

**NAREA ROADS AUTHORITIES & UTILITIES COMMITTEE**
**Minutes of the  
QUARTERLY MEETING**
**Date: Wednesday 21<sup>st</sup> May 2024**
**Meeting held online on MS TEAMS**
**Present:**
**Alison MacLeod (Chair)**

Kevin Abercrombie  
 Caroline Auld  
 Ainsleigh Brown  
 Sharon Burns  
 Michael Casey  
 Steve Charlton  
 Fraser Conway  
 Karyn Davidson  
 Greig Dodds  
 Jim Forbes  
 Lauren Goodman  
 Julie Greig  
 Barry Hall  
 Jason Halliday  
 Owen Harte  
 David Hearty  
 Colin Heggie  
 Lindsay Henderson  
 Gareth Hughes  
 Matthew Jones  
 Carole McDonald  
 Fiona McInnes  
 Donald Macleay  
 Craig McQueen  
 Colin Matheson  
 Peter Mortan  
 Elaine Paterson  
 Philip Leiper  
 Allan Pryde  
 Kat Quane  
 David Robertson  
 Ruth Scott  
 Donald Wilson

**A.MacL.**

K.A.  
 C.A.  
 A.B.  
 S.B.  
 M.C.  
 S.C.  
 F.C.  
 K.D.  
 G.D.  
 J.F.  
 L.G.  
 J.G.  
 B.H.  
 J.H.  
 O.H.  
 D.H.  
 C.H.  
 L.H.  
 G.H.  
 M.J.  
 C.McD.  
 F.McI.  
 D.A.MacI.  
 C.McQ.  
 C.M.  
 P.M.  
 E.P.  
 P.L.  
 A.P.  
 K.Q.  
 D.R.  
 R.S.  
 D.W.

**The Highland Council**

Aberdeen City  
 Network Rail  
 Transport Scotland  
 GoFibre  
 Royal Mail  
 mua Group  
 Balfour Beatty  
 Vodafone  
 Lothian Broadband  
 CityFibre  
 BEAR Scotland  
 SGN  
 GTC-UK  
 o.S.R.W.C.  
 Virgin Media  
 MBNL – EE / 3  
 Amey  
 o.S.R.W.C.  
 Lothian Broadband  
 Last Mile – UK  
 Fibrus  
 Scottish Water  
 Western Isles Council  
 Scottish Water  
 The Moray Council  
 Angus Council  
 BEAR Scotland  
 Aberdeenshire Council  
 Openreach  
 Transport Scotland  
 Dundee City Council  
 NEOS Network  
 Orkney Islands Council

**In Attendance:**

George Borthwick

G.B.

Secretary

**Apologies:**

Lee Broomhall	L.B.	Royal Mail-
Gerry Cullen	G.C.	Amey
Jordan McDonald	J.McD	CityFibre
Michelle McDonald	M.McD.	Virgin Media O2
Elizabeth MacIver	E.MacI,	The Highland Council
Graham Milne	G.M.	o.S.R.W.C.
Neil Robertson	N.R.	Shetland Islands Council
Iain Ross	I.R.	o.S.R.W.C.
Kevin Skinner	K.S.	Scottish Water
Graham Slorach	G.S.	Netomnia
Ian Slorach	I.S.	
Robert Young	R.Y.	Scottish Government

**1. Welcome and Introductions**

Alison MacLeod (Highland Council) as the new Chair welcomed all to the meeting of the NAREA RAUC and thanked all Representatives for attending.

Apologies were recorded as above.

**Presentations**

There were no presentations at this meeting.

**2. Minute of the last Meeting held on 23<sup>rd</sup> January 2024**

**a. Accuracy**

The Minutes of the previous NAREA RAUC meeting held on Monday 23<sup>rd</sup> January 2024 on MS TEAMS were agreed as read.

**b. Matters Arising**

Matters arising from the previous meeting are recorded on the Action Tracking Summary.

