



EAST AREA ROADS AUTHORITIES & UTILITIES COMMITTEE

ERAUC MEETING - 6th OCTOBER, 2022

This meeting was convened via MS Teams – 35 joined the meeting remotely.

Ian Jones (Chair)	IJ	Fife Council
Colin Heggie	CH	AmeyNE NMC
Jason Halliday (part)	JHa	OSRWC
Wendy Ross	WR	Traffic Scotland/Amey
Alan Heatley	AH	Midlothian Council
Kevin Hamilton	KH	Scottish Road Works Commissioner
Carol-Ann Dodd	CAD	Midlothian Council
Chris Murray	CM	Sky
Ian Dalrymple	ID	Openreach
Michael Gray	MG	AmeyNE NMC
Jim Watson	JW	Perth & Kinross Council
Lindsay Henderson	LH	OSRWC
Ruth Scott	RS	Neos Networks
Karyn Davidson	KD	Vodafone
Jim Forbes	JF	Cityfibre
Owen Harte	OH	Virgin Media
Stefeni Cownley	SC	ESPUG
Fiona McInnes	FMcI	Scottish Water
Craig McQueen	CMcQ	Scottish Water
Caroline Auld	CA	Network Rail
Gerry Cullen	GC	Transport Scotland
Eleni Gigourtaki	EG	East Lothian Council
David Ross	DR	BEARScotland
David Thomson	DT	SPEN
David Hearty	DH	MBNL-EE/3
Sarah Abbott	SA	Netomnia
Alistair Wales	AW	Verizon
Stuart Harding	SH	City of Edinburgh Council
Ewan Hogg	EH	Falkirk Council
Kenneth Brown	KB	West Lothian Council
Lee Bromhall	LB	Royal Mail
Sharon Burns	SB	Gofibre
Craig Muir	CM	SSEN

In attendance:

Brian Cooper	BC	Secretarial Support
Philip Leiper(Speaker)	PL	Aberdeenshire Council

Apologies: Julie Greig (SGN), Kat Quane (Transport Scotland), Anna Jensen (Netomnia), Iain Scott (Petroineos), Adrian Henzler (Openreach), Glen Jones (Hyperoptic), Andrew Matheson (Virgin Media),

1. Welcome, attendance and apologies

Ian Jones (IJ) as Chair welcomed everyone to the meeting, explaining that Julie Greig was on annual leave. Ian referred to the need for the RAs to give consideration to a replacement Roads Co-Chair for ERAUC as Colin Heggie was no longer with Perth & Kinross Council. Attendance and apologies as the preceding Page One.

The Chair introduced Philip Leiper, Roads Manager at Aberdeenshire Council, who gave a presentation “Health & Safety: The Human Cost” – lessons learned in the five years since a Chargehand died on site, including the subsequent Court Case and Fatal Accident Inquiry outcomes: Philip emphasised the necessity of training and competency of operatives and staff, and the importance of keeping records which need to be accurate and comprehensive.

Philip kindly agreed that his ppt presentation could be circulated (actioned by the Secretary on 13th October, 2022)

2. Minutes of previous meeting 9th June, 2022

(a) 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.

(b) The Secretary advised there were no actions arising from the 9th June meeting, and confirmed that all actions from previous meetings had been closed out.

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

- Jim Watson, Perth & Kinross Council had submitted a programme of works for P&K area. No written Reports from any other RA/Clusters had been received. This may be due to local coordination meetings either happening very recently, or about to be held, eg: CEC meeting held the week before so minutes being drafted; Fife meeting the following week
- Ian Jones expressed thanks to everyone for their co-operation during recent events as part of Operation Unicorn, and also the recent visit by King Charles to the City of Dunfermline
- Some RAs concerned that SUs may be opting for more onerous traffic management arrangements than is necessary at certain locations, for example: five-way traffic signals where three-way would suffice
- RAs flagged up Christmas Embargoes are being planned
- RAs still considering the future of “Spaces for People” measures. ELC confirmed all measures being retained as permanent
- Major Events flagged up: half-marathon will affect Falkirk TC on 20/11/22;
- Major Works highlighted – Tram works(to Newhaven) continuing and the North Bridge still closed in CEC; WLC- Sliproad at Jct 3 of M9 closed after Christmas for Winchburgh Development; A1 at Queen Margaret University in ELC subject to closures; Hawick work continues in SBC area;
- EG raised issues with SU performance in East Lothian which may lead to improvement action being necessary

- No other Improvement Notices/Plans in place in RA areas

4. (a) RAUCS Meeting on 29th June, 2022 – Update/Matters Arising:

