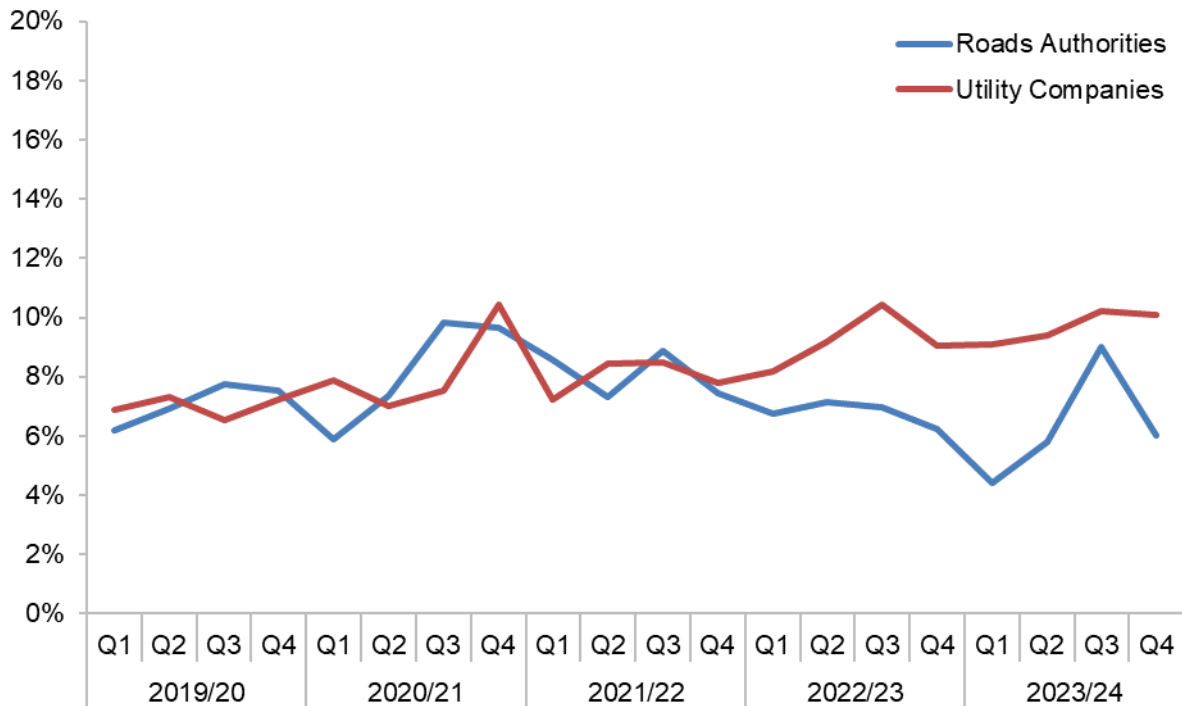


Figure 11 – Works extensions as a percentage of actual starts
(Source: SRWR Report 12 and SRWR Report 9a)

Period	Roads Authorities	Utility Companies
2019/20 Q1	6.2%	6.9%
2019/20 Q2	6.9%	7.3%
2019/20 Q3	7.7%	6.5%
2019/20 Q4	7.6%	7.2%
2020/21 Q1	5.9%	7.9%
2020/21 Q2	7.4%	7.0%

Period	Roads Authorities	Utility Companies
2020/21 Q3	9.8%	7.6%
2020/21 Q4	9.7%	10.4%
2021/22 Q1	8.6%	7.2%
2021/22 Q2	7.3%	8.4%
2021/22 Q3	8.9%	8.5%
2021/22 Q4	7.5%	7.8%
2022/23 Q1	6.7%	8.2%
2022/23 Q2	7.2%	9.2%
2022/23 Q3	7.0%	10.5%
2022/23 Q4	6.2%	9.1%
2023/24 Q1	4.4%	9.1%
2023/24 Q2	5.8%	9.4%
2023/24 Q3	9.0%	10.2%
2023/24 Q4	6.0%	10.1%

**Table 13.8 – Works extensions as a percentage of actual starts
(Source: SRWR Report 12 and SRWR Report 9a)**

Works that Overran as a percentage of planned works

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

Note: The term “planned works” include major standard and minor works registered on the SRWR.

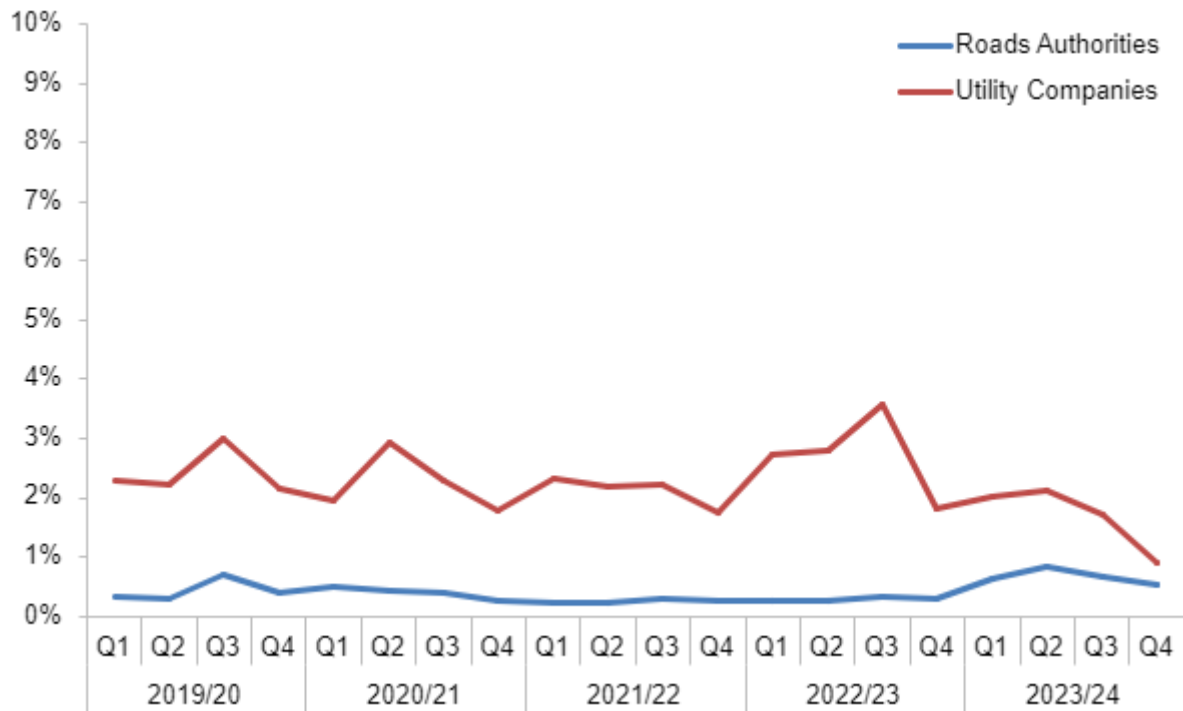


Figure 12 – Works that Overran as a percentage of planned works
(Source: SRWR Report 6 and SRWR Report 9a)

Period	Roads Authorities	Utility Companies
2019/20 Q1	0.3%	2.3%
2019/20 Q2	0.3%	2.2%
2019/20 Q3	0.7%	3.0%
2019/20 Q4	0.4%	2.1%
2020/21 Q1	0.5%	1.9%

Period	Roads Authorities	Utility Companies
2020/21 Q2	0.4%	2.9%
2020/21 Q3	0.4%	2.3%
2020/21 Q4	0.3%	1.8%
2021/22 Q1	0.2%	3.1%
2021/22 Q2	0.2%	2.9%
2021/22 Q3	0.3%	3.0%
2021/22 Q4	0.3%	2.2%
2022/23 Q1	0.3%	2.7%
2022/23 Q2	0.2%	2.8%
2022/23 Q3	0.3%	3.6%
2022/23 Q4	0.3%	1.8%
2023/24 Q1	0.6%	2.0%
2023/24 Q2	0.8%	2.1%
2023/24 Q3	0.7%	1.7%
2023/24 Q4	0.5%	0.9%