**bi. Erection of Safety Barriers- Dispute Panel Report**

The previously circulated Report on this dispute was taken as read and it was noted that the panel had found in favour of CityFibre.

D.R. indicated that the result had been noted and the Minutes of the LRAUC meeting revised to reflect the decision. He thanked the Panel for their input to the resolution of the matter.

J.F. thanked the Panel and queried the Commissioner's Office about the affect the result would have on the Commissioner's Reports. In the relevant Quarter there were two Inspection failures which were now passes. Would the Report be revised to reflect the changes to passes.

J.G. commented that the changes would not be made to the Report, but the information could be used if required to respond to an issue raised in the Annual Review. A Change Request had been submitted to have a change made to the Register which would allow revisions to Inspection Results to be made and recorded in Reports.

### **3 Written reports from Local Co-Ordination Meetings**

The Chairs of the Local RAUCs commented on their last meetings as follows: -

Aberdeenshire / Aberdeen City Councils – Kevin Abercrombie

There were no major issues to report to this meeting.

Highland and Moray Councils – Colin Matheson

Following the last meeting there were no issues to report to this meeting. The next meeting will be held on the 6<sup>th</sup> June 24.

Angus / Dundee City Councils and the Tay Road bridge Joint Board – David Robertson

Asbestos is being found on sites and is related to Scottish Water plant which did not appear to be recorded. F.McI. indicated that their Operatives had not reported asbestos on sites across Scotland and it appeared to be only recorded by Dundee Council.

This matter was being discussed in Dundee and would be considered further. In the meantime the Secretary was asked to remit the matter to the RAUC(S) meeting. **Action - Secretary**

Comhairle nan Eilean Siar (Western Isles Council) Donald Macleay reported: -

There were no major issues to be raised. The next meeting will be held on 6<sup>th</sup> June 24.

Orkney Islands Council – Donald Wilson

There were no major issues raised.

Shetland Island Council – Neil Robertson

There was some concern about speeding through SSE cabling works on the A970 and a TTRO was being used to allow a 30mph speed limit to be put in place. The use of speed humps was being considered.

Three Island Authority meeting: -

There were no matters to raised. The next meeting will be held on 30<sup>th</sup> May 24.

### **4. Matters Arising from the previous RAUC(S)**

The previously circulated draft minutes of the last RAUC(S) Meeting held on 21<sup>st</sup> February 2024 were noted with no issues raised. All were encouraged to read the draft if they had not already done so.

The Section 120 Protected Road Issue on the AWPR was raised. This related to works done preparatory to the construction and the claim by Scottish Government on Scottish Water, SGN and Virgin Media.

Scottish Government had submitted substantial accounts to these S.U.s under Section 120 as they had retrospectively classified the road as Protected.

The Protected classification was on part of the route only and the change was not located at a junction but appeared to be at a random location along the route.

The changes in Classification / Reinstatement Category / Traffic Sensitivity of a road should be submitted to the LRAUC / AREA meetings for discussion and agreement but there was no record of this ever happening. The Codes / Advice Notes will be checked to ensure that this requirement is clear. **Action – J.G. / S.W.**

Scottish Water and SGN are currently in discussion and will decide how to take this matter forward. The work and the subsequent maintenance of the AWPR was being carried out by Balfour Beatty and Erin Wharry would be involved in discussions. E.W. was asked to check on why the route was part Protected and part not and why the change appeared to be at a random point along the route. A response should be passed to the Secretary for circulation to this Committee.

**Action – E.W.**

## **5. Government and S.R.W.C. Reports**

### **a. Scottish Government Report**

The previously circulated paper was taken as read with the following comments from K.Q.: -

The batch diagram had not been issued this cycle as there was no changes to be commented on since the last round of meetings.

