



EAST AREA ROADS AUTHORITIES & UTILITIES COMMITTEE

ERAUC MEETING - 25th January 2024

This meeting was convened via MS Teams – 58 joined the meeting remotely.

Julie Greig(Chair)	JG	SGN
Ian Jones	IJ	Fife Council
Lindsay Henderson	LH	OSRWC
Alan Heatley	AH	Midlothian Council
Graham Milne	GM	OSRWC
Eleni Gigourtaki	EG	East Lothian Council
Karyn Davidson	KD	Vodafone
Jim Forbes	JF	Cityfibre
Fiona McInnes	FMcI	Scottish Water
Carol-Ann Dodd	CAD	Midlothian Council
Carlyn Fraser	CF	City of Edinburgh Council
Ainsleigh Brown	AB	Transport Scotland
David Thomson	DT	SPEN
Alistair Wales	AW	Verizon
Stephen McGill	SMcG	Energy Assets
Allan Pryde	AP	Openreach
Craig Muir	CM	SSEN
Jordan Macdonald	JMacd	Cityfibre
Kat Quane	KQ	Transport Scotland
Nichola Millar	NM	West Lothian Council
Matthew Jones	MJ	lastmile-uk
Robert Young	RY	R100 Programme
Lee Bromhall	LB	Royal Mail
Joanne Bain	JB	axione
Caroline Auld	CA	Network Rail
Chris Murray	CM	Sky
Owen Harte	OH	VirginMedia02
David Harty	DH	turntown
Colin Heggie	CH	Amey
Jaimie Kerr	JK	SSE
Ian Lennox	IL	East Lothian Council
Gordon Michie	GMic	Scottish Water
Katrina Hardy	KH	Ineos
Steven Tilson	ST	Zayo
Thomas Flaherty	TF	City of Edinburgh Council
Sarah Abbott	SA	Netomnia
Gordon McLachlan	GMcL	Clackmannanshire Council
Robert McFarlane	RMcF	Energy Assets
Anna Jensen	AJ	Netomnia

Sharon Burns	SB	Gofibre
Barry Hall	BH	gtc-uk
Dylan Kitt	DK	Amey
Ian Clarke	IC	VirginMedia02
Christopher O'Donnell	CO'D	Angus Council
Maggie Baird	MB	Fife Council
Mandy Hoggan	MH	City of Edinburgh Council
Cathy Jones	CJ	Netomnia
Jim Watson	JW	Perth & Kinross Council
Ruth Scott	RS	neosnetworks
Ewan Hogg	EH	Falkirk Council
Laura Sneddon	LS	Bear Scotland
John Russell	JR	Bear Scotland
Lukas Ferguson	LF	SGN
Lewis Stacey	LSt	absstreetworks
Adrian Henzler	AH	Openreach
Shannon Riley	SR	Amey
Peter Walton	PW	Colt

In attendance:
Brian Cooper BC Secretarial Support

Apologies: Kevin Hamilton(Scottish Road Works Commissioner); Craig McQueen(Scottish Water); Kevin Skinner(Scottish Water); Gerry Cullen(Traffic Scotland);

1. Welcome, attendance and apologies

Julie Greig (JG) as Chair welcomed everyone to the meeting, including those joining for the first time.

She paid tribute to Andy Matheson, formerly with local Councils and recently VirginMedia/02, whose funeral was on 19th January, sharing background on Andy as a person and commenting that his untimely passing was a loss not only to the Area but to the RAUCS Community as a whole.

Attendance and apologies listed as above.

2. Minutes of previous meeting 21st September, 2023

The draft Minute of the previous ERAUC Meeting as circulated and uploaded on the OneDrive Folder was agreed as a true record, without any corrections or additions.

Two actions from the September 2023 Meeting:

i)Item 5(d) on Page 6: LH confirmed on behalf of the Commissioner that this action could be removed.

ii)Page7, Item8(a): new East Area Roads Co-Chair from 01/04/24 – Ian Jones took this opportunity to thank Julie for Chairing the ERAUC diligently through the past two years, paying tribute to her direction and also to her commitment to the RAUCS Community generally.

He announced that as he is to shortly retire from Fife Council the new Roads Co-Chair from 1st April will be Jim Watson from Perth and Kinross Council.

3. Written reports from Local Co-ordination meetings/clusters:

(a)and (b):

Only two written reports/minutes of local coordination meetings had been submitted - East/Midlothian and SBC cluster, and the Perth & Kinross/Dundee/Angus cluster;

SSEN and the City of Edinburgh Council had submitted programmes of work.

IJ encouraged all organisations to bring their programmes forward to the Local meetings, rather than commenting planned works are on the Register, and advised that he had revised the Fife Council dates to coincide with the ERAUC dates for 2024 – other RAs were looking at doing the same, so that more Local Reports would be available in the future.

EH apologised for there being no report from Falkirk/ Clacks/Stirling cluster, and added that organisations were not submitting their programmes for discussion at the meetings either.

EG commented on the positive signs of improvement in Sample Inspection results.

CF apologised for late submission from Edinburgh and thanked SGN and SPEN for their assistance and co-operation.

JG concluded by advising there was nothing else to be raised under 3(c) or (d).

4. RAUCS Meeting on 25th October, 2023 – Update/Matters Arising:

The Chair provided background information in relation to the following matters –

- Presentations on the Service Life of Reinstatements by Mike McHale, and SGN’s Environmental Impact Report by Julie Greig had been very well received.
- The Commissioner had raised concerns that failure to consult with bridge owners may be more widespread than the one incident that had arisen in Edinburgh and wished to remind Undertakers of their duties in this regard
- The s109 VAULT submission had been discussed at length
- The HAUC UK Conference will be held on 18th April, 2024, at the Emirates Cricket Ground in Manchester

In addition JG added a Link to the ERAUC Meeting Chat to access the “Guidance on the use of Portable Traffic Signals” Document

5. Government and SRWC Report & Performance and Management:

(a) KQ referred to her written report and updated batch diagram(Note: these were subsequently circulated and added to the Meeting Papers One Drive Folder on 6th February) and confirmed the Commissioner’s Compliance Officers, compliance notice requirements and first step for mandatory VAULT will be fully in force on 1st April, 2024. A review of the FPN System will follow.

The issue of Coal-Tar material has been raised again – SEPA willing to review evidence – possible SCOTS/RAUCS/SROR Working Group.

UK-wide, the Diversionary Works Code and Safety at Street Works and Road Works CoP are under review

5(b), (c) and (d) – Scottish Road Works Commissioner

GM reminded the meeting that compliance with the Code of Practice for Safety at Street Works and Road Works (Red Book) has been mandatory since January 2022, highlighting the current case under investigation by the Commissioner where a local RA's contractor was observed undertaking street lighting upgrade works without any appropriate signing and guarding - there is also evidence of repeated incidents of a similar nature.

Several issues have emerged from the ongoing investigation which the Commissioner wishes to highlight:

- Authorities should ensure that their contract processes refer to compliance with the Code of Practice for Safety at Street Works and Road Works (the Red Book). References to 'Chapter 8 of the Traffic Signs Manual' are not appropriate if the works are on urban low speed roads.
- Authorities should ensure that their site inspection processes are robust and are identifying signing and guarding issues along with any other health and safety issues. If inspections are consistently identifying no issues, this should be challenged and checked.
- Authorities should ensure that their processes for ensuring contractors meet the requirements for having qualified operatives on-site and supervised by qualified staff are robust. It has been a legal requirement to have qualified operatives and supervisors since April 2023.

Ensuring compliance with the Red book will be a Commissioner priority for 2024/25 and the new Compliance Officers will be focussing on this.

Performance

The Secretary had circulated the SRWR 2023/24 Q3 quarterly dashboard on the Jan 2024. GM advised the Q4 update would be issued w/c 15 April 2024.

GM confirmed the Commissioner remains concerned that both Roads Authorities and Undertakers are failing to meet the target of 4% for Noticing failures - the year average for Road Authorities (RAs) is 5.9% and utility companies (SUs) 7.5%. It was noted the Telecom sector had recorded a significant improvement in compliance.

The Commissioner has also carried out an investigation into Roads Authority Sample Inspections – GM explained this has highlighted a significant number of Authorities are recording a pass rate of >95% for Cat A, Cat B & Cat C inspections. The majority of inspections do not have photographic evidence to backup the results. Authorities which routinely take photographs during inspections record a lower pass rate. The Commissioner would strongly encourage all authorities to routinely take photographic evidence to support inspection results. This is easy to do with the SRWR Inspectors App.

GM continued by referring to the R32/33 & 34 processes and results which showed:

R32 – Inspections recorded late by RA's - Excellent progress has been delivered by all authorities.

R33 – Reinstatement Defects still requiring a D/3 or DA3 inspection - City of Edinburgh and Glasgow City continue to be responsible for the significant number of outstanding D/3 and DA3 inspections. The Commissioner requests that authorities deal with this issue before the end of Q4.

R34 – Outstanding Defects > 6 months

Progress has been delivered although there are still large numbers against BT/Scottish Water/SGN/SP Energy Networks & Virgin Media. The Commissioner requests that Roads Authorities and Utility Companies engage to significantly reduce the number of defects outstanding by the end of Q4.

(post-meeting note: as a result of a number of SUs raising serious concerns at the meeting the Commissioner's Office issued a revised Dashboard which was circulated by the Secretary on 06/02/24)

The Commissioner would like to thank all Authorities for their efforts in achieving 100% success for Q3 by the 24 November, 2023 Gazetteer submission date.

GM advised that the following organisations are currently on improvement plans - Aberdeenshire Council, Axione UK Ltd, BT, City of Edinburgh Council, Lothian Broadband, Moray Council, Netomnia, Scottish Hydro Electric Power Distribution and SP Energy Networks. Good progress has been delivered by BT and Lothian Broadband and the Commissioner is also pleased to note that SGN are now no longer on an Improvement Plan.

GM reminded the meeting that the next Improvement plan submissions are due on the 12 April 2024.

