



WAREA ROADS AUTHORITIES & UTILITIES COMMITTEE

Minutes of the QUARTERLY MEETING

Date: 31st January 2023

Meeting held on MS TEAMS

Present:

Scott Walker (Chair)	S.W.	North Lanarkshire Council
Sarah Abbott	S.A.	Netomnia
Caroline Auld	C.A.	Network Rail
Greig Barker	G.B.	Stirling Council
Kevin Burns	K.B.	Inverclyde Council
Michael Casey	M.C.	Royal Mail
Douglas Campbell	D.C.	SPEN
Martin Cochrane	M.C.	Amey
William Collins	W.C.	Stirling Council
Karyn Davidson	K.D.	Vodafone
Julie Greig	J.G.	SGN
Jim Forbes	J.F.	CityFibre
Lauren Goodman	L.G.	Bear Scotland
Jason Halliday	J.H.	o.S.R.W.C.
Kevin Hamilton	K.H.	Scottish Road Works Commissioner
Frederick Hart	F.H.	Argyll and Bute Council
David Hearty	D.H.	MBNL-EE/3
Alan Houston	A.H.	East Dunbartonshire Council
Ian Houston	I.H.	BEAR Scotland
Anna Jensen	A.J.	Netomnia
Glen Jones	G.J.	Hyperoptic
Matthew Jones	M.J.	Lastmile
Shaylyn Landman	S.L.	ESPUG
John Lennard	J.L.	Lumen
Jordan McDonald	J.McD.	CityFibre
Steven McGill	S.McG.	Energy Assets
Fiona McInnes	F.McI.	Scottish Water
Stewart MacKenzie	S.MacK.	Balfour Beatty
Emma McLean	E.McL.	Axion
David McLellan	D.McL.	SSEN
Craig McQueen	C.McQ.	Scottish Water
Andrew Matheson	A.M.	Virgin Media
Chris Murray	Ch.M.	Sky
Ronald Murray	R.M.	Petrionos

Present continued:

Simon O'Neill	S.O'N.	Broadway Partnership
Elaine Paterson	E.P.	BEAR Scotland
Sandy Phillips	S.P.	Amey
Katrina Quane	K.Q.	Scottish Government (TS / SG)
David Ross	D.R.	BEAR Scotland
Wendy Ross	W.R.	Amey
Carine Russell	C.R.	GTC Scotland
Stephen Scanlon	S.S.	Openreach
Alistair Schofield	A.S.	North Lanarkshire Council
Ruth Scott	R.S.	SSE Telecom
Graham Slorach	G.S.	Netomnia
Lewis Stacey	L.S.	ABSSstreetworks
Callum Stewart	C.S.	Glasgow City Council
David Thomson	D.T.	SPEN
Peter Walton	P.W.	Lumen

In Attendance:

George Borthwick	G.E.B.	Secretary to RAUC(S)
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Apologies:

Lesley Craig	L.C.	Renfrewshire Council
Jillian Donaldson	J.D.	Renfrewshire Council
Claire Kirkpatrick	C.K.	West Dunbartonshire Council
Owen Harte	O.H.	Virgin Media
Steve Ives	S.I.	Concept Solutions
Mamadou Jalloh	M.J.	North Lanarkshire Council
John McCulloch	J.McC.	Balfour Beatty
Brenda McDonald	B.McD.	Inverclyde Council
Carole McDonald	C.McD.	CityFibre
Amanda McFarlane	A.McF.	Indigo Pipelines
Graeme McLaren	G.McL.	Renfrewshire Council
Tom Murphy	T.M.	Argyll and Bute Council
Clare O'Brien	C.O'B.	Argyll and Bute Council
Craig Stewart	C.St	East Dunbartonshire Council
Steven Tilson	S.T.	Zayo

1. Welcome, Attendance and Apologies

Scott Walker welcomed all to the meeting of the WAREA RAUC. This meeting was being held on MS TEAMS.

Apologies were recorded as listed above.