### **Roadworks Reform and related Legislation**

- The first part of the legislation relating to VAULT is now in force and it is mandatory to supply plant data plans to VAULT, and the existing requirement to report apparatus which is in the wrong location has been updated to fall within the same broad requirements – these changes should not affect Organisations already submitting data to VAULT.
- The second part of the legislation will give more detail on the information which will be required. This will be informed by the responses received from a planned consultation on plant information. We hope to prescribe information on the basis of safety and efficiency. While information about site experience directly from road workers is being sought, the corporate views of Organisations are also welcome. To make sure your sector is represented, or for details on the consultation please contact Ainsleigh Brown.

### **Codes of Practice**

- In preparation for ‘VAULT Stage 2’ guidance should be provided within one of the existing codes on how to report on apparatus which is not included on plans, or wrongly recorded on plans (Unexpected Buried Object - U.B.O.). The required functionality is being discussed with the oSRWC.

- The RQP Code has now been in place for over a year, and as planned it will be put before Scottish Ministers in 2024 for endorsement. The RAUC(S) Community is formally invited with the oSRWC to review the current draft and make any updates required before it is submitted to the Ministers later this year.
- The national UK Diversionary Works Code and Safety at Street Works and Road Works a Code of Practice remain under review. We have asked the DfT if an update can be made directly to RAUCs for information. This has been remitted to their consultant.

### **Future Plans**

- Transport Scotland in its policy capacity is considering the future of HGVs in Scotland, and in particular the kinds of infrastructure needed to support a move to renewable/electric HGV fleets in the future. Transport Scotland's Karen Geekie is keen to seek views/concerns as part of this long-term planning from all sectors, and specifically from RAUC(S) and SCOTS. Please contact either K.Q. or K.G. if you or your Organisation have views to share relating to this very long-term review.

### **Scottish Government**

- First Minister John Swinney has completed the appointment of his ministerial team. Ms. Hyslop remains Cabinet Secretary for Transport

## **b. Scottish Road Works Commissioner's Report**

### **Compliance Powers**

The Compliance Officers continue to focus on L.A. Signing, Lighting and Guarding using video surveys with records to date as follows:

- 20 Authorities visited
- 311 Sites observed
- 97 sites with non-compliant SLG
- Average of 6 sites visited / hour

Commissioner webinars continue for L.As to raise awareness of compliance powers around SLG issues, noticing requirements and gazetteer issues. Forthcoming events are planned for 5 June and 19 June.

Events for S.U.s will be arranged in due course, probably towards the end of the year.

### **Performance**

#### **Performance Dashboard**

The SRWR 2023/24 Q4 dashboard was issued on the 08 May 2024 and many thanks are given to those who have responded.

The Q1 2024/25 quarterly dashboard will be issued w/c 15 July 2024.

#### **Monitoring of the Inspections Recorded Late, Outstanding Final Inspections & Inspections on Defects Awaiting Repair.**

After monitoring these reports last year, the Commissioner has now included them in the quarterly performance dashboard.

### **Noticing Failures**

The 2023 / 24 year average for R.As was 5.4% and for S.U.s was 7.1%. The Q1 figures to date are 5.2% and 5.4% respectively. These improvements are welcomed but the Commissioner reminds all that the target is 4%.

### **SRWR Gazetteer**

Every authority required to provide a Gazetteer for the last deadline made a submission which makes two quarters in succession with 100% success. The Commissioner thanks all Authorities for their efforts to achieve this.

### **Annual Performance Reviews**

Annual Performance Review letters will be issued to all Organisations on or about the 23<sup>rd</sup> / 24th May. Please respond to the oSRWC if any actions are required by your Organisation.

### **Commissioner Improvement Plans**

Currently the following Organisations remain on improvement plans, Aberdeen City Council, Aberdeenshire Council, BT, City of Edinburgh Council, Dundee City Council, Lothian Broadband, Midlothian Council, Moray Council, Netomnia, Perth & Kinross Council, Scottish Hydro Electric Power Distribution and SP Energy Networks and Trooli Ltd.

The next Improvement Plan submissions are due on the 12 July 2024.

