



## EAST AREA ROADS AUTHORITIES & UTILITIES COMMITTEE

### ERAUC MEETING - 23rd May, 2024

**This meeting was convened via MS Teams – 48 joined the meeting remotely.**

<b>James Watson(Chair)</b>	<b>JW</b>	<b>Perth &amp; Kinross Council</b>
Julie Greig	JG	SGN
Alan Heatley	AH	Midlothian Council
Graham Milne	GM	OSRWC
Iain Ross	IR	OSRWC
Karyn Davidson	KD	Vodafone
Jim Forbes	JF	Cityfibre
Fiona McInnes	FMcI	Scottish Water
Keith Allison	KA	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
Gerry Cullen	GC	Traffic Scotland/Amey
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
Steven Tilson	ST	Zayo
Thomas Flaherty	TF	City of Edinburgh Council
Sarah Abbott	SA	Netomnia
Gordon McLachlan	GMcL	Clackmannanshire Council
Sharon Burns	SB	Gofibre
Ryan Newman	RN	Amey
Maggie Baird	MB	Fife Council
Mandy Hoggan	MH	City of Edinburgh Council
Cathy Jones	CJ	Netomnia
Nikki Dance	ND	Cornerstone
Ruth Scott	RS	neosnetworks
Ewan Hogg	EH	Falkirk Council
Laura Sneddon	LS	Bear Scotland
David Murdoch	DM	Network Rail
Lukas Ferguson	LF	SGN

Adrian Henzler	AHe	Openreach
Derek Clelland	DC	Angus Council
Kevin Skinner	KS	Scottish Water
Joshua Clarke	JC	Zayo Group
John Barr	JB	Angus Council
Peter Walton	PW	Colt Technology Services
Vincent Addo	VA	Hyperoptic
Wendy Ross	WR	City of Edinburgh Council
Matthew Jones	MJ	Lastmile

In attendance:

Brian Cooper	BC	Secretarial Support
--------------	----	---------------------

Apologies: Kevin Hamilton(Scottish Road Works Commissioner); Katrina Hardy(Ineos);Robert Young(R100 Programme); Jordan McDonald(Cityfibre); Kat Quane( Transport Scotland);Caroline Auld(Network Rail); Ian Dalrymple(Openreach); Peter Morton(Angus Council); Carlyn Fraser(City of Edinburgh Council); Ian Lennox( East Lothian Council);

### **1. Welcome, attendance and apologies**

Jim Watson as the new ERAUC Chair welcomed everyone to the meeting and paid tribute to recently retired members of ERAUC and former Area Committees: Ian Jones (Fife Council) and Brian Wilson (Scottish Borders) - both had also served the SRWR Community by being involved in other RAUCS-related working groups and forums. JW also acknowledged Maggie Baird who would represent Fife Council and Robbie Yates from East Lothian Council as well as welcoming any other new members. Attendance and apologies listed as above.

### **2. Minutes of previous meeting 25th January, 2024**

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. There were no actions outstanding from the previous meeting.

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

**(a)and (b):**

Reports had been received from the Clackmannanshire/Falkirk/Stirling Cluster, the City of Edinburgh Council and the East Lothian/Midlothian/Scottish Borders Cluster. There were no issues or items of business that needed to be escalated to the Area Meeting.

### **4. RAUCS Meeting on 21<sup>st</sup> February, 2024 – Update/Matters Arising:**

The Chair provided background information in relation to the above – the majority of items of business arising would be covered as part of the Agenda Items/OneDrive papers or presentations at today's meeting.

## **5. Government and SRWC Report & Performance and Management:**

(a) On behalf of KQ, AB referred to the TRANSPORT SCOTLAND(Scottish Government) Update Report in the OneDrive Folder, and highlighted that VAULT was now Mandatory(since 1<sup>st</sup> April, 2024), with the second stage of the Legislation and consultation to follow next. She advised the RQP Code would be put before Scottish Ministers for endorsement during 2024.

She explained that UK - wide the Diversionary Works Code and the Safety at Street Works and Road Works CoP remain under review – the DfT has been asked to update RAUCS on progress.

Transport Scotland Future Plans include Electric and Fleet HGVs, this is a ten-year plan, so plenty of time for views to be submitted/taken into account.

AB concluded by confirming the recent Scottish Government Leadership and Ministerial changes, adding that Fiona Hyslop remains Cabinet Secretary for Transport.

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

GM explained the Compliance Officers continue to focus on local authority Signing, Lighting and Guarding using video surveys, with progress to date as follows:

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

The Commissioner will continue to hold webinars with local authorities to raise awareness of compliance powers around SLG issues, noticing requirements and gazetteer issues. Next events scheduled for June.

Events focussed towards Undertakers will be arranged in due course, probably towards the end of the year.

### **Performance**

GM referred to the SRWR 2023/24 Q4 quarterly dashboard circulated prior to the meeting and acknowledged the responses received. The Q1 2024/25 quarterly dashboard is to be issued w/c 15 July 2024.

After monitoring the Inspections recorded late, Outstanding final Inspections & Inspections on Defects Awaiting Repair reports last year the Commissioner has now included these in the quarterly performance dashboard.

The 2023/24 year average for Noticing Failures for Road authorities was 5.4% and utility companies was 7.1%. The Q1 current figures are 5.2% and 5.4% respectively. These improvements are welcomed but on behalf of the Commissioner GM reminded everyone that the target is 4%.

Every authority required to provide a gazetteer for the last deadline made a submission - two successive quarters with 100% success – GM advised the Commissioner would like to thank all authorities for the efforts put in to achieving this.

GM confirmed the Annual Performance Review letters had just been issued and asked for prompt responses if actions are required by individual organisations.