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

- Philip Leiper’s presentation had likewise been well received by RAUCS
- Fiona McInnes has agreed to be the RAUCS SU Co-Chair for the next two years
- RAs were reminded they need to put forward a Roads Co-Chair from September 2023, to succeed Philip McKay, Aberdeenshire Council
- Craig McQueen had stepped down as Coring WG Chair
- The draft Coordination Advice Note is to be published on the Commissioner’s website shortly
- SROR – Good progress is being made - a subgroup is reviewing Appendix 9 with the intention of drafting a procedure which will be more efficient at introducing new methods of work, materials and plant
- Jason Halliday is focusing on RQPs on behalf of the SRWC – Legislation introduced from April 2023
- RAUCS discussed and agreed the use of 30/14 Asphalt in footway reinstatements will be resolved as part of the current SROR review
- VAULT will be mandatory from 2023/24
- The Legislation relating to the 6 year guarantee will be introduced in October 2023

5. Government and SRWC Report & Performance and Management:

(a) The Commissioner referred to KQ’s written report and updated batch diagram included in the OneDrive Folder, drawing attention to:

Roadworks Reform and related legislation –

- Only two very minor updates since the previous version
 - All of the ‘FPN’ issues have been grouped thematically in the final batch, in effect the 6 year guarantee (first item in batch 4) and the FPN for failing to comply with a compliance notice (final item in batch 3) have swapped positions. The 6 year guarantee date has not changed at all, it is the FPN items which have been pushed into the future.
 - Legal work has now begun on the compliance notice – no RAUCS input required at this stage
 - RQP/Qualified personnel for roads authorities and starts/stops now confirmed for 01 April 2023.
- an issue regarding the recognition of equivalent street works qualifications from the EU and Switzerland post EU Exit. Transport Scotland has engaged with the SQA, as have DfT for England - believed to be a very minor issue, but if anyone is currently relying on transient workforces holding other recognised qualifications from other EU nations, please make contact with KQ to discuss.

- Still to be brought forward:
 1. Compliance notices
 2. Vault
 3. Authorised Officers
 4. FPN review

- The recent mini consultation on road works has now concluded, with responses from utility firms, roads authorities, contractors and the general public. The analysis of this work is now progressing and an update will be available in due course. Thanks to all who contributed

- The PDG has formally remitted a paper to the RAUCS Coordination Code Working Group(CCWG), covering the pending reforms and the future reforms, as well as minor issues for update and review, with the request that the paper form the basis of a minor review – given the flexible deadlines this may take several months to implement/be part of a phased review

The Commissioner added that a webinar for Senior Managers would be held on Thursday 27th October at 10am. Invitations had been sent out to all senior contacts, with a follow-up including primary contacts sent in late September. Topics include:

- Reinstatement Quality Plans (RQP) - update on progress
- Forthcoming noticing changes
- Specification for Reinstatement of Openings in Roads (SROR) - proposed changes
- Further associated legislative changes

5(b), (c) and (d) – Performance Dashboard/Management & SRWR Reports:

PERFORMANCE

The Commissioner explained why the Q1 quarterly dashboard was included in the OneDrive folder – Q2 will be available mid-October

Currently 4 organisations, Axione, Cityfibre, Virgin Media and Fulcrum Pipelines remain on formal commissioner plans with all continuing to improve - next Improvement plan submissions were due on the 14 October 22.

The Commissioner had recently reviewed the performance of four organisations (ES Pipelines, Energy Assets Pipelines and mua Electricity) and deemed their improvement to be sufficient to allow their plans to be closed.

All the foregoing organisations were commended by the Commissioner for their engagement with the office during the formal process.

KH referred to the Utility average for Noticing Failures showing improvement having reduced by 0.9 % to 5.8% since 2021/22 Q4. Contact has been made with those organisations responsible for the previous high levels of non-compliance and improvements

are being delivered. He reminded ERAUC that the target set by the first Commissioner is 4%, so not quite there yet!

He concluded the Performance report by reminding all organisations that non-compliant performance must be investigated and contact made with the Commissioner via the enquiries@roadworks.scot e-mail address.

SAFETY/TECHNICAL STANDARDS

Lindsay Henderson advised that the research project on Service Life of Reinstatements is nearing completion with the field work completed. Initial findings suggest that reinstatement quality has improved since the last exercise was completed (around 10 years ago).

The SROR Review group is meeting fortnightly with good progress being made.

A further presentation was given to CityFibre in their Glasgow offices regarding performance and safety issues. If any other organisation would like a similar presentation please get in touch with the Commissioner's office.

POLICY & QUALITY

The Commissioner advised that the recent online survey of all organisations on the 2 hour start stop/use of SRWR Works Promoter generated a good response, with 48 organisations taking part, adding that although most of the large organisations did respond, it is disappointing that some did not, adding that he would really appreciate those organisations contacting his office to provide an update on your proposals.

A summary of the results is as follows:

- 8 organisations currently using the app, with the majority recording low numbers of notices.
- 21 organisations currently not using the app, but intending to start doing so before 1 April 2023
- 19 organisations currently not using the app and with no intention to start using it. These are generally split between those who say they'll phone into their office and others who will update Aurora using the live site via a tablet.

Interestingly, the organisations with the highest volumes of notices recorded using the app are Highland Council, Dumfries and Galloway Council and Scottish Hydro (SSE). This would suggest that 'not-spot' issues may not be as significant a concern as had been first thought.