### **Policy and Quality**

The Commissioner's three papers on the agenda were circulated for information and taken as read. The Advice Papers are:

5ci Commissioner Advice Paper 9 - Roads (Scotland) Act - Sections 60, 60A and 61B. This relates to prescribed qualifications for R.A. operatives and supervisors. Please note that this is at draft stage and the Commissioner is currently seeking legal opinion prior to presenting the finalised Advice Paper to RAUC(S) on 26 June.

5cii Commissioner Advice Paper 10 - Requirements to Receiving Notifications on the SRWR. This formalises and updates the Type of Notices that Organisations are required to receive on the SRWR.

5ciii Misuse of Standard Works. This is to raise an issue whereby Organisations are using the Standard Works type where the Major Works type would be more appropriate.

The Commissioner became aware that a number of Organisations are misusing the Standard Works type. This misuse is likely to have a negative effect on co-ordination due to the inadequate notice period being given.

It should be noted that works which have a duration in excess of 10 days with traffic control required for three or more of those days should be categorized as Major Works.

For the period 1/1/24-31/3/24, 10632 Standard works were recorded on the SRWR. Of these, 1236 were recorded having a duration greater than 10 days and as using traffic control.

Of the 1236 Notices 472 had a works extension recorded against them so can be discounted but this however leaves, However, 764 works (7%) that can be presumed to fall into the Major Works category.

- Openreach, Highland Council, SGN and Transport Scotland all have a large number of un-extended works exceeding 10 days.
- A number of Organisations have high relative numbers of un-extended works exceeding 10 days.
- A significant number of works are recorded as having durations greater than 100 days

The Commissioner has contacted Organisations with large absolute numbers of un-extended standard works exceeding 10 days and asked for an explanation.

All Organisations should review their use of the Standard works type and use Major works notices where appropriate.

The Commissioner will continue to monitor performance on this matter.

J.G. questioned the numbers quoted against SGN and indicated that she would discuss this with J.H. offline.

There appeared to be issues in the content / production of the report which needed to be addressed if the Report was to be used going forward. J.H. will discuss the comments with the Commissioner. **Action – J.H.**

#### **Updated Codes/Guidance**

Updated version of the Penalties Code (v.1.5) and the Advice Note 30 (v.1.1) have now been published on the website at: -

<https://roadworks.scot/legislationguidance>

#### **National Coring Programme 2025**

The next national coring programme has officially commenced and will be the NCP 2025. The oSRWC will continue to provide support to the coring working group.

Cores will be taken from reinstatements created between 1 April 2024 and 31 March 2025.

Safety at Street Works and Road Works Code of Practice Review (Red Book) is on-going. The DfT commissioned the Arup AECOM consortium to review and update the Safety Code. They consulted with the HAUC working group to identify and prioritise amendments to the Code, and a summary of the issues was sent to key stakeholder groups in late April /early May. The updated Safety Code will be subject to public consultation later in the year. All are asked to note the Consultation when it is published and respond where they consider relevant.

DfT have commissioned the PyeTait consultancy to carry out a full review of the Training and Accreditation process. The Community will be kept updated of any progress on this review.

Safety bulletins are still being sent out by the RAUC(S) secretariat as and when they arise.

#### **Management & Operation of the SRWR**

##### **Prescribed Fees and Amounts**

Invoices for the Prescribed Fees and Amounts for 2024/25 were issued to all Organisations on 2 April 2024. At the time of the meeting £693,000 has been collected out of the £ 901,314 total, with 65 out of the 98 Organisations having paid.

This is more or less on the anticipated collection programme. Towards the end date for payment, reminders will be issued to the Organisations which have not paid their Fees.

The Commissioner has raised concern about confusion caused by the Estimates which were sent out in March. Several Organisations did not appreciate the figure was an estimate which was likely to change during March (due to influences out with the Commissioner's control) and many paid what was potentially the wrong sum using the estimated figure. To avoid future confusion the Commissioner plans to stop issuing these estimates. He is willing to listen to the Community if some Organisations want to continue receiving these estimates.