2. Approval of the Minutes of the Meeting Held on 11th October 2022

a. Accuracy

The minutes of the last meeting of the WOS Area RAUC held on 11th October 2022 on MS TEAMS were approved as read.

b. Action Tracking Summary

The comments on the actions from the previous meeting are contained in the updated Action Tracking Summary.

3. Written Reports from Local Co-Ordination Meetings / Clusters

Glasgow / Renfrewshire

A report on the meeting held on 19th January 2023 were given as follows: -

David Ferrier provided information on the UCI Cycling Championship Events, between 3-13 August 2023. An Embargo in place from 1 July 2023 to 14 August 2023 on routes within the affected area.

There are still some sections of the routes etc to be arranged.

Inspections of the routes will be needed ahead of the event to ensure road defects are repaired. A the question was raised about who would be funding the removal and subsequent replacement of cats eyes on the routes.

All affected R.As will need to have a knowledge of the routes affected to arrange and post the embargos on the Register.

F McInnes advised that Scottish Water valves, tobies and manholes are being affected by resurfacing works in Glasgow and asked for checks to be made to ensure that all ironwork and equipment is cleared. C.S. confirmed that this problem had been raised with the internal teams responsible.

East Dunbartonshire / North Lanarkshire

A report on the meeting held on 7th December 2022 was given as follows: -

Availability of Plant drawings on Sites: - The view was that Drawings should always be on site in either paper or digital form.

S.U.s asked that roads inspector details are kept up to date on the Register.

S.U.s asked that any defects are notified with good clear comments and photographic evidence to make it easier to locate them.

Several encroachments have been noted in the NLC area with incidents of people driving round signs. One encroachment resulted in an operative being injured. The driver had reported the incident to the Council as he considered the behaviour of the site operatives to be unacceptable. He has been charged by the police.

F McInnes advised there had been a few incidents last year noted by Scottish Water, which were reported to the police. AH suggested that these incidents occur due to drivers' impatience.

Stirling

UCI World Cycling Championships (See also above)

The Embargoes in the Stirling Area will be from 7th to 12th August.

A presentation to the next meeting may be arranged on this topic.

There were no other issues to be raised to this meeting.

WoS Local RAUC (Inverclyde / Argyll and Bute / West Dunbartonshire)

The last meeting had been held in December and apologies had been issued for the delay in circulation the Minutes.

The 2 Improvement Plans issued against Openreach were still in place with action required.

4. Matters Arising from RAUC(S) Meeting 26th October 2022

The previously circulated Minutes of the meeting were taken as read with the following comments: -

- A useful presentation (Video) was provided by Scottish Water on the need for plant drawings to be on site and the requirement for these to be checked before the work starts. F.McI. had been asked to check if the Video could be used at future Area Meetings. She indicated that permission had been granted and it would be available for the next round of meetings.
- SROR Review – The Working Group have met 3 times in January. They are reviewing comments which had been submitted by the Community in the consultation. The group is still planning to submit the final version to the RAUC(S) for approval at the meeting on 22nd February 23.

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

a. Scottish Government Report

The circulated papers were taken as read with the following comments from K.Q.: -

ai. Batch Diagram

Progress is being made on the introduction of the various sections of Transport (Scotland) 2019 Legislation and the batch diagram had been updated to reflect the changes to be introduced from 1st April 2023.

K.Q. summarised the changes as follows: -

R.As to have Qualified Operatives – 1st April 2023

Reinstatement Quality Plans required – 1st April 2023

Actual starts / works closed 2hr registration – 1st April 2023

Guarantee Period increased to 6 years - To be published in SROR 2022 coming into force on 01 Oct 2023

Policy development work will now begin on Compliance Officers and Enforcement

Transport Scotland (Scottish Government) Report to RAUCs

iii. Transport Scotland (Scottish Government) Report

K.Q. reported as follows: -

Trees: -

A joint agency initiative on work involving trees and tree roots, in England only, has been circulated at SEHAUC. To share best practice and seek broader interest in the study, a short synopsis of the work is as follows: -

JS Flood Risk Consulting Ltd have been commissioned to undertake a research study into understanding and overcoming the conflicts between trees and utilities to enable more urban trees to be planted and maintained. The study is part of the DEFRA, Natural England and Tree Council-led Trees Outside Woodlands project. It is looking at where policy and practice should be focused to better allow for the incorporation of new large-scale sustainable urban tree planting when opportunities arise, such as during utility plant installation or renewal.