The Commissioner explained he is trying to find a way to avoid works promoters being penalised if they use the Works Promoter app and there is a delay in it sending the notice to the register that is outwith the users control.

KH continued by reporting on the up to date position regarding Undertaker Reinstatement Quality Plans - only 8 Undertakers had submitted first drafts of their RQPs. These have been

reviewed by the office and follow-up meetings held. Once revised plans are submitted by these organisations the Commissioner is hopeful the first RQPs will be approved soon.

He remarked the standard of Plan submitted had been generally good, adding the following observations:

- RQP must be in the Undertaker's name, not the contractor's
- Requirements of the CoP must be met- don't submit something used elsewhere in the UK without checking this first
- Plans that clearly do not meet these basic criteria will be returned

The Commissioner is however concerned that around half of all Undertakers have not engaged with the process at all so far, despite reminders having been issued - Undertakers will be committing an offence if they undertake work without an agreed plan come 1 April 2023. Given the volume of plans that will need to be reviewed, it is strongly recommended that Undertakers engage with the Commissioner's office ASAP, otherwise there is a very real risk that plans will not be approved in time for the deadline.

MANAGEMENT & OPERATION OF SRWR:

LH continued this Item -

- by confirming that the last Prescribed Fees and Amounts Invoice outstanding was paid on 9 August 2022 so the full £882,933 had been collected.
- by reminding everyone 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.
- by advising that Symology would be making changes on Saturday 8 October 2022 that will introduce a new GIS server, improving service resilience. Following this the following URL will need to be accessible by Aurora via:
aurora-gis.symology.net - Further information on the Aurora News Portal
- by explaining that since 1st April, the Commissioner had been tracking outstanding reinstatement defects. As such the requirement to:
 - Record a D/3 or DA3 pass following every defect remediation;
 - Record a D/2 or DA2 within 6 months of the prompted Due Date; and
 - carry out remedial repair within 6 months of reporting.

should be carried out in all cases by Road Authorities and Statutory Undertakers. A series of changes will be made to the SRWR in forthcoming months to enforce and report on these requirements. Further details on this roll-out will be provided in the Aurora News Portal.

CAD posed a question relating to the inclusion of RSA1984 permits in R32 Inspection Results Recorded Late and whether these should be included as there is nothing in NRSWA1991 or the Inspections CoP that relates to the recording of inspections for RSA permits. KH was not aware of the issue and asked for details to be sent to the Enquiries email address at his office.

- by confirming an SRWR "Aurora Webinar" would take place on Wednesday 12 October 2022 at 14:00 to 15:00 via Microsoft Teams, covering Notice Posting Areas, Surface Type and Base material, New Legislation and Recent Enhancements
- by reminding each organisation had been sent a list of users accessing the SRWR in their name. In the interest of security all are asked to check this list for users who do

not represent their organisation. The report also contains details of the training carried out by each organisation.

- by informing ERAUC that Converged Communication Solutions Limited, a telecoms company, had been given access to the SRWR, and as Broadband for the Rural North (B4RN) had indicated they no longer have assets in Scotland and don't intend to carry out any works (their road works were complete in 2017 and out of warranty) the Commissioner had agreed to remove them from the Register.

6. Working Group Reports:

Coring: The Chair advised good progress in the main with milestones to date as planned but Contractor issues in former Tayforth area may mean the final milestones are not achieved in time for the Final Report to be submitted to RAUCS next March – slight delay until the summer of 2023? Also expecting update on progress in Edinburgh from CEC.

FMCI referred to the Coordination WG needing another RA representative.

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. He 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:

- (a) JH referred to the Item for Discussion Paper submitted by CityFibre which was included in the One Drive folder. He reiterated that: CityFibre does not allow third-parties to adjust any CityFibre apparatus and CityFibre will not adjust any third-party apparatus that has been deemed high/low by the RA when reinstating around or beside apparatus. He also stressed the importance of photographic records for dispute avoidance/resolution

- (b) JH joined the meeting to talk about two separate papers he had prepared on Advice Notes:

ADVICE NOTE 22(circulated by the Secretary after the Meeting) – The use of S109 of the NRSWA1991 – had been reviewed and amended. In summary the changes ensure that: Section 109 holders will engage competent contractors and carry out remedial works as directed by the Roads Authority, who will collect information on the SRWC's behalf, confirming that these requirements have been met

COMMISSIONER REVIEW OF RAUCS ADVICE NOTES(report included in the OneDrive Folder in advance of the Meeting) – given the length of time that has passed since the majority of RAUCS Advice Notes published on the website were last reviewed the Commissioner had considered it necessary to carry out a review. JH drew attention to Appendix 1 attached to the report which provides a summary of ANs where the review has identified that attention is required together with reasons and the responsible WG

- (c) The date for Road Expo at the SEC Glasgow on 29/30 November, 2022 was noted

9. The date of next meeting was noted as Thursday, 26th January, 2023

(then 25th May and 21st September, 2023)

BC – October, 2022;

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