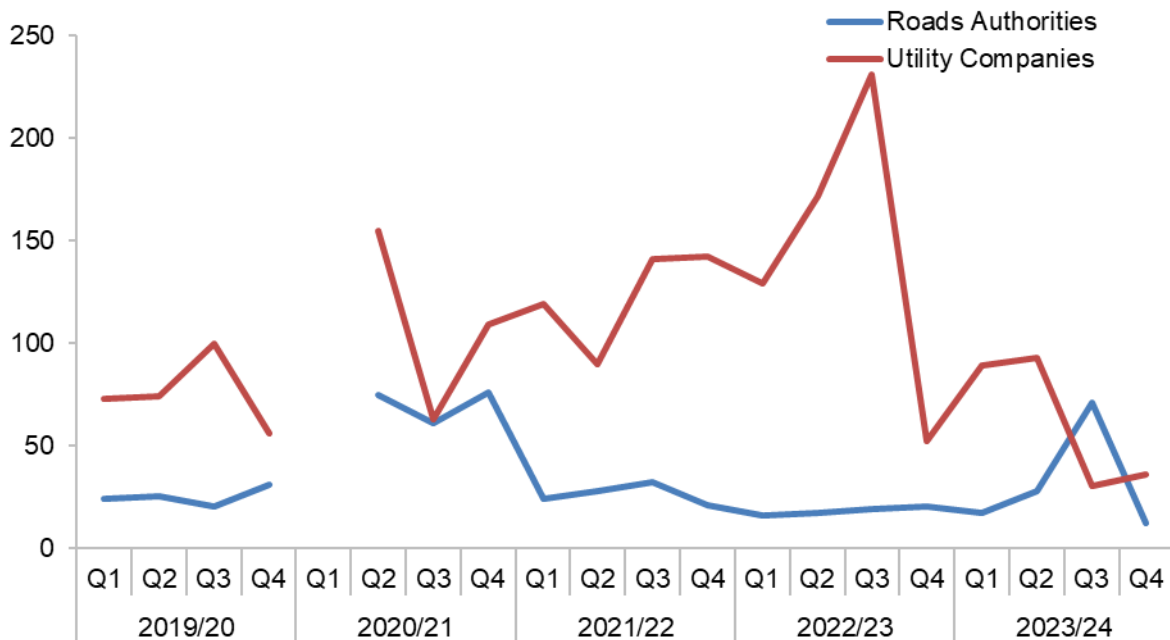
**Table 13.9 – Overrunning works as a percentage of planned works
(Source: SRWR Report 6 and SRWR Report 9a)**

Works awaiting closure and/or registration of final site reinstatement details

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.

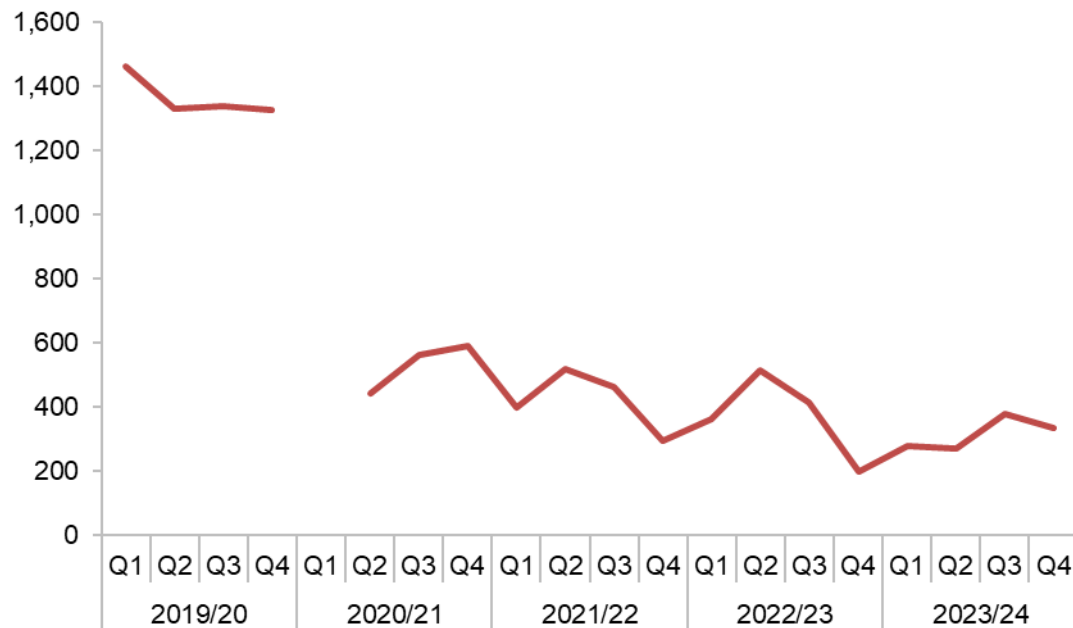


Note: Figures for 2020/21 Q1 were incorrectly inflated due to a problem with a SRWR upgrade. The incorrect figures have been removed.

Figure 13 – Works awaiting closure
(Source: SRWR Report 16)

Period	Roads Authorities	Utility Companies
2019/20 Q1	24	73
2019/20 Q2	25	74
2019/20 Q3	20	100
2019/20 Q4	31	56
2020/21 Q1	Removed	Removed
2020/21 Q2	75	155
2020/21 Q3	61	63
2020/21 Q4	76	109
2021/22 Q1	24	119
2021/22 Q2	28	90
2021/22 Q3	32	141
2021/22 Q4	21	142
2022/23 Q1	16	129
2022/23 Q2	17	172
2022/23 Q3	19	231
2022/23 Q4	20	52
2023/24 Q1	17	89
2023/24 Q2	28	93
2023/24 Q3	71	30
2023/24 Q4	12	36

**Table 13.10 – Works awaiting closure
(Source: SRWR Report 16)**



Note: Figures for 2020/21 Q1 were incorrectly inflated due to a problem with a SRWR upgrade. The incorrect figures have been removed.

**Figure 14 – Utility company works awaiting registration of final site reinstatement details
(Source: SRWR Report 16)**

Period	Utility Companies
2019/20 Q1	1,465
2019/20 Q2	1,335
2019/20 Q3	1,341
2019/20 Q4	1,329
2020/21 Q1	Removed
2020/21 Q2	443
2020/21 Q3	562
2020/21 Q4	591
2021/22 Q1	399
2021/22 Q2	518
2021/22 Q3	462

Period	Utility Companies
2021/22 Q4	292
2022/23 Q1	363
2022/23 Q2	513
2022/23 Q3	412
2022/23 Q4	199
2023/24 Q1	278
2023/24 Q2	269
2023/24 Q3	377
2023/24 Q4	332

**Table 13.11 – Utility works awaiting registration of final site reinstatement details
(Source: SRWR Report 16)**

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 made permanent, against the number of interim reinstatements overdue to be made permanent without agreement from a roads authority at each quarter's end. Interim reinstatements should be made permanent within 6 months of completion of the interim phase of works. If they are not made permanent in this time without the permission of the local authority they are considered overdue.

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

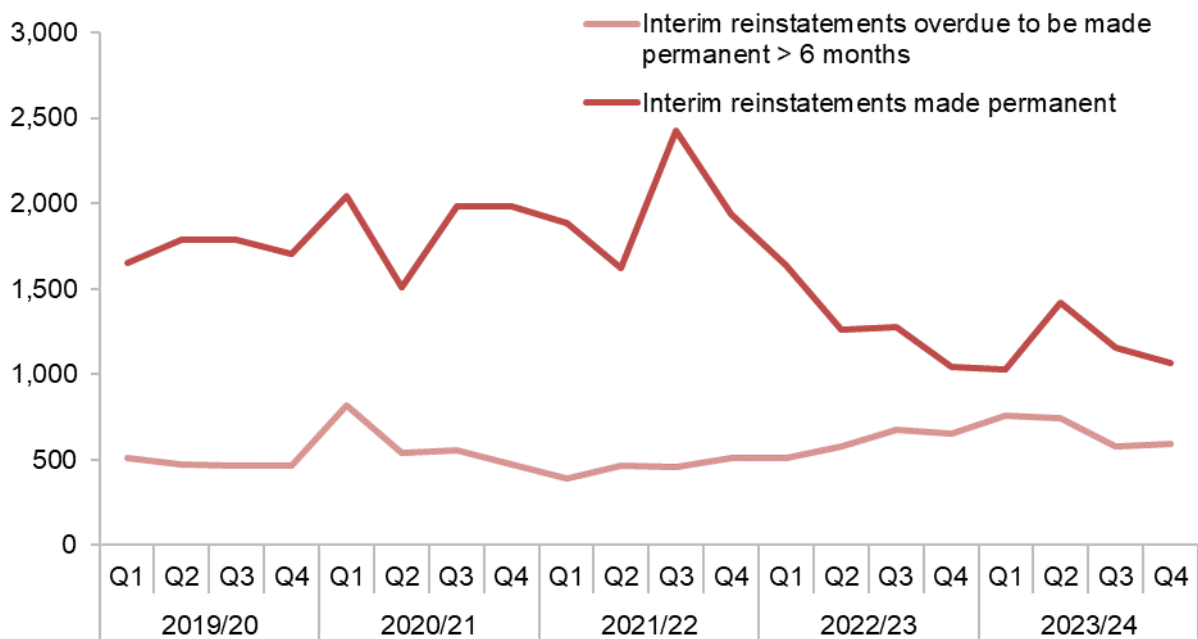


Figure 15 – Utility company interim reinstatements as a number
(Source: SRWR Report 14 and report 18)

Period	Interim reinstatements overdue	Interim reinstatements made permanent
2019/20 Q1	512	1653
2019/20 Q2	471	1784
2019/20 Q3	465	1784
2019/20 Q4	462	1705
2020/21 Q1	820	2044
2020/21 Q2	543	1508
2020/21 Q3	555	1981
2020/21 Q4	474	1982
2021/22 Q1	392	1888
2021/22 Q2	462	1624
2021/22 Q3	456	2426
2021/22 Q4	512	1938
2022/23 Q1	514	1636
2022/23 Q2	578	1262
2022/23 Q3	679	1273
2022/23 Q4	655	1045
2023/24 Q1	760	1032
2023/24 Q2	742	1416
2023/24 Q3	577	1155
2023/24 Q4	592	1066

**Table 13.12 – Utility company interim reinstatements
(Source: SRWR Report 14 and report 18)**

Sample inspections undertaken by roads authorities and utility company failure rate

Sample inspections by the roads authorities are undertaken by the roads authorities 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.