The study will provide the evidence and rationale to demonstrate where the greatest opportunities exist which will guide decisions on where interventions and investment would most effectively be targeted.

Anyone with views on works around trees, or who can provide useful arboreal guidance should get in contact with Project Lead Pete Stevens (pete@ajsfloodrisk.co.uk). This may also be of interest to the SROR working group.

The Mini Consultation

The mini consultation on the specific matter of numbers and activities of qualified operatives and supervisors was completed and has been reviewed. It has become evident that improvements needed to the current system are in practical application. On that basis it is unlikely that further related legislation will provide much benefit, but the PDG and oSRWC will continue to investigate non-legislative improvements.

Training - Awarding Organisation Status

A new Training Provider has asked to be given Awarding Organisation Status . The preliminary checking process has now begun, after which the Ministerial view on next steps will be sought. There are currently four Awarding Organisations for Scotland. TAG input will be requested.

Safety at Street Works and Road Works a Code of Practice

HAUC UK have indicated that they plan to start the review of the Safety at Street Works and Road Works a Code of Practice in 2023. This is not the formal DfT led review which is yet to start but will be a practical preliminary exercise by industry experts. RAUC(S) are asked to review membership of the RAUCS Safety Group to ensure Scottish representation on the Working Group.

Action – F.McL / RAUC(S)

b. Performance Dashboard

The Committee received the reports as follows: -

The SRWR 2022/23 Q3 dashboard which was issued on 18 January 2023 was taken as read.

Commissioner Improvement Plans

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

Fulcrum Pipelines were removed in January 23

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

All these Organisations are commended for their engagement with the office during the formal process.

Roads Authority – Late Inspections (R32)

Analysis carried out by the office, identified a small number of R.As are recording high numbers within this report. Those affected have been contacted 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

All were reminded that the legislation is changing from 1st April 23 to require a Start/Stop notice to be registered 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.

There is no requirement to record these notices prior to the 1 April but, the Commissioner strongly recommends you do so, as part of the “soft launch” This will give your Organisation time to resolve any problems / issues 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 of recording 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 following the requirement coming into force on 1 April 2023.

The Co-ordination Code Working Group is drafting an advice note to supplement the current code to describe the timing of these notices in more detail.

Reinstatement Quality Plans

To date 36 out of 55 Organisations have submitted an RQP and 7 have had their plans approved. These will be lodged on the SRWR shortly.

Plans submitted continue to be reviewed by the office and follow-up meetings held as required.

If your organisation hasn't yet submitted a draft, it is very likely that approval can be given before the deadline which will mean that they cannot work in the road after the 1st April.

Safety/Technical Standards

Traffic Management for Pedestrians

The Commissioner commented on poor traffic management on sites which was affecting pedestrian safe passage through works. He indicated that he was currently carrying out a review which may result in him taking action as required.

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 is progressing well. Comments from consultation on the first draft submitted to RAUCS last year have been received from the community and are being reviewed by the SROR working group. The group continues to aim for a final draft for RAUCS in February 2023.

The TAG group have not met since July. There is nothing to report.

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

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

c. Management Report

Penalty Enforcement Action

On 9 January 2023, the Commissioner issued a penalty of £10,000 to Scottish Water for systematic failure to co-operate with R.As whilst carrying out works.

Failings were identified following complaints made by a community group about a road closure in Tillicoultry in August 2022.

The investigation found that Scottish Water had failed to gain permission from the L.A. prior to closing the road to carry out works. This was in contravention of the Coordination Code which led to inconvenience to road users, including emergency services and bus operators. The investigation found that this was not an isolated occurrence.