Policy and quality

GM advised that The Authorised Officers Code of Conduct (relating to activities of the Compliance Officers) was presented to the November RAUC(S) meeting and has now been published on the website. Recruitment of the Compliance Officers is proceeding well and it is hoped to have staff in post in advance of Compliance Powers coming into force on 1 April 2024.

GM added that Introduction of these new powers will require some revisions to the Penalties Code - these will be presented to RAUC(S) in February 2024.

GM then referred to the following:

The Commissioner was recently made aware of an overrunning works by a member of the public. Discussion with the Undertaker established this had gone into overrun as the roads authority had declined to issue an extension. **For the avoidance of doubt, in situations where an extension cannot be agreed, undertakers should extend their works without agreement.** This will ensure visibility to users on both the SRWR and [Scottish Road Works Online \(roadworksscotland.org\)](https://www.roadworksscotland.org).

Undertakers should only extend without agreement as a last resort and must not overuse this function.

Roads authorities are also reminded that they can issue a Section 125 Notice in circumstances where works are taking a longer period than is reasonably necessary.

JF commented that s125 guidelines are not being applied, he is suspicious of 100% pass rate and photographic evidence needs to be scrutinised for authenticity and correct location, for example.

Safety/Technical standards

LH advised that the Commissioner had issued penalties totalling £138,000 to seven utility companies following the National Coring Programme results. The organisations and the values of the penalties which have been issued are as follows:

Company	Penalty amount
Virgin Media	£80,000
Last Mile Electricity	£15,000
Vodafone	£15,000
Scottish Hydro Electric Power Distribution	£12,000
Neos Networks	£7,000
Mua Electricity	£5,000
Commsworld	£4,000

He added that the Review of the Safety at Street Works and Road Works Code of Practice is ongoing.

Management & Operation of SRWR

LH advised that the Transport (Scotland) Act changes to the SRWR for Unidentified Buried Objects and Compliance Notices is expected to roll out on 4 April 2024.

He confirmed the legislative requirement for all Undertakers to have submitted a data set to Vault also comes into force on 1 April 2024. Last Vault submission date to meet this deadline will be/was 15 February 2024.

He added that The Vault FAQ has been updated to reflect the change to showing assets by type rather than by owner. There is also updated guidance on how higher risk assets can be highlighted to users of Vault.

He advised that BT is now submitting data to Vault using an “on demand” model. This data is taken live from BT servers, and added it is also worth noting that the option to provide data using an “on demand” model like BT’s is available to other organisations should they be interested.

LH remarked that the use of the SRWR e-learning packages (those in the Aurora Academy) has declined. This may be due to the fact all operators have been trained and we have a more stable user base, but the Commissioner would like to remind all organisations that they need to be able to prove the competency of their staff. The easiest way to achieve this is to make use of these e-learning packages.

LH confirmed the current contract for the provision of the SRWR has been extended to end on 31 March 2025. Following a recent procurement gateway review it was decided to delay the issue of the Invitation to Tender until January/February 2024. This will not impact the delivery date of the new service on 1 April 2025.

He added that Eclipse Power Networks Ltd has been given access to the SRWR, and Broadway Partners Limited has entered into administration and had its assets bought by Voneus Limited, which has taken responsibility for both the assets and reinstatements.

The RAUC(S) Community Diary is being moved from a Google calendar to a Microsoft calendar. Anyone linking the calendar in their Outlook (or similar) systems will need to subscribe to the new link provided. More detail can be found on the Commissioners website.

[Online Community Diary | Scottish Road Works Commissioner](#)

LH confirmed that Caroline Auld has taken over the Chair of the SAT while Clare O'Brien is on maternity leave, and concluded by explaining that now the calendar year is over IR will start preparing the Prescribed Fees and Amounts matrix for the 2024/25 invoices.

6. Working Group Reports

(a) National Coring – IJ reported the WG had met the previous week to look at feedback from the recent Programme. A Questionnaire will be issued to gather suggestions for the next Programme

(b) Inspections – JG reported the Inspections WG had also met the previous week but insufficient numbers to convene properly – she added the Commissioner has asked the WG to look at making the wording around use of photographs clearer.

(c) Coordination - FMcI explained that the Coordination WG is short of two RA representatives – NM(West Lothian Council) volunteered to fill one of the vacancies

7. Health and Safety

Any Safety Alerts received by the Secretary since the September, 2023 meeting had been circulated and included as part of the papers for the meeting in the OneDrive Folder

8. Any Other Competent Business:

- a) EG explained she was leaving East Lothian Council at the end of January and thanked everyone for their helpfulness, cooperation and support – in turn JG thanked Eleni for her involvement and commitment to the ERAUC and RAUCS Community – ELC contact in the meantime would be Ian Lennox
- b) KH advised that Ineos would be re-starting their LineWatch Presentations from April 2024 – dates will be circulated/notified

9. The date of next meeting was noted as Thursday, 23rd May, 2024.

BC – 16th February, 2024; Approved at ERAUC Meeting on 23/05/24;