



EAST AREA ROADS AUTHORITIES & UTILITIES COMMITTEE

ERAUC MEETING - 26th JANUARY, 2023

This meeting was convened via MS Teams – 42 joined the meeting remotely.

Julie Greig(Chair)	JG	SGN
Ian Jones	IJ	Fife Council
Colin Heggie	CH	AmeyNE NMC
Graham Milne	GM	OSRWC
Wendy Ross	WR	Traffic Scotland/Amey
Alan Heatley	AH	Midlothian Council
Chris Murray	CM	Sky
Ian Dalrymple	ID	Openreach
Jim Watson	JW	Perth & Kinross Council
Lindsay Henderson	LH	OSRWC
Ruth Scott	RS	Neos Networks
Karyn Davidson	KD	Vodafone
Jim Forbes	JF	Cityfibre
Andrew Matheson	AM	Virgin Media
Fiona McInnes	FMcI	Scottish Water
Craig McQueen	CMcQ	Scottish Water
Caroline Auld	CA	Network Rail
David Ross	DR	BEARScotland
David Thomson	DT	SPEN
David Hearty	DH	MBNL-EE/3
Sarah Abbott	SA	Netomnia
Alistair Wales	AW	Verizon
Ewan Hogg	EH	Falkirk Council
Kenneth Brown	KB	West Lothian Council
Lee Bromhall	LB	Royal Mail
Craig Muir	CM	SEEN
John Walker	JW	Lothian Broadband
Adrian Henxler	AH	Openreach
Sarah Ross	SR	East Lothian
Peter Robson	PR	Netomnia
David McLellan	DMcL	
Emma McLean	EMcL	
Glen Jones	GJ	Hyperoptic
Jordan Macdonald	JMcD	Cityfibre
Rebecca Eggs	RE	sse
Alan Hutchison	AHu	TayRoad Bridge
Kat Quane	KQ	Transport Scotland
Shaylyn Landman	SL	espug
Laura Elkin	LE	axione
Nichola Millar	NM	SGN
In attendance:		
Brian Cooper	BC	Secretarial Support
Philip Houston(Speaker)	PH	Transport Scotland
Apologies: Anna Jensen (Netomnia),Stuart Harding(City of Edinburgh Council),		
Tom Flaherty(City of Edinburgh),Kevin Hamilton(Scottish Road Works Commissioner),		
Carol-Ann Dodd(Midlothian),John Balmer(hfcomms),Eleni Gigourtaki(East Lothian),		
Stefeni Cownley(espug),Gordon McLachlan(Clackmannanshire)		
Iain Scott (Petroineos),		

1. Welcome, attendance and apologies

Julie Greig (JG) as Chair, welcomed everyone to the meeting - Attendance and apologies as the preceding Page One.

The Chair then introduced Peter Houston, Transport Scotland, who provided a presentation on the 2023 UCI World Cycling Championships to be held in Scotland in August. Various Council areas are involved in differing routes/races/events which will require major road closures and diversions – 8000 participants from 120 countries expected.

Peter agreed that his ppt presentation would be made available for circulation at an appropriate date in the future (actioned by the Secretary on 14/03/23)

2. Minutes of previous meeting 6th October, 2022

The draft Minute of the previous ERAUC Meeting as uploaded on the OneDrive Folder was agreed as a true record, without any corrections or additions. The Secretary advised there were no actions arising from the previous meeting, and confirmed that all actions from previous meetings had been closed out.

The Chair then paid tribute to Stuart Harding, City of Edinburgh Council, for his input to Area RAUC Meetings over a long number of years, and added from an SGN point of view how much she had valued working with Stuart on coordination matters and TTROs and wished him well for his forthcoming retirement

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

Only one written report received from the RAs - Fife Council. Some RA/Cluster local meetings had been held very recently or were about to be held. Lack of resources may be the cause in some areas. The Chair raised an issue with attendance and queried if SUs are being invited and are the most appropriate people attending these meetings? Also relevant performance information needs to be available – JG would follow-up the Inspection information required from the Register, via the oSRWC. This information will make the local meetings more relevant and meaningful as well.

JG requested an invitation to all the local coordination meetings in all RA/Cluster areas.

AH advised that a RALG(Roads Authorities Liaison Group) Meeting had been held recently for the MLC/ELC/SBC Cluster.

4. RAUCS Meeting on 26th October, 2022 – Update/Matters Arising:

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

- Health & safety Presentations (1) Stop, Make a Change, from Scottish Water and (2) Don't Walk By, from Aberdeenshire Council, both in relation to safety in underground plant, were well received
- Draft SROR Code has been circulated to the Community includes climate control, aesthetics and new materials as well as the 6year guarantee – large diameter coring also included

- Final Report for National Coring Programme will be submitted to the June 2023 RAUCS Meeting
- HAUC UK Convention will be held on 25th May, 2023 in Manchester
- Draft Advice Note 22 – The use of Section 109 of the NRSW Act 1991 was agreed

5. Government and SRWC Report & Performance and Management:

(a) KQ referred to her written report and updated batch diagram included in the OneDrive Folder, drawing attention to the next big changes on the 1st April 2023. She invited anyone with a query to contact her direct.