### **Transport (Scotland) Act Changes**

Transport (Scotland) Act changes to the SRWR for Unidentified (now Unexpected) Buried Objects, Compliance Notices and Commissioner Observations are now live on the register.

Organisations should now be recording details of assets discovered during works and in addition they should monitoring the Register for Commissioner Communications.

The legislative requirement for all Undertakers to have submitted a data set to Vault came into force on 1 April 2024.

Compliance Notices will appear on a new Task Summary list on the Register for assessment.

Commissioner Observations will appear as Works Comments against the works and will appear in the Work Comments Awaiting Assessment Task Summary List on the Register, alongside other Works Comments.

### **SRWR Procurement**

The Invitation to Tender was issued on 7 March 2024 using the Scottish Government's Dynamic Purchasing System (DPS). Responses have been received and reviewed by the Evaluation Team. At the time of writing a recommendation is being prepared for the Commissioner.

### **New Organisations on SRWR**

There have been no new Organisations making use of the SRWR this quarter.

Giggle Limited have indicated that they no longer wish to be considered an S.U. Because they have placed no apparatus and carried out no works in the road, their access to the SRWR was revoked on 31 March 2024.

Axione UK Limited have sold all their assets on to Trooli Ltd. They have confirmed they are taking responsibility for all Axione apparatus and reinstatements.

### **SRWR User Satisfaction Survey**

The 2023/24 survey is now closed. Sadly, there were only 133 responses received.

The survey overall indicated a positive response. Areas highlighted for improvement related to the reliability of the mobile apps. User's opinions have improved since the previous survey.

### **Tay Area Gazetteer Group**

The Tay Area Gazetteer Group is struggling to find a chair. The Commissioner encourages the R.As in this area to find a volunteer. In the NRAUC only Angus Council and Dundee City Council are affected, and they should consider providing a volunteer.



### **Clarification on Targets for Sample Inspections**

The Systems Assurance Team has asked for the R.As to be aware that they are not required to have a target for sample inspection against their own works or works on private streets. Inspections against an authority's own works, or those for private streets are not legally required and do not count towards the totals in the Commissioner's SRWR Dashboard or Annual Performance Reviews.

While on the topic, the Commissioner would also like to make R.As and S.U.s aware they should have agreed the estimate figures at the start of the financial year.

J.G. raised the issue of the Register raising inspections against S.U.s works on private Streets and asked for these to be cancelled and the system changed to stop the prompts being issued.

#### **Action - oSRWC**

She apologised for the delay in agreeing the SGN inspection estimates. This was caused by the late delivery of the programmes by the Network department.

J.F. informed the meeting that Sections of the Red Book had been reviewed and revised as required. These sections had been passed to the DfT Consultant for consideration and the final version of the Red Book would be the subject of a consultation.

The DfT has passed the Training and Accreditation process to a Consultant for review. Any changes promoted for England would be reviewed in Scotland and considered for adoption.

### **di. Guarantee Period Recording on SRWR**

The 6 year guarantee period had now been introduced but there are sites which have a different period of Guarantee e.g. slabbed and paved areas.

A short Statement has been produced for insert into the Notice in the text box. This will not affect many Notices so may be acceptable in the first instance, but all noted that it would not be a searchable field so should be revised as soon as possible.

The relevant guarantee periods are stated in the Legislation / Codes / Advice Notes.

This will be remitted to the RAUC(S) meeting for consideration.

## **6. Working Group Reports**

### **i. National Coring Group**

The Group is meeting regularly to discuss the 2025 programme which will cover reinstatements carried out between 1<sup>st</sup> April 2024 and 31<sup>st</sup> March 2025.

The R.A. Co-Chair, Ian Jones has retired from Fife Council and James Watson, Perth and Kinross Council has agreed to be the Co-Chair. The S.U. Co-Chair, Stephen Scanlon is due to retire from Openreach and Ian Dalrymple, Openreach has agreed to be the Co-Chair.