Utility companies are expected to regularly inspect their own works at all stages throughout the works cycle, whilst the roads authorities carry out sample inspections on an agreed percentage, relevant to their total work volume within that local authority area. 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.

Inspections undertaken by roads authorities.

The roads authorities are required to undertake 100% of the 3 sample inspections categories (A, B & C) for each utility company. Sample Inspections carried out by roads authorities are shown below:

Roads Authority	Inspections Done	Sample Size	Sample % Done
Aberdeen City Council	734	1251	58.7%
Aberdeenshire Council	827	804	102.9%
Angus Council	253	402	62.9%
Argyll & Bute Council	379	366	103.6%
City of Edinburgh Council	2467	2790	88.4%
Clackmannanshire Council	235	255	92.2%
Comhairle nan Eilean Siar – Western Isles Council	51	60	85.0%
Dumfries & Galloway Council	683	675	101.2%
Dundee City Council	869	930	93.4%

East Ayrshire Council	546	612	89.2%
East Dunbartonshire Council	540	576	93.8%
East Lothian Council	661	723	91.4%
East Renfrewshire Council	527	525	100.4%
Falkirk Council	527	546	96.5%
Fife Council	1288	1428	90.2%
Glasgow City Council	3492	3210	108.8%
Highland Council	801	1074	74.6%
Inverclyde Council	247	243	101.6%
Midlothian Council	458	519	88.2%
Moray Council	356	375	94.9%
North Ayrshire Council	642	681	94.3%
North Lanarkshire Council	1352	1389	97.3%
Orkney Islands Council	37	45	82.2%
Perth & Kinross Council	649	615	105.5%
Renfrewshire Council	631	627	100.6%
Scottish Borders Council	618	642	96.3%
Shetland Islands Council	36	33	109.1%
South Ayrshire Council	412	483	85.3%
South Lanarkshire Council	1438	1401	102.6%
Stirling Council	439	441	99.5%
Transport Scotland	288	279	103.2%
West Dunbartonshire Council	330	279	118.3%
West Lothian Council	786	888	88.5%

**Table 13.13 – Sample inspections undertaken by roads authorities in 2023/24
(Source: SRWR Quarterly Inspection Report and SRWR Combination Report 1)**

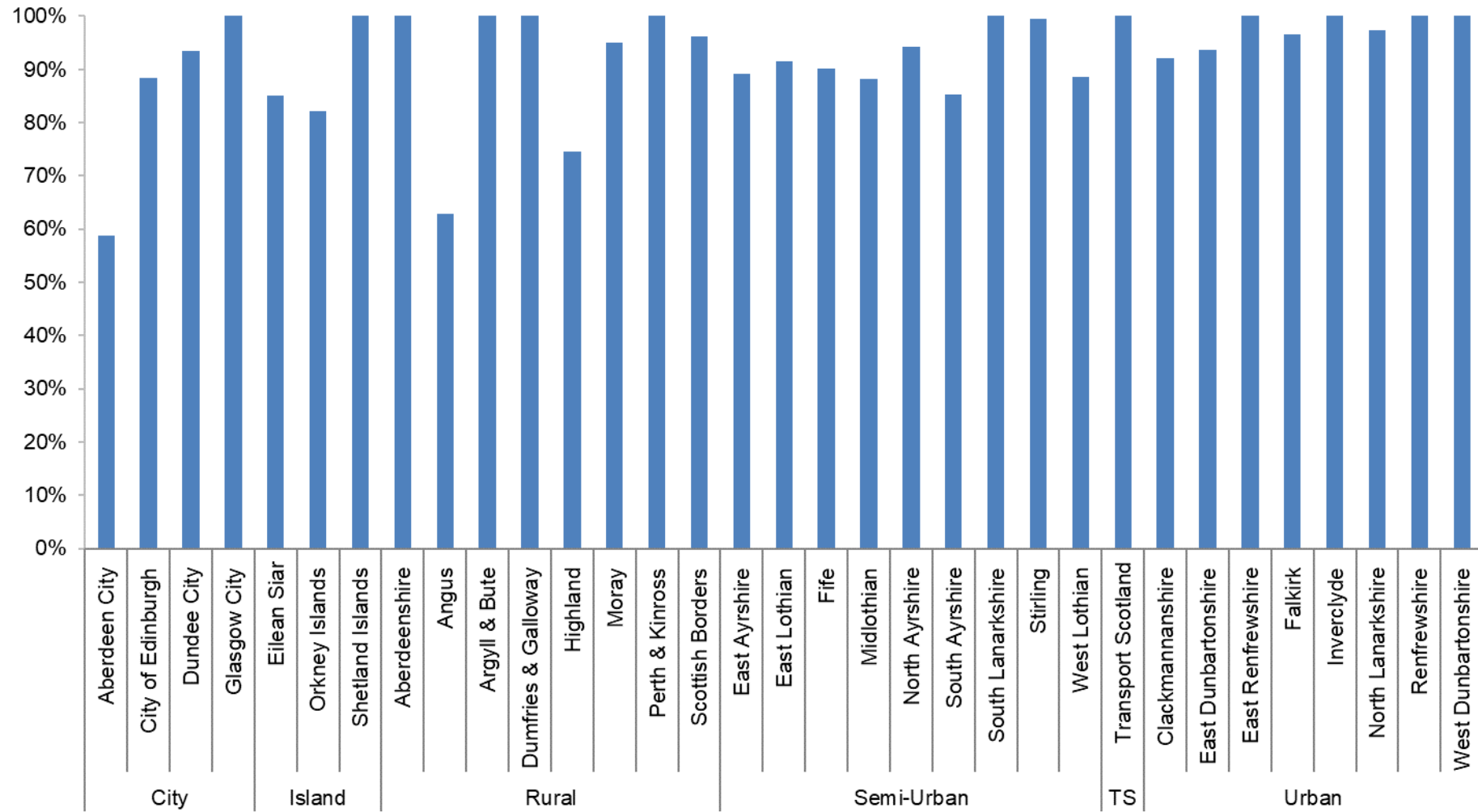


Figure 16 – Sample inspections undertaken by roads authorities in 2023/24
(Source: SRWR Quarterly Inspection Report and SRWR Combination Report 1)

Inspections Pass Rate for utility companies

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* and the *Specification for the Reinstatement for Openings in Roads* (SROR).

Type	Organisation	Passed	Inspected	Pass %
Electricity	Energy Asset Networks	3	3	100.0%
Electricity	ESP Electricity	1	2	50.0%
Electricity	Last Mile Electricity Ltd	10	11	83.3%
Electricity	mua Electricity Ltd	2	3	66.7%
Electricity	Scottish Hydro Electric Power Distribution plc	149	165	90.3%
Electricity	SP Energy Networks	767	843	91.0%
Gas	Energy Asset Pipelines	7	8	87.5%
Gas	ES Pipelines Ltd	3	3	100.0%
Gas	GTC Pipelines Ltd	11	12	91.7%
Gas	Indigo Pipelines Ltd	0	1	0.0%
Gas	Last Mile Gas Ltd	2	3	66.7%
Gas	National Gas Transmission Plc	3	3	100.0%
Gas	SGN	759	807	94.1%
Other	Network Rail	13	13	100.0%
Other	Royal Mail	1	1	100.0%
Telecoms	BT	1,682	1,780	94.5%
Telecoms	CityFibre Metro Networks Ltd	694	738	94.0%
Telecoms	Commsworld Ltd	17	17	100.0%

Type	Organisation	Passed	Inspected	Pass %
Telecoms	EE	9	9	100.0%
Telecoms	Gofibre Holdings Ltd	55	68	80.9%
Telecoms	Hutchison 3G	4	5	80.0%
Telecoms	Hyperoptic Ltd	6	8	75.0%
Telecoms	Lothian Broadband	67	76	88.2%
Telecoms	Lumen Technologies UK Ltd	1	1	100.0%
Telecoms	Neos Networks	2	4	50.0%
Telecoms	Netomnia Ltd	43	50	86.0%
Telecoms	Nexfibre Networks Ltd	144	162	88.9%
Telecoms	Open Fibre Networks Ltd	1	1	100.0%
Telecoms	Telefonica UK	8	9	88.9%
Telecoms	Trooli Ltd	8	10	80.0%
Telecoms	Virgin Media Group	395	427	92.5%
Telecoms	Vodafone Ltd	17	17	100.0%
Telecoms	Zayo	1	1	100.0%
Water	Scottish Water	1,926	2,040	94.4%