(b), (c) and (d) -

SCOTTISH ROAD WORKS COMMISSIONER

On behalf of the SRWC, GM referred to the previously circulated Dashboard Report.

On 9 January 2023, the Commissioner issued a penalty of £10,000 to Scottish Water for systematic failure to co-operate with roads authorities whilst carrying out works. Failings were identified through an investigation following complaints made by a community group in relation to a road closure in Tillicoultry in August 2022. This found that Scottish Water had failed to contact and gain permission of the local authority prior to closing the road to carry out repairs to their apparatus. This course of action was in contravention of the Coordination Code and meant that the closure was implemented without proper consideration of its impacts. This led to considerable inconvenience to road users, notably the emergency services and bus operators. The investigation further established that this was not an isolated occurrence and was therefore considered to be part of a larger systematic failure.

The Commissioner would be obliged for authorities to send details of any future similar occurrences into the office for further investigation.

With the growing season soon to start, it is expected that there will be a consequent increase in works to manage roadside vegetation. Further to this, ash dieback is on the rise, with a large number of roadside trees affected. In many cases, works to remove these will require significant traffic management and, in some cases, road closures.

It is the Commissioner's view that works of these types come under the authority's duties to maintain the road (as per S.1 of the Roads (Scotland) Act 1984). Accordingly, it is considered that, regardless of whom is carrying the works out on behalf of an authority, they are works for Roads Purposes. As such, they should be recorded on the SRWR as Works, not permissions, and in line with the provisions of the Coordination CoP.

The Commissioner is concerned that authorities aren't fully utilising the tools available to tackle poor performance, for example:

Sample inspection pass rates - It has been identified that the pass rate for sample inspections in some authority areas is below the 90% target.

Where undertakers are not meeting this target, the Commissioner strongly recommends that authorities should issue a Notice of Failure to Achieve Performance. The process set out in Chapter 7 of the Inspections Code should then be followed.

In the meantime the oSRWC has contacted those authorities affected and requested a response.

It has also been identified that only 20 authorities (out of 33) issued FPNs to undertakers from Q1-Q3 2022. This means that 13 authorities have not been utilising this enforcement tool. The number of Potential Noticing Offences during this period was recorded to be 6,936 and the number of FPNs issued was 2,134 (31%).

The Commissioner's office will be undertaking an exercise to update the contact details held for the community in February. The Commissioner would also like to remind all organisations they should keep the office up to date with any changes during the year.

PERFORMANCE

Commissioner Improvement Plans

Currently 3 organisations, Axione, CityFibre and SGN are on formal Commissioner plans with all continuing to improve.

Fulcrum Pipelines were removed in January 2023

The next Improvement plan submissions are due on the 14 April 23.

Roads Authority – Late Inspections (R32)

Analysis carried out by the office, identified a small number of authorities recording high numbers within this report. Contact has been made with those affected and progress is being delivered by all.

All organisations should be aware that non-compliant performance must be investigated and contact made with the Commissioner via the enquiries@roadworks.scot e-mail address.

POLICY AND QUALITY

Start/Stop Notices within 2 hours – from 1 April, 2023 the legislation is changing to require a Start/Stop notice within 2 hours of works starting/completing.

Functionality has been added to the SRWR in advance of this date to allow the recording of the time when creating Actual Start, Works Clear and Works Closed notices.

While there is no requirement to record these notices within 2 hours prior to the 1 April, the Commissioner strongly recommends you start doing so now, as part of the “soft launch”, to give your organisation time to resolve any procedural issues this change may cause prior to it being a legal requirement.

The Commissioner would also like to remind organisations that the SRWR Works Promoter App is the recommended method to record these notices. Uptake of the app remains low, with less than 1% of applicable notices updated using this option

The Commissioner will be closely monitoring compliance with this requirement following it coming into force on 1 April 2023.

Reinstatement Quality Plans

Of the 55 undertakers required to submit an RQP, 36 have now submitted plans to the office. Of these, 7 organisations have now had their plans approved. These will be lodged on the SRWR shortly.

Plans submitted, but not yet approved, continue to be reviewed by the office and follow-up meetings held as required.

Undertakers will be committing an offence if they undertake works without an agreed plan being in place from 1 April 2023. The Commissioner is extremely concerned of the extent to which some organisations have had to be chased to provide their plans. This gives the impression that these organisations are not taking the process seriously. It should be noted that the responsibility to have an agreed plan lies with the undertaker, not the Commissioner.

SAFETY/TECHNICAL STANDARDS

Pedestrian Provision

The commissioner has recently become very concerned about the level of sub-standard traffic management, particularly in relation to provision for pedestrians. There are a large number of examples evident in inspection results within the SRWR and further work is ongoing to identify the scale and nature of the problem. The commissioner intends to raise this issue at RAUC(S) and will be considering further action as a priority in the coming financial year. All organisations are strongly reminded of the requirements in the red book in relation to provision for pedestrians

Research Project – Service Life of Reinstatements.