The Commissioner asked R.As to send him details of any similar events in the future.

Notification of grass cutting and tree felling works

With the growing season soon to start, it is expected that there will be an increase in works to manage roadside vegetation. Further to this, ash dieback is on the rise, with more roadside trees affected. In many cases, the works will need traffic management, including road closures.

The Commissioner's view is that works of these types come under the R.As duties to maintain the road (as per S.1 of the Roads (Scotland) Act 1984).

Accordingly, it is considered that, no matter who is carrying the maintenance, they are works for Roads Purposes. They should therefore be recorded on the SRWR as Works, not permissions, and in line with the provisions of the Coordination CoP.

Enforcement tools available to authorities

The Commissioner is concerned that R.As aren't fully using the tools available to tackle poor performance

It has been identified that the Sample Inspection pass rate in some R.As is below the 90% target.

Where S.U.s are not meeting this target, the Commissioner strongly recommends that R.As should issue a Notice of Failure to Achieve Performance as set out in Chapter 7 of the Inspections Code.

The affected R.As have been notified and asked for a response.

Comment was made that using an Improvement Notice when the failure rate was close to the failure rate was too strong a reaction and there were other actions which should be followed first. Time should be allowed for the R.A. and S.U. to discuss a problem and agree Action to

be taken. Issues should be discussed at the Local Meeting first and if there is no improvement direct discussions should be arranged.

J.G. suggested that action would be requested on issue of the poor performance then a second quarter allowed to achieve the required improvement.

Fixed Penalty Notices – Only 20 R.As (out of 33) issued FPNs to S.U.s during Q1-Q3 2022. This means that 13 authorities have not been using this enforcement tool. 6936 Potential Noticing Offences during the period were recorded but, the number of FPNs issued was 2,134 (31%).

The Committee noted that not all Potential FPNs would end up as chargeable FPNs. The Commissioner pointed out that several R.As were not issuing any FPNs.

Contact Details

The oSRWC will undertake an exercise in February to check the Community contact details it currently holds. The Commissioner would also like to remind all Organisations they should keep the office up to date with any changes during the year.

d. SRWR Report

Jason Halliday reported as follows: -

Prescribed Fees and Amounts

The payment matrix for the Prescribed Fees and Amounts 2023/24 is being prepared. If you require an estimate, please contact the office (enquiries@roadworks.scot). An estimate will be issued on 1 March 2023, but all must note the invoice amounts can change right up to issue on 1 April 2023.

GDP Regulations - 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 contact sections of the relevant notices. For further information please see Commissioner Direction 2 – GDPR and Open Data.

Gazetteer ASD Geometry

The Commissioner reviewed the Gazetteer Associated Data (ASD) records following the November gazetteer submission deadline to determine what action is required before SDTF 4 is loaded to the register.

The Commissioner was pleased to see the progress made, and he thanks the gazetteer custodians for their work on this. There is still a lot of work to be done to ensure the street gazetteers are compliant with the conventions. When R.A. area map was viewed virtually, it was easy to identify data which has not been plotted correctly.

On 9 January 2023 to help R.As, 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 issues to be resolved. All R.As should be aware that any street gazetteers provided on that date (or in subsequent submissions) which do not comply with the conventions will be rejected.

The provision of a street gazetteer is a statutory duty under NRSWA. Repeated failure to supply compliant data could lead to a Commissioner penalty.

K.H. thanked the Custodians but asked them to note the data he had issued and push forward to complete the update. The Improvement Service had indicated that they would assist where possible.

Dial before you Dig Service

A steady decline in the use of the Dial before you Dig service has been noted. All R.As should pass on details of the service to road opening permit applicants as part of the application process. All Organisations are reminded 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 noted that some R.As are not updating inspection results where agreement has been reached that no defect exists. R.As are reminded that should they record a defect, and decide at a later date not to pursue it, the inspection result recorded on the SRWR must be cancelled.

