

REPORT: Policy and Performance Review Committee

MEETING DATE: 29 May 2012

BY: Executive Director (Services for Communities)

SUBJECT: The Monitoring of Roadworks - October 2010 to March 2012

1 PURPOSE

- 1.1 To provide details of the performance of Public Utilities/Statutory Undertakers (SU) and their contractors working within East Lothian during Quarters 3 and 4 of 2010/11, and to monitor trends / progress by comparing performance against Quarters 3 & 4 for 2011/12.
- 1.2 To advise the Committee of the results of the ongoing Customer Satisfaction Feedback for road works sites and other projects carried out by in - house and external contractors.
- 1.3 To report on the content of the most recent Annual Performance Review for East Lothian Council as issued by the Scottish Road Works Commissioner on 26 January, 2012.

2 RECOMMENDATIONS

- 2.1 To note the content of the report and the action points in response to the Scottish Road Works Commissioner's Performance Review.

3 BACKGROUND

3.1 Public Utilities/Statutory Undertakers (SU) Performance – Site Inspections

The relevant information obtained on the performance of the Public Utilities based on site inspections carried out during Quarters 3 and 4 of 2010-11, and comparative information for the same Quarters for 2011/12, is contained in **Appendix 1**.

Site Inspections are carried out by suitably trained and (NRSWA) qualified Road Network Inspectors using the comprehensive Works Inspection Report attached. Feedback from the Inspectors is that

concerns they raise with the SU contacts are rectified promptly, particularly in relation to signing, lighting and guarding on-site, and over-running works are subsequently closed when drawn to the SUs attention, within the specified timescale.

Under the relevant regulatory Code of Practice the intervention level is 80%, so with the majority achieving between 90 & 100%, and the lowest at 87%, performance is satisfactory and no further action required.

3.2 Monitoring of Internal / External Road Contactors

The performance of both internal and external Contractors carrying out site works on behalf of Road Network Management continues to be monitored.

As part of this ongoing process householders and others directly affected by planned works are notified by letter. The notification process advises residents of the anticipated duration of the works, and a contact name and number of the appropriate engineer whereby any aspect of the job may be discussed.

Included with the notification letter, and forming part of the ISO 9001:2008 Quality System accreditation requirements, is a feedback questionnaire containing eight questions seeking their opinion on the advance notification of the works and the safety, efficiency and expediency of the work on site. Respondents rate the scheme using nine categories from very satisfied to very dissatisfied. Additional comments can also be added.

During 2011/12 feedback on some 113 projects was received via this process. Feedback has been received on a diverse range of projects, including carriageway resurfacing works, footway resurfacing works, the installation of new pelican crossings & traffic signals, drainage improvement works, road safety improvements, footway & carriageway improvement works, and the installation of new street lighting.

95% of the responses received indicated that respondents are either very satisfied or satisfied with the standard of work undertaken, and only 5% are either dissatisfied or very dissatisfied. During 2009/10 these figures were 91 and 9% respectively, based on 103 projects.

Appendix 2 shows a graphical representation of the 2011/12 results.

3.3 2010 National Coring Programme – Road Reinstatements by Statutory Undertakers

The most recent Scotland-wide coring programme was carried out in 2010, the seventh national coring programme to be undertaken jointly by all 32 Councils in Scotland, in collaboration with the SU organisations and with the support and involvement of the Scottish Road Works Commissioner(SRWC). The results were published in August 2011.

32 core samples were taken in East Lothian. The locations were selected at random from SU trench and other reinstatements that became permanent between 1 January and 31 December 2010. 150mm diameter cores are extracted so that the top surfacing layers can be measured, assessed and analysed.

Of the 32 cores extracted and checked, 28 complied with the required standards for material type(s) used and specified material layer thickness, therefore an 88% pass rate overall. The 2008 East Lothian pass rate was 68%.