Table 13.14 –Category A sample inspection pass rates undertaken by utility companies in 2023/24
(Source: SRWR Quarterly Inspection Report)

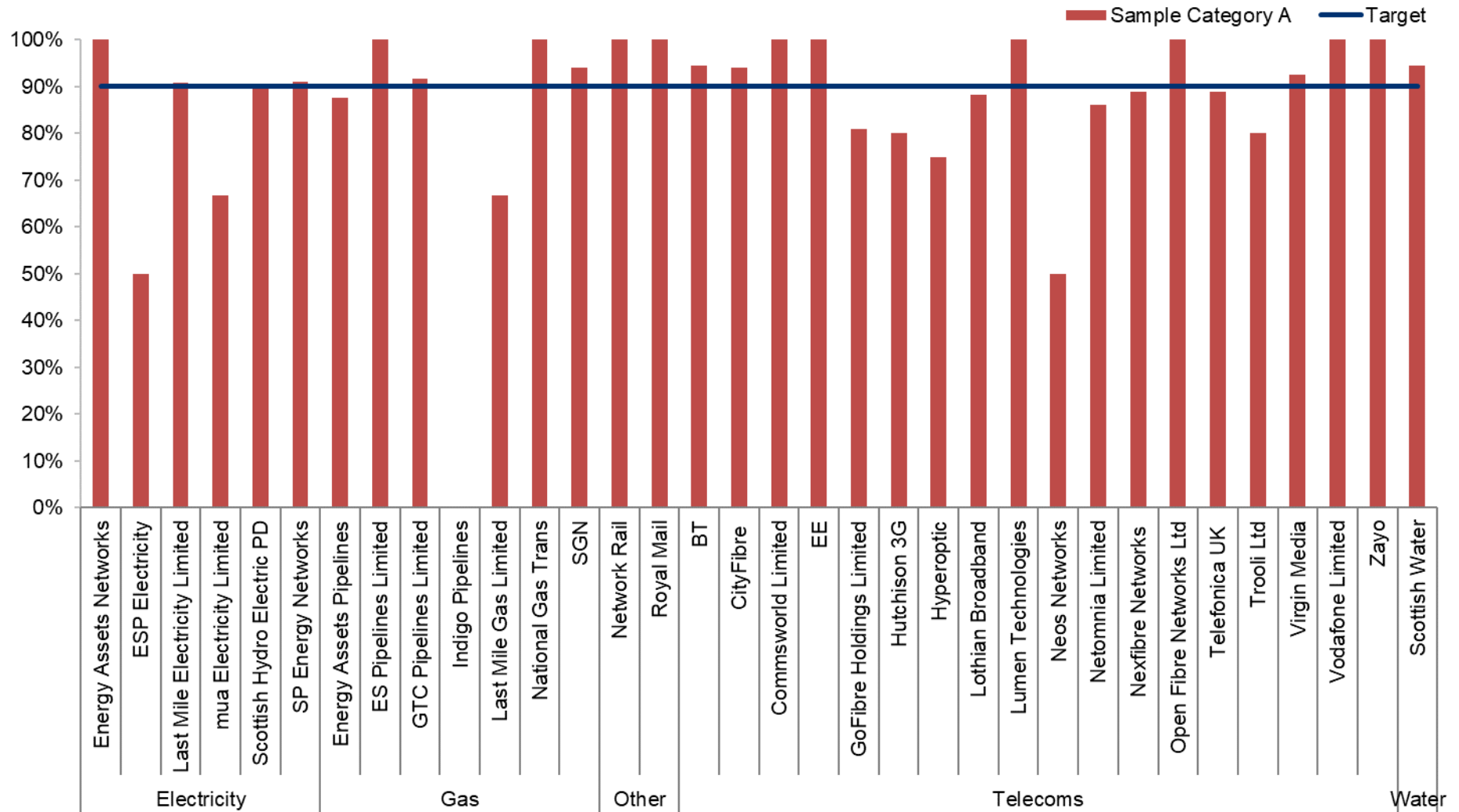


Figure 17 – Category A sample inspection pass rates undertaken by utility companies in 2023/24
(Source: SRWR Quarterly Inspection Report)

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.

Type	Organisation	Passed	Inspected	Pass %
Electricity	Last Mile Electricity Ltd	7	7	100.0%
Electricity	Scottish Hydro Electric Power Distribution plc	137	151	90.7%
Electricity	SP Energy Networks	794	833	95.3%
Gas	Energy Asset Pipelines	6	7	85.7%
Gas	ES Pipelines Ltd	1	1	100.0%
Gas	GTC Pipelines Ltd	11	11	100.0%
Gas	SGN	772	794	97.2%
Other	Network Rail	1	2	50.0%
Other	Royal Mail	1	1	100.0%
Telecoms	BT	1,882	1,975	95.3%
Telecoms	CityFibre Metro Networks Ltd	1,073	1,189	90.3%
Telecoms	Commsworld Ltd	17	17	100.0%
Telecoms	EE	29	36	80.6%
Telecoms	Gofibre Holdings Ltd	88	93	94.6%
Telecoms	Hyperoptic Ltd	19	22	86.4%
Telecoms	Lothian Broadband	70	76	92.1%
Telecoms	Neos Networks	6	8	75.0%
Telecoms	Netomnia Ltd	51	56	91.1%
Telecoms	Nexfibre Networks Ltd	103	108	95.4%
Telecoms	Telefonica UK	11	15	73.3%

Type	Organisation	Passed	Inspected	Pass %
Telecoms	Trooli Ltd	18	19	94.7%
Telecoms	Virgin Media Group	617	675	91.4%
Telecoms	Vodafone Ltd	8	11	72.7%
Telecoms	Voneus Ltd	1	2	50.0%
Telecoms	Zayo	1	1	100.0%
Water	Scottish Water	2,040	2,126	96.0%

Table 13.15 – Category B sample inspection pass rates undertaken by utility companies in 2023/24
(Source: SRWR Quarterly Inspection Report)

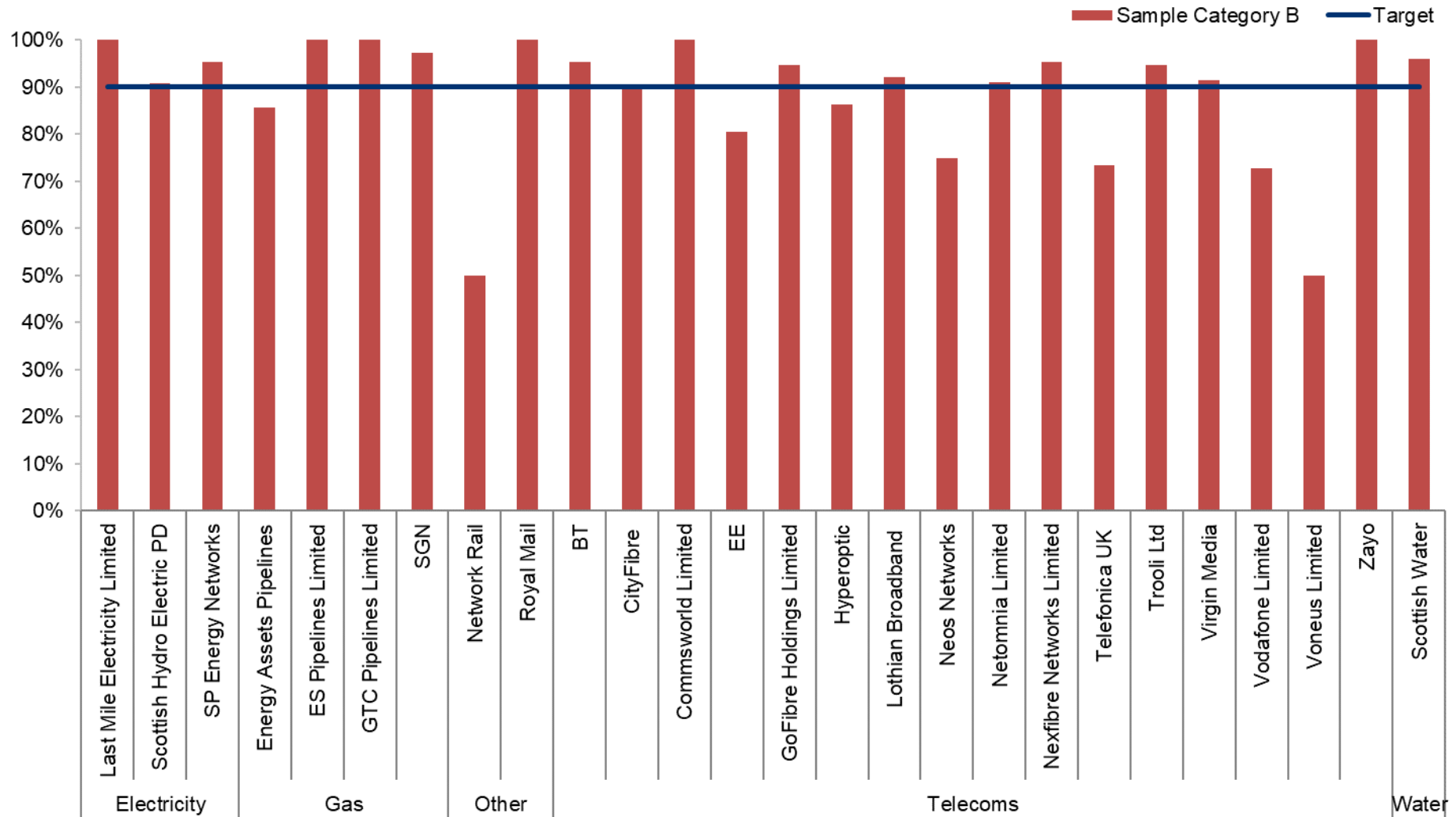


Figure 18 – Category B sample inspection pass rates undertaken by utility companies in 2023/24
(Source: SRWR Quarterly Inspection Report)

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.

Type	Organisation	Passed	Inspected	Pass %
Electricity	Last Mile Electricity Limited	7	7	100.0%
Electricity	Scottish Hydro Electric Power Distribution	137	151	90.7%
Electricity	SP Energy Networks	794	833	95.3%
Gas	Energy Assets Pipelines	6	7	85.7%
Gas	ES Pipelines Limited	1	1	100.0%
Gas	GTC Pipelines Limited	11	11	100.0%
Gas	SGN	772	794	97.2%
Other	Network Rail	1	2	50.0%
Other	Royal Mail	1	1	100.0%
Telecoms	BT	1,882	1,975	95.3%
Telecoms	CityFibre Metro Networks Ltd	1,073	1,189	90.2%
Telecoms	Commsworld Limited	17	17	100.0%
Telecoms	EE	29	36	80.6%
Telecoms	GoFibre Holdings Limited	88	93	94.6%
Telecoms	Hyperoptic	19	22	86.4%
Telecoms	Lothian Broadband Networks Limited	70	76	92.1%
Telecoms	Neos Networks	6	8	75.0%
Telecoms	Netomnia Limited	51	56	91.1%

Type	Organisation	Passed	Inspected	Pass %
Telecoms	Nexfibre Networks Limited	103	108	95.4%
Telecoms	Telefonica UK	11	15	73.3%
Telecoms	Trooli Ltd	18	19	94.7%
Telecoms	Virgin Media	617	675	91.4%
Telecoms	Vodafone Limited	8	11	72.7%
Telecoms	Voneus Limited	1	2	50.0%
Telecoms	Zayo	1	1	100.0%
Water	Scottish Water	2,040	2,126	96.0%

Table 13.16 – Category C sample inspection pass rates undertaken by utility companies in 2023/24
(Source: SRWR Quarterly Inspection Report)

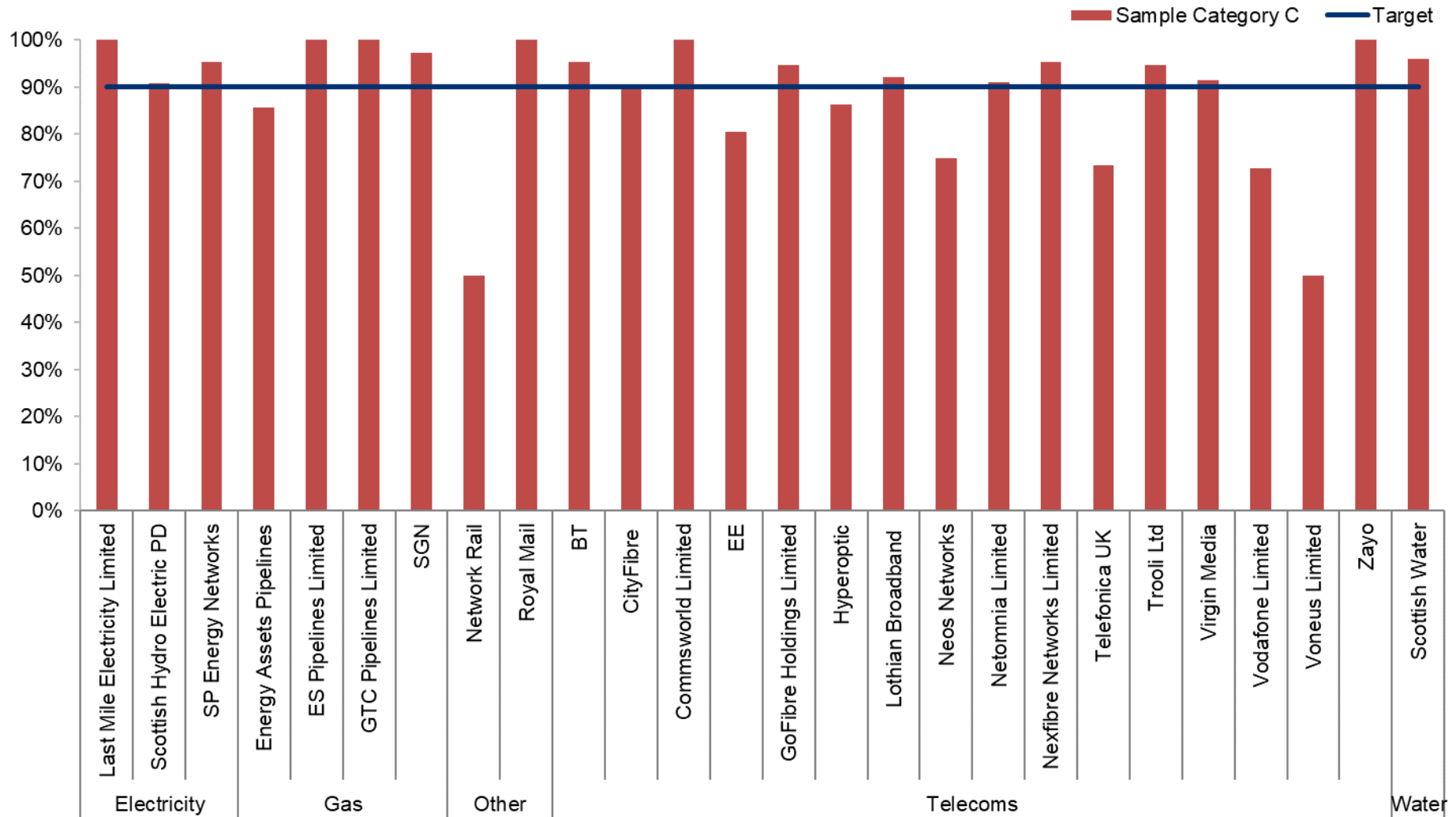


Figure 19 – Category C sample inspection pass rates undertaken by utility companies in 2023/24
(Source: SRWR Quarterly Inspection Report)

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.

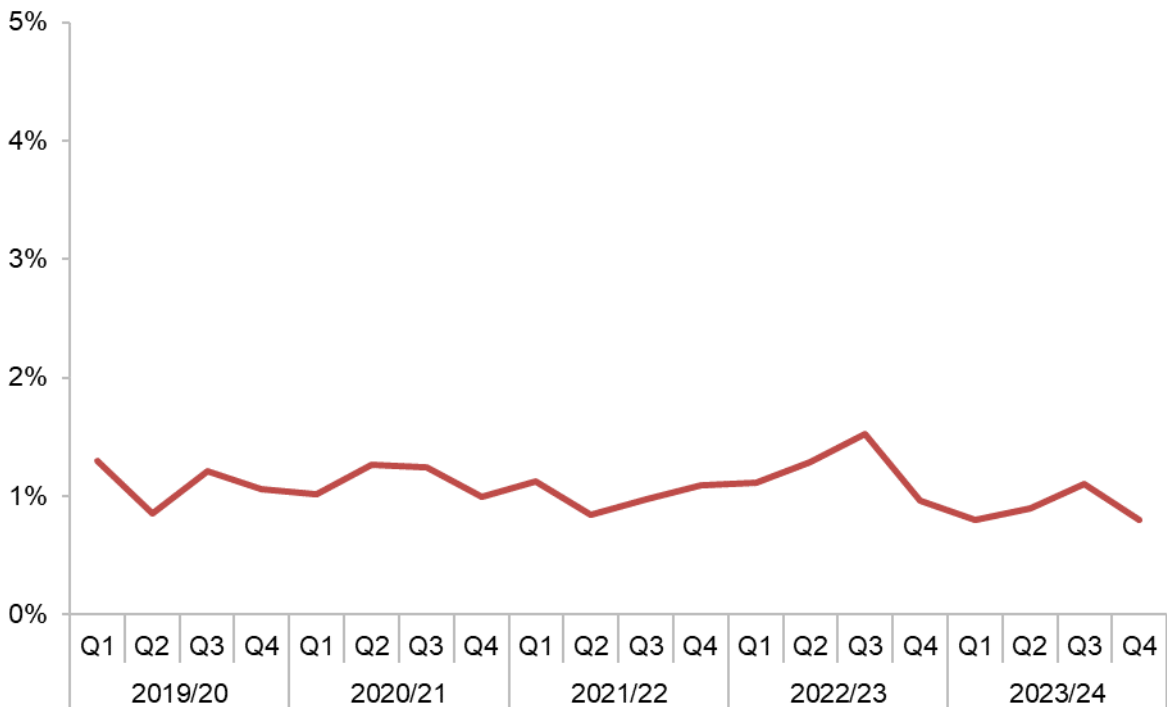


Figure 20 – Substandard traffic management from inspection results
(Source: SRWR Report 19)

Period	Substandard TM
2019/20 Q1	302
2019/20 Q2	209
2019/20 Q3	273
2019/20 Q4	246
2020/21 Q1	185
2020/21 Q2	297
2020/21 Q3	302
2020/21 Q4	270
2021/22 Q1	294
2021/22 Q2	220
2021/22 Q3	247
2021/22 Q4	311
2022/23 Q1	314
2022/23 Q2	350
2022/23 Q3	407
2022/23 Q4	290
2023/24 Q1	248
2023/24 Q2	259
2023/24 Q3	315
2023/24 Q4	252

**Table 13.17 – 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.

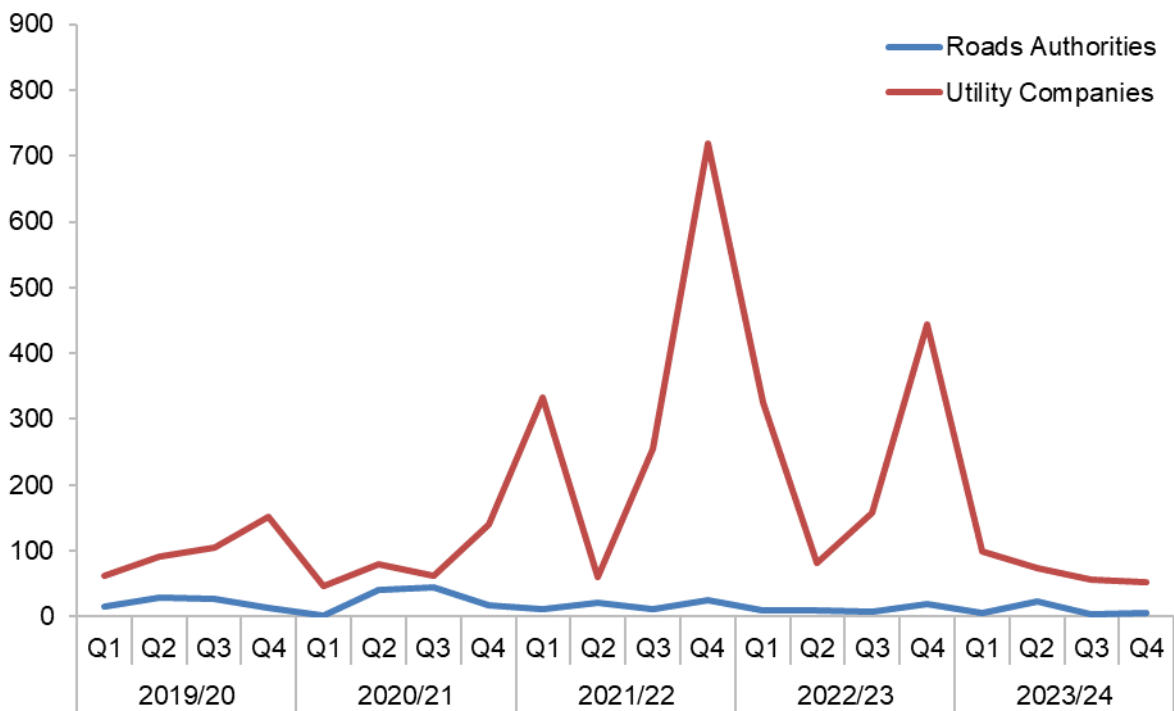


Figure 21 – Roads authorities and utility companies works registered with missing contact details
(Source: SRWR Report 24 and SRWR Report 9a)

Period	Roads Authorities	Utility Companies
2019/20 Q1	13	62
2019/20 Q2	23	91
2019/20 Q3	13	106
2019/20 Q4	6	152
2020/21 Q1	2	46
2020/21 Q2	41	80
2020/21 Q3	45	63
2020/21 Q4	17	141
2021/22 Q1	18	334
2021/22 Q2	26	60
2021/22 Q3	13	251
2021/22 Q4	26	720
2022/23 Q1	9	325
2022/23 Q2	9	82
2022/23 Q3	7	158
2022/23 Q4	19	444
2023/24 Q1	5	99
2023/24 Q2	24	73
2023/24 Q3	4	57
2023/24 Q4	6	52

**Table 13.18 – Roads authorities and utility companies works registered with missing contact details
(Source: SRWR Report 24 and SRWR Report 9a)**

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 Commissioner considers it unacceptable for this information to be missing.

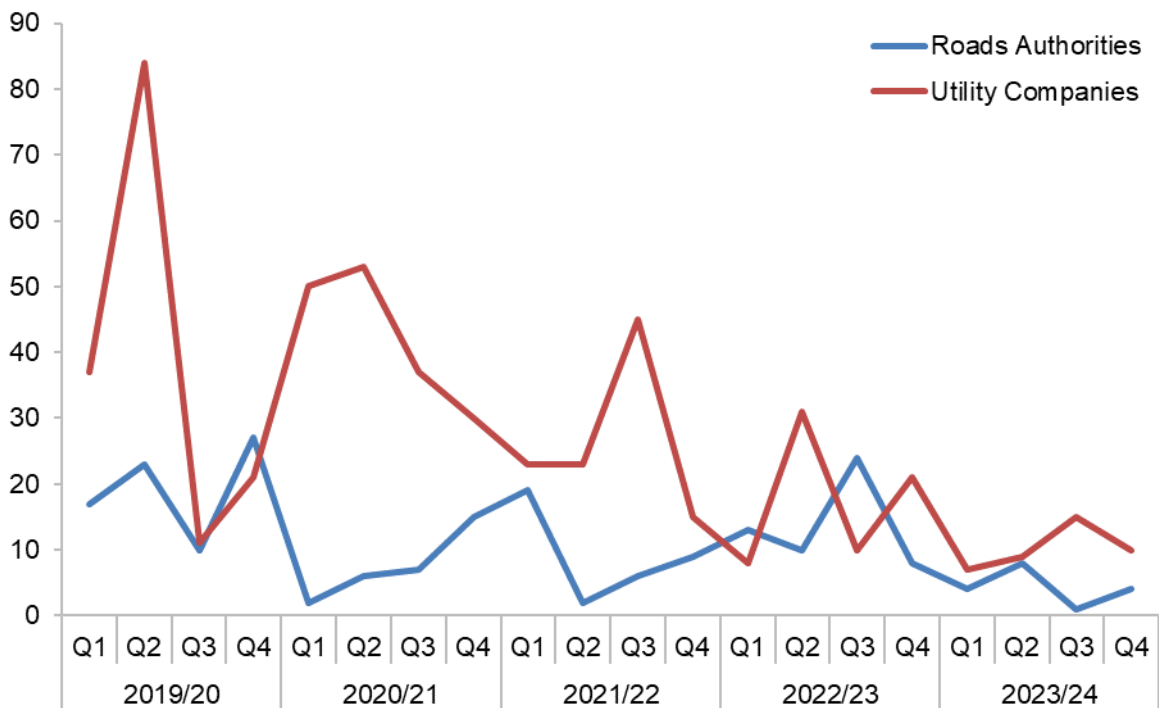


Figure 22 – Roads authorities and utility companies registering works with traffic management type “not yet known”
(Source: SRWR Report 24)

Period	Roads Authorities	Utility Companies
2019/20 Q1	17	38
2019/20 Q2	23	102
2019/20 Q3	8	14
2019/20 Q4	27	22
2020/21 Q1	2	50
2020/21 Q2	6	53
2020/21 Q3	7	37
2020/21 Q4	15	30
2021/22 Q1	19	23
2021/22 Q2	2	23
2021/22 Q3	6	45
2021/22 Q4	9	15
2022/23 Q1	13	8
2022/23 Q2	10	31
2022/23 Q3	24	10
2022/23 Q4	8	21
2023/24 Q1	4	7
2023/24 Q2	8	9
2023/24 Q3	1	15
2023/24 Q4	4	10