This is a simple process (cancel is one of the actions for inspections). Assistance is available from the Symology Support Desk. Please pass this requirement to all relevant staff.

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 already have access to the Register.

SRWR User Satisfaction Survey

To help gauge the effectiveness of the SRWR in 2022 a questionnaire is being run. The link is on the Aurora News Portal. It's relatively simple and should take approximately 5 minutes to complete. The questionnaire will be open until 9 February 2023.

A wide a response is required, so please encourage colleagues who make use of the register to complete the questionnaire.

6, Working Group Reports

National Coring Programme Working Group

A.H. thanked all in the SW Area for their assistance in delivery of the programme. Once the last Appendix Bs are received, all data would be submitted to complete the final results Report.

F.McI indicated that there was still one Scottish Water site core to be agreed.

K.B. reported that the Appendix Bs were still to be supplied but to his knowledge all sites had been agreed and should now be delivered.

F.McI indicated that there was still one Scottish Water site core to be agreed with Argyll and Bute Council.

J.G. commented that an SGN core was being void tested.

RQP Working Group

The report was as provided in the Commissioners Report above.

Coordination Group

The Group has been meeting and reviewing the changes required to deal with the 2 hr. registering of stop / starts. A draft Advice Note has been prepared and it will be submitted to RAUC(S).

Inspections Working Group

J.G. reported that the Group were reviewing the changes required to align it with the new Legislation. A draft Advice Note would be submitted to RAUC(S).

SROR Review Group

A review of the Appendix 9 is ongoing. S.W. reported that North Lanarkshire with an Authority in England had been awarded funding to develop a carbon Calculator and data base. This may feed into the Appendix 9 testing innovation.

7. Health and Safety

a. List of Plant Protection Systems

This is a standard Item on the Agendas giving all the opportunity to update their details in order that the schedule is up to date on the Web Site.

b. Emergency Contact Details

This is a standard Item on the Agendas giving all the opportunity to update their details in order that the schedule is up to date on the Web Site.

F.McI. asked what Police number was being used to report emergencies. In general, 101 appeared to be used. R.As were asked to consider if the number they used could be added to the schedule.

K.Q. was asked to check if Jonny Moran in Transport Scotland was still the person dealing with incursions into works closures. **Action – K.Q.**

S.P. commented on the number of Notices being submitted with the wrong T.M. included. In some cases, the T.M. was obviously wrong. He added that it was essential that the correct information was provided not only for the record but because it was used on the Transport Scotland public facing web site.

J.G. asked all R.As to note these cases and pass details to her so that she could investigate the source of the problem. S.P. / F.McI. and J.G. will discuss this issue offline.

8. AOCB

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

This table was circulated for information.

b. Local Co-ordination Meetings (Chairs / Meeting Dates)

This table was circulated for information.

c. Graffiti

The Committee noted that there was an increasing number of cases of graffiti being reported from M.Ps, Councillors and members of the public. Many of the sites contained offensive material which needed to be dealt with speedily.

This trend coincided with an increase in the number of cabinets being erected by S.U.s especially by the Telecom Industry. The S.U.s were asked if a tag could be attached to the installations which would help in identifying who should be contacted. J.G. suggested that VAULT could help narrow down the potential owner of the box. S.G.N has a plate on their plant but it does not have a telephone number.

J.F. confirmed that there was no contact details on their plant and often the graffiti covers the plate.

A.M. indicated that there was information on their boxes and he would contact S.W. off line to discuss the problem. Virgin Media have a crew employed to remove graffiti that is reported. He would raise this matter internally in his Organisation. **Action A.M.**

d. Virgin Media works programme in Stirling

W.C. will contact A.M. to discuss the programme, inspection arrangements and contact information.

9. Date and Venue of the Next Meeting

S.W. thanked all for their attendance at the meeting.

Next Meeting: - Tuesday 30th May 2023

Venue: - MS TEAMS

Future Meeting Dates – Tuesday 26th September 2023

Meeting Closed – 12.10

DRAFT