Currently the following organisations remain on Commissioner 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. Next IP submissions due on the 12 July 2024.

JG referred to discussions she's had with Jason at the oSRWC regarding Standard Works, which cannot quite be reconciled despite work she's put in to it. IR replied by saying Jason needs more clarification on this, such as a list that can be looked at and fixed where possible.

## **Policy and Quality**

GM continued by explaining that the Commissioner has three papers on the agenda. These are:

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

GM referred to the Updated versions of the Penalties Code (v.1.5) and Advice Note 30 (v.1.1) as published on the website.

## **Safety and Technical Standards**

GM continued by confirming the next national coring programme - NCP 2025 – has officially started. The commissioner's office will continue to provide support to the coring working group.

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

The review of the Safety at Street Works and Road Works Code of Practice is on-going. An Arup AECOM consortium has been commissioned by the DfT to review and update the Code. The HAUC working group is involved to identify and prioritise amendments to the

Safety Code, and a summary of the issues was sent to key stakeholder groups in May. The updated Safety Code will be subject to public consultation later in the year.

DfT have commissioned PyeTait consultancy to carry out a full review of the training and accreditation process. Will keep the community updated of any progress.

Safety bulletins continue to be circulated as and when they arise by RAUC(S) secretariat.

## **Management & Operation of SRWR**

### **Prescribed Fees and Amounts**

IR advised Invoices for the Prescribed Fees and Amounts for 2024/25 had been issued to all organisations on 2 April 2024. So far £693,000 has been collected out of the £ 901,314 total, with 65 out of the 98 organisations having paid.

IR confirmed that from 2025 the Commissioner plans to stop issuing Estimates early – usually during March – as this is causing confusion, resulting in incorrect early payments. He is willing to listen to the community if some organisations want to continue receiving these estimates.

IR advised that Transport (Scotland) Act changes to the SRWR for Unidentified 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 monitoring the Register for Commissioner communications.

He reminded the meeting the Compliance Officers are out and about for monitoring this. IR agreed JG suggestion they are “fixed to the bell” makes sense, and will see if this is possible, with SAT agreement and a change request.

IR continued by reminding all Undertakers the requirement 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 for assessment, and Commissioner Observations will appear as Works Comments against the works and will appear in the Work Comments Awaiting Assessment Task Summary List, alongside other Works Comments.)

IR updated the meeting on the procurement process: The Invitation to Tender had been issued on 7 March 2024 using the Scottish Government’s Dynamic Purchasing System (DPS). Responses have been received and reviewed by the Evaluation Team, and a recommendation is being prepared for the Commissioner.

He continued by advising there have been no new organisations making use of the SRWR this quarter, and Giggle Limited had indicated they no longer wish to be considered an undertaker. As they have placed no apparatus and carried out no works their access to the SRWR was revoked on 31 March 2024.

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

IR explained that 133 responses had been received for the SRWR User Satisfaction Survey. Overall indications were a positive response. Areas highlighted for improvement related to the reliability of the mobile apps (although the users opinions have improved over the previous year).

The Tay Area Gazetteer Group is struggling to find a chair. The Commissioner encourages the roads authorities in this area to find a volunteer.

The Systems Assurance Team has asked us to make authorities aware 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.

IR concluded with a reminder on behalf of the Commissioner that authorities and undertakers should be agreeing figures at the start of the financial year.

## **6. Working Group Reports**

(a) National Coring – JG reported that the Working Group had met on several occasions already and was working through the code. She assured everyone the Advice Note would be issued in plenty of time for the next programme in 2025.

(b) Inspections – JG reported with new members enlisted the Inspections WG was working diligently on matters such as pre-site surveys and the six year guarantee period which will require a significant update to the code.

## **7. Health and Safety**

Any Safety Alerts received by the Secretary since the January, 2024 meeting had been circulated and included in the OneDrive Folder as part of the papers for the meeting.

## **8. Any Other Competent Business:**

a) As Jim Forbes is shortly to retire the Chair thanked Jim for his dedication to and involvement in the RAUCS Community over a long number of years at local, Area and the RAUCS level, as well as serving on numerous and various working groups representing both RAs and Undertakers at different times - his input was always seen as fair and reasonable.

b) In Jordan McDonald's absence JW then asked JF to introduce the Paper from Cityfibre regarding the six year guarantee period – the SRWR has been changed to set the six year period which is correct for the majority of cases but there are some works where a shorter period would apply, as per the SROR. Various pros and cons were raised and following further discussion including the need for a Change Request, IR's suggestion that he would raise this with the SRWR Steering Group was agreed, when the Commissioner's view can also be considered.

Concluding the debate on this matter the Chair commented on the constructive, healthy discussion on this matter and JG added "welcome to the East RAUC!" **ACTION:IR**

c)The Chair introduced an item of business the Roads Pre-meeting had discussed(Agenda Item 8b), regarding ADS temp traffic signals: as RAs feel they are being challenged more often when they have requested the manual control of TTL on certain TS sites they are seeking the Commissioner's endorsement that it is within the RA's rights to request manual control and that Sus have a duty to cooperate as per Advice Note 8,(Condition 8).

During the ensuing discussion when opposing views were aired from a number of SUs and the need to have actual evidence rather than anecdotal evidence was requested, the consensus was that this needs to be looked at – the RAs agreed with the suggestion that the Advice Note 8 Working Group is re-convened to discuss the matter. **ACTION: JW/JG**

d) JF advised that only one response had been received regarding the promised two years on review of the RAUCS changes – he confirmed that any thoughts should be sent to himself or David Carter ASAP, as comments can still be included

**9. The date of next meeting was noted as Thursday, 19th September, 2024 – this will be an online meeting via MSTeams**

BC – First Draft: 28<sup>th</sup> June, 2024