Table 13.19 – Roads authorities and utility companies registering works with traffic management type “not yet known”
(Source: SRWR Report 24)

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

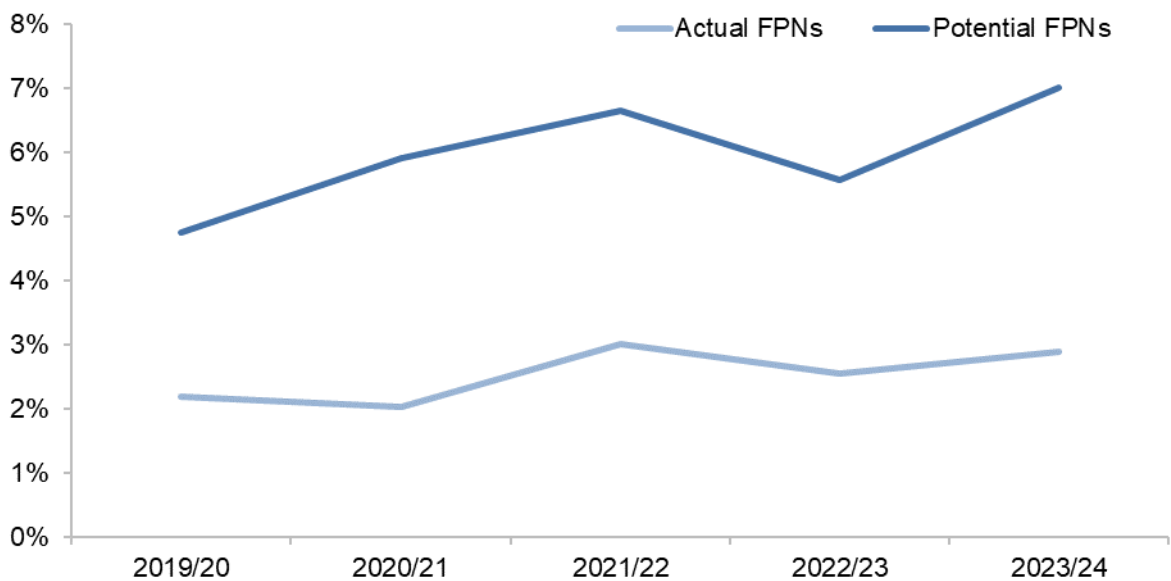


Figure 23 – Actual and potential fixed penalty notices (FPNs) issued to utility companies as a percentage of actual starts
(Source: SRWR Report 1 and SRWR Report 9a)

Period	Actual FPNs %	Potential FPNs %
2019/20	2.2%	4.7%
2020/21	2.0%	5.9%
2021/22	3.0%	6.7%
2022/23	2.6%	5.6%
2023/24	2.9%	7.0%

Table 13.20 – Actual and potential fixed penalty notices (FPNs) issued to utility companies as a percentage of actual starts
(Source: SRWR Report 1 and SRWR Report 9a)

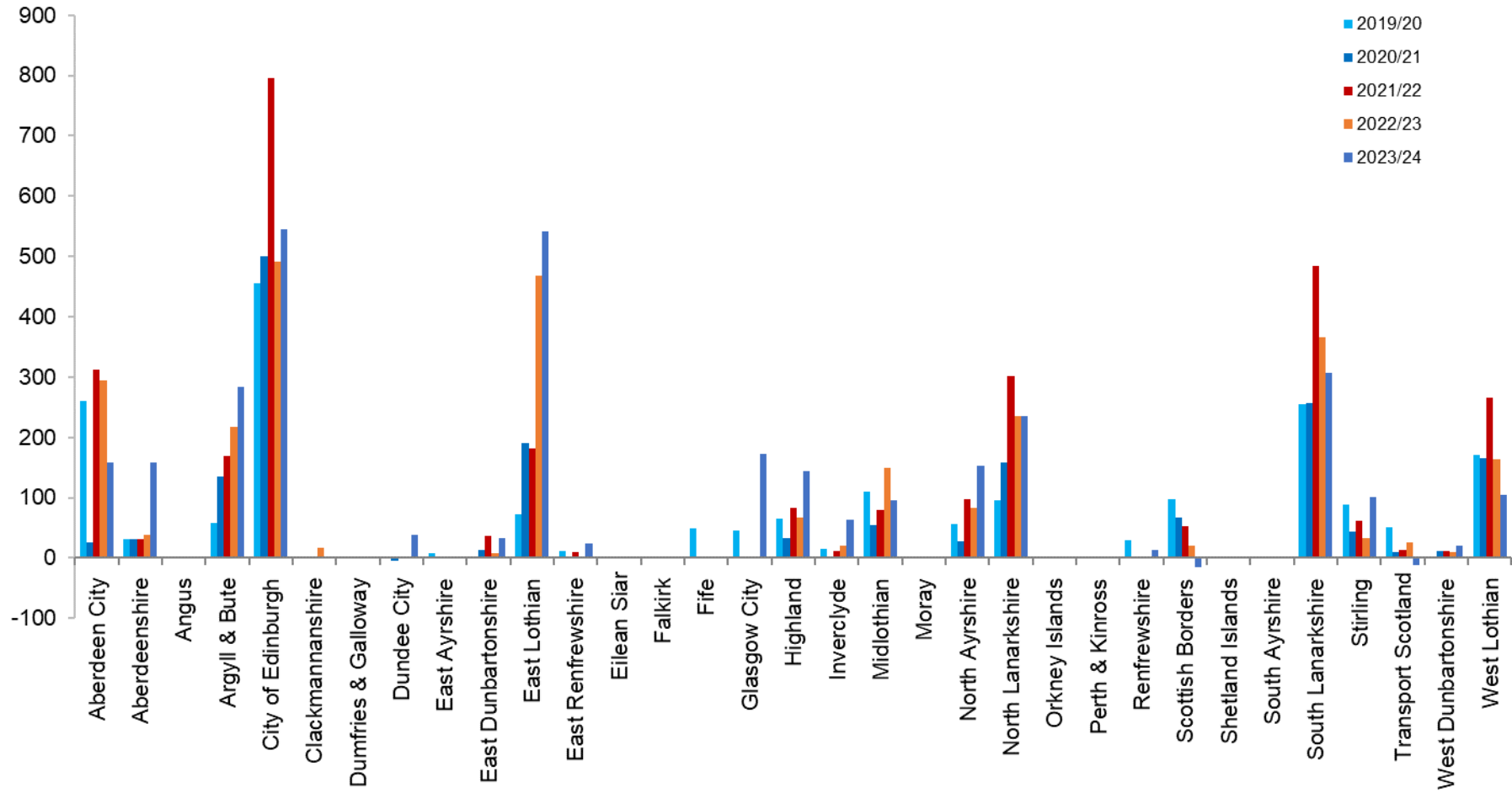


Figure 24 – Fixed penalty notices (FPNs) issued by roads authorities
(Source: SRWR Report 1)

Roads Authority	2019/20	2020/21	2021/22	2022/23	2023/24
Aberdeen City Council	260	26	313	295	159
Aberdeenshire Council	32	33	31	38	159
Angus Council	0	0	0	0	0
Argyll & Bute Council	58	137	169	218	283
City of Edinburgh Council	456	517	796	491	545
Clackmannanshire Council	0	0	0	17	0
Comhairle nan Eilean Siar	0	0	0	0	0
Dumfries & Galloway Council	0	0	0	0	0
Dundee City Council	0	0	0	0	38
East Ayrshire Council	8	0	0	0	0
East Dunbartonshire Council	3	15	37	8	34
East Lothian Council	73	191	182	468	542
East Renfrewshire Council	11	0	9	3	24
Falkirk Council	0	0	0	0	0
Fife Council	50	0	0	0	0
Glasgow City Council	46	0	0	1	173
Highland Council	66	37	83	68	145
Inverclyde Council	16	0	11	20	63
Midlothian Council	110	55	80	150	95
Moray Council	0	0	0	0	0
North Ayrshire Council	56	30	98	83	153
North Lanarkshire Council	95	167	302	236	235
Orkney Islands Council	1	0	0	0	0
Perth & Kinross Council	0	0	0	0	0

Roads Authority	2019/20	2020/21	2021/22	2022/23	2023/24
Renfrewshire Council	29	0	0	0	14
Scottish Borders Council	98	73	53	21	-15
Shetland Islands Council	0	0	0	0	0
South Ayrshire Council	3	0	0	0	0
South Lanarkshire Council	255	258	485	366	307
Stirling Council	89	44	62	34	101
Transport Scotland	51	21	13	26	-12
West Dunbartonshire Council	0	13	11	10	21
West Lothian Council	171	262	266	164	104

**Table 13.21 – Fixed penalty notices (FPN's) issued by roads authorities
(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.