The research project on Service Life of Reinstatements is now complete and has been submitted to the Scottish Road Research Board for approval/comment and subsequent publication on their website.

SROR Review

The group is still holding regular meetings and progressing well. Comments from the first draft submitted to RAUCS last year have been received from the community and are being reviewed by the SROR working group. Two meetings already been had in January so far and another for the 26 January, the group continues to aim for a final draft for RAUCS in February 2023.

A presentation was given to Virgin Media on 19 January 2023 regarding performance and general safety issues. If any other organisation would like a similar presentation, please get in touch with the Commissioner's office.

MANAGEMENT & OPERATION OF SRWR

Prescribed Fees and Amounts

The payment matrix for the Prescribed Fees and Amounts 2023/24 is being prepared - An estimate will be issued on 1 March 2023.

Personal Details recorded on SRWR

Reminder to all that personal details (including someone's work email address) must not be recorded in any of the free text fields on the SRWR. Personal details (name, email, telephone etc.) should only be recorded in the provided contact sections of the relevant notices. For further information please see Commissioner Direction 2 – GDPR and Open Data.

Gazetteer ASD Geometry

The Commissioner had carried out a review of the gazetteer Associated Data (ASD) records following the November gazetteer submission deadline, with a view to determine what needs to be done before we start accepting SDTF 4 in the register.

The Commissioner was pleased to see the progress that has been made, and thanks the gazetteer custodians for their work on this, but there is still a lot of work to be done to ensure the street gazetteers are compliant with the conventions. When viewing virtually any council area on the map, it was possible to easily identify data which has not been plotted correctly.

To assist authorities in resolving this issue on 9 January 2023 the Commissioner sent out lists of records that potentially do not comply with the conventions. The Commissioner previously set a deadline of 24 February 2023 for any issues to be resolved. Please be aware any street gazetteers provided on that date (or in subsequent submissions) which do not comply with the conventions will be rejected.

Providing a street gazetteer is one of the statutory duties under NRSWA as a road works authority, and repeated failure to supply compliant data could lead to a Commissioner penalty.

Dial before you Dig Service

The Commissioner and the SRWR Steering Group have noted a steady decline in the use of the Dial before you Dig service. The Commissioner would ask that roads authorities pass on details of the service when granting permission to third parties to dig up the road. He would also like to remind all organisations of the requirement to respond to these requests, as laid out in RAUC(S) Advice Note 1.

Further information on the service can be found at <http://dialbeforeyoudig.scot>

Cancelling Inspections

The Commissioner has been made aware that some authorities are not updating inspection results where agreement has been reached that no defect exists. I would remind authorities that should they record a defect, and decide at a later date not to pursue that defect the inspection result recorded on the SRWR must be cancelled.

This is a simple process (cancel is one of the actions for inspections), but should you need assistance please contact the Symology Support Desk. Please ensure this information is passed on to your inspectors.

New Organisations on SRWR

Virgin Media Networks Limited, a telecoms company, have been given access to the SRWR. This organisation should not be confused with Virgin Media Group, who have had access to the SRWR for quite some time.

SRWR User Satisfaction Survey

To help gauge the effectiveness of the Scottish Road Works Register in 2022 the Commissioner is running a questionnaire via a link on the Aurora News Portal. It's relatively simple and should take approximately 5 minutes to complete.

6. Working Group Reports:

(a) National Coring – IJ advised a meeting with Lead Authorities had been held on 12th January – he confirmed at this stage the overall programme is behind in relation to the Milestones. JG had found it was an uphill struggle with some RAs. There is also the question of the unresolved dispute which is outstanding due to diaries/circumstances, although a date has now been agreed (7/8 March).

KB advised he was confident of hitting the Milestones as far as the ERAUC area is concerned.

(b) Inspections WG – first meeting held - 2/3 questions for RAs arising

7. Health and Safety

The Chair drew attention to the Safety Alerts and other relevant Health & Safety information being circulated and included in the OneDrive folder. She also highlighted the List of Plant Protection Systems and Emergency Contact Details and reminded everyone to check their information in the spreadsheets and notify the Secretary of updates and amendments.

8. Any Other Competent Business:

(i) FMCI queried what is the procedure for RAs notifying the Police? SGN uses 101 for example. Erth & Kinross has generic e mail addresses they use – if GDPR permits, could these be included in the RAUCS Contact lists perhaps?

She also asked RAs to make sure their Inspectors details are up to date in Aurora.

(ii) JG said Cityfibre are striving for good relationships with all Councils, and they do try to help with, for example, Inspection Units, and acknowledged communication is key in cooperating with RAs.

(iii) KB raised the longstanding issue of private cabling for the electricity for windfarm in West Lothian – recollection was this matter had been taken to RAUCS and possibly SCOTS for discussion by JH.

9. The date of next meeting was noted as Thursday, 25th May, 2023.

BC – February, 2023;