The Committee asked for their thanks to both Ian and Stephen, for all their input to the Community, to be recorded in the Minutes and wished them both a happy retirement.

The Report will be circulated to the Community.

**ii. Inspections Working Group**

The list of representatives will be checked. Colin Matheson will attend as the NAREA Representative.

The Group are considering the pre-works survey on roads which are already showing signs of stress in the existing surface / sub-layers. A pre-survey record schedule will be drafted to allow the S.U. to check the area prior to requesting a joint meeting.

The matrix for defect inspection and classification has been shelved as agreement could not be reached on the 3 or 5 levels of severity.

The next meeting will be held next week.

**iii. Coordination Working Group**

The Next meeting will be held later today. The Group is carrying out a review of the whole Code for content, wording and grammar.

**iv. SROR Review Group**

The work on the SROR and the Appendix 9 was completed.

The group will form the basis of a Panel to check results from a trial and decide on the said material / process being approved for use.

**v. SAT**

The work of the Team is ongoing with no issues to be reported to this meeting.

**vi. SRWR Steering Group**

The work of the Group is ongoing with no issues to be reported to this meeting.

**vii. RQP Working Group**

The Group is not meeting at present but if there is a problem they will reconvene.

The Code of Practice for Reinstatement Quality Plans will be put before Scottish Ministers in 2024 for endorsement so all are asked to make a check on the Document and advise the Commissioner and / or K.Q. of any changes which potentially should be made. **Action - All**

J.F. commented that it should be okay as it stands but he would discuss the matter with David Capon and reply to the Commissioner / K.Q. **Action – J.F.**

**7. Health and Safety**

**a. Health and Safety Bulletins**

The Bulletins continue to be circulated by the RAUCs Secretariat. All were asked to send H & S Bulletins and Reports to the Secretary so that they can be circulated to provide potential training and maybe avoid other Organisations having a similar problem.

**b. List of Plant Protection Systems**

All Organisations were asked to review the Schedule and send any revisions to the Secretary so that he can maintain a current listing. There are several Organisations which have to date provided no information. The Secretary will check the schedule and advise S.U.s who have yet to provide their information.

**Action – All / Secretary**

**c. Emergency Contact Details**

All Organisations were asked to review the Schedule which was circulated and send any revisions to the Secretary so that he can maintain a current listing on the Web Site. There are several Organisations which have to date provided no information. The Secretary will check the schedule and advise S.U.s who have yet to provide their information.

**Action – All / Secretary**

**8. AOCB**

**a) RAUC(S) / Area RAUC Meeting Dates 2023**

The previously circulated draft RAUC(S) and Area Meeting Dates was provided for information. The dates for 2025 will be issued to the September / October round of meetings. The dates will mirror those in the current year.

**b) Local RAUC Meeting Dates and Contacts**

The previously circulated LRAUC meeting dates and Chairs was provided for information. Any changes to dates or Chairs should be sent to the Secretary to update the schedule. The Chairs are asked to review their dates for 2025 and send them to the Secretary for collation and circulation to the September / October round of meetings.

**Action – LRAUC Chairs**

**c) Jim Forbes**

Jim informed the meeting that staff in his group had been put on the at-risk list so he had decided to retire on or before the 28<sup>th</sup> June. This would therefore be the last round of meetings he would be attending.

Jim thanked all for their assistance over the years.

The Committee asked for their thanks to Jim to be recorded in the Minutes and wished him a long and happy retirement.

Comment was made that this was yet another chunk of knowledge and experience which would be lost to the Community.

Jim indicated that he would let members know who would be in post as soon as he was able.

**9. Date and Venue of Next Meeting**

The Next Meeting will be held on **Tuesday 17<sup>th</sup> September 2024**

**Subsequent meetings dates will be submitted to the September meeting for approval.**

**Future Meetings for NAREA RAUC will be held on MS TEAMS or as agreed following discussion.**

**Meeting closed at 12.05**