Roads Authority	2019/20	2020/21	2021/22	2022/23	2023/24
Aberdeen City Council	22	23	23	14	23
Aberdeenshire Council	0	0	0	0	3
Angus Council	0	0	1	1	0
Argyll & Bute Council	1	0	1	2	2
City of Edinburgh Council	9	2	5	18	9
Clackmannanshire Council	9	3	7	5	3
Dumfries & Galloway Council	4	3	7	1	4
East Ayrshire Council	0	0	1	2	0
East Lothian Council	0	1	1	159	158
Falkirk Council	0	14	9	13	1
Fife Council	0	0	0	19	10
Glasgow City Council	0	6	2	1	0
Midlothian Council	3	9	15	114	18
North Lanarkshire Council	0	0	3	6	7
Perth & Kinross Council	50	42	13	11	2
Renfrewshire Council	0	0	0	0	2
Scottish Borders Council	0	0	0	23	15
South Lanarkshire Council	3	3	11	0	2

Roads Authority	2019/20	2020/21	2021/22	2022/23	2023/24
Stirling Council	2	0	0	2	1
Transport Scotland	0	0	0	0	3
West Lothian Council	1	1	3	3	23

**Table 13.22 - Undue delay (s125) notices issued by roads authorities
(Source: SRWR Report 17e)**

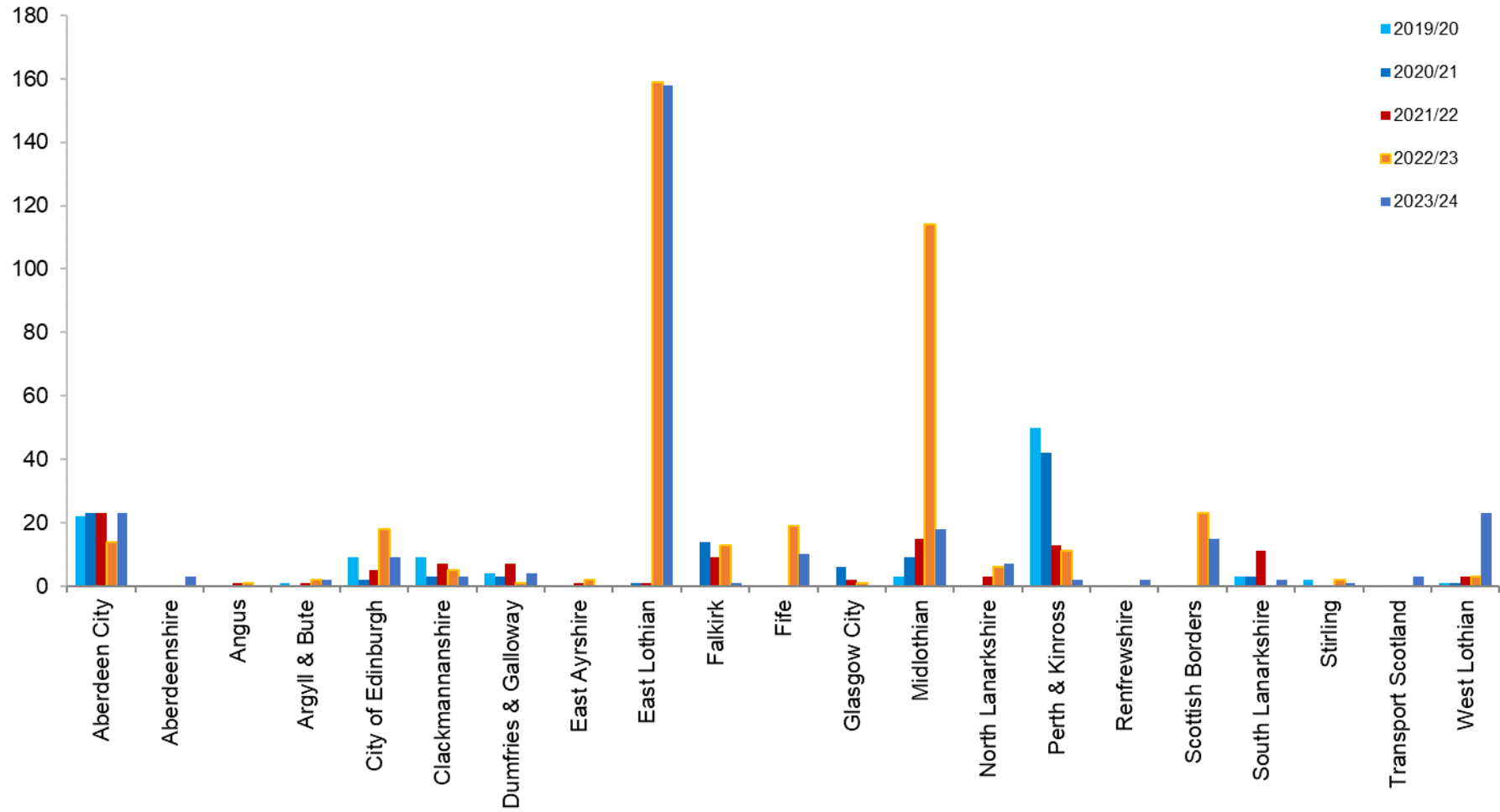


Figure 25 – Undue delay (s125) notices issued by roads authorities
(Source: SRWR Report 17e)

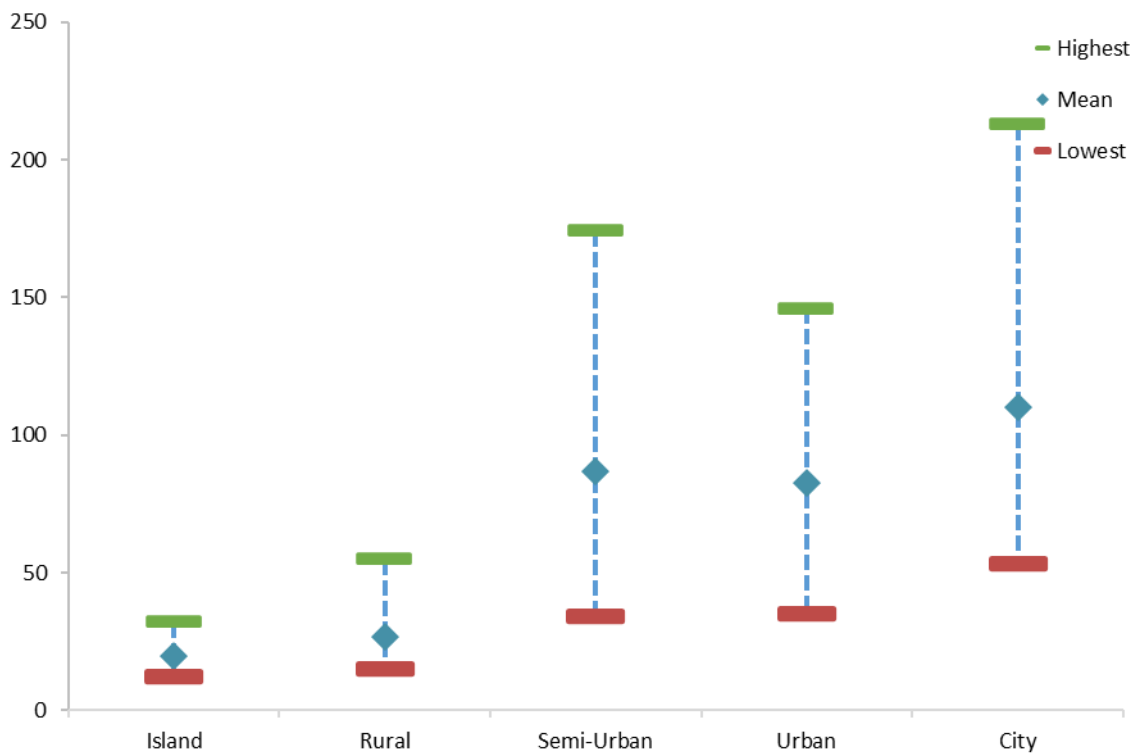
Roads authority works registered per 100km

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.



Note: Transport Scotland data has been removed for clarity.

Figure 26 – Works per 100km for authorities in each SCOTS group, showing the high, mean and low values for each group (2023/24).
(Source: SRWR Report Works per 100km)

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 and transport Scotland operators are grouped with peer organisations and any view on their performance is relative.

Organisation	2019/20	2020/21	2021/22	2022/23	2023/24
Island Group	31.0	16.6	21.0	17.0	20.5
Rural	23.9	15.1	24.9	27.7	26.8
Semi-urban Group	55.8	39.1	54.1	56.8	86.8
Urban Group	103.2	73.1	88.7	91.9	82.7
City	65.3	52.3	75.1	66.0	110.3
Transport Scotland	327.1	314.0	347.0	474.2	422.3

**Table 13.23 – Works per 100 km for SCOTS group and Transport Scotland
(Source: SRWR Report Works per 100 km)**

Contact Details

You can phone us on **0131 244 9936**

You can email us at enquiries@roadworks.scot

Our website is <https://roadworks.scot>

You can contact us by post at:

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

Other Formats

The Commissioner 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.