2010 Breakdown as follows (2008 pass rate in brackets):

BT Open Reach – 5 cores taken, 3 failed = 40 % pass rate (60%)

Energetics - 5 cores taken, 4 passed, =80% (n/a)

Scottish Power – 6 cores taken, all passed, = 100% pass rate (66%)

Scottish Water – 8 cores taken, all passed, = 100% pass rate (75%)

Scotland Gas Networks – 8 cores taken, all passed, = 100% pass rate (71%).

For information the 2006 coring programme pass rate in East Lothian was 47% - therefore a significant and welcome trend upwards in the two sets of results to date. However, the Commissioner had suggested a pass rate of 80% was the target and expected Councils to write to any Undertaker failing to achieve this in any individual Council area and BT Openreach has been asked to provide an improvement action plan.

The Roads Authorities and Utilities Committee for Scotland (RAUCS) has agreed that the next coring programme will be carried out this year with the results announced in the summer of 2013 and the SRWC has advised he expects a pass rate of 90%.

3.4 Roadworks Offences – Fixed Penalty Notices (FPNs)

East Lothian Council started issuing FPNs for offences committed under the New Roads & Street Works Act, 1991(NRSWA) and also the Roads (Scotland) Act,1984(RSA) in 2009. Currently, East Lothian Council is one of only 10 Roads Authorities throughout Scotland processing FPNs.

By 30 September 2011, a summary of both NRSWA & RSA FPNs issued was as follows (relevant figures for the period to the end of December 2009, are shown in brackets, for comparison): -

- 223 NRSWA FPNs have been accepted for payment (69)
- A further 21 NRSWA FPNs are currently being considered by the respective SU organisations. (15)
- 31 FPNs were initially declined but remain subject to further review / discussion. (16)
- 7 RSA FPNs have been issued and paid (30)

The Fixed Penalty Notice charge (£120, discounted to £80 for prompt payment) is fixed by the Scottish Ministers and the full amount covers the costs incurred by the Council in inspecting, checking and administering the process for an individual FPN.

3.5 The Scottish Road Works Commissioner (SRWC)

Since his appointment in 2007 the Scottish Road Works Commissioner has been working with representatives from Scottish Councils and statutory undertakers to develop a suite of indicators that will measure various aspects of the performance of both roads authorities and the main public utility organisations in relation to the way they are coordinating works and entering and exchanging information using the centralised electronic Scottish Road Works Register (SRWR). The data collection for the indicators commenced on 1 October 2008.

The Commissioner's current Performance Review Form relates to the period between October 2010 and September 2011, with roads authorities' performance monitored in four main areas:

1. Noticing activity & fixed penalty notices
2. Management & timing of works
3. Gazetteer submissions
4. Attendance at Area RAUC (S) meetings.

A summary of the Commissioner's Review Report for East Lothian for 2010/11 is as follows:

Commissioner's Comments (noticing activity)

- Works entered, completed and categorised would appear to be broadly in line with similar roads authorities and in comparison with similar sized roads authorities East Lothian Council **has a high compliance rate** with regard to placing notices on to the SRWR.

Commissioner's Comments (noticing failures)

- I consider that East Lothian has over the year generally performed at or about the average for a roads authority, but I would hope to see an improvement over the next twelve months.
- My expectation is that roads authorities issuing FPNs should be performing at least as well as the average rate for SUs and I note that your (ELC) noticing failure rate is currently comparable with the average SU failure rate.

Commissioner's comments (management & timing of works) -

- The percentage of early starts is high. Over-reliance on early starts may indicate a lack of forward planning, or an abuse of the requirement for advance noticing.
- The number of late starts and works overruns is generally close to the roads authority current average but continue to review this aspect of using the Register
- As the number of works extensions has been higher than the roads authority current average. You should review your procedure to ensure that the works periods entered better reflect the actual time periods
- The number of works awaiting closure is relatively low and needs no attention at present.

Commissioner's comments (gazetteer submissions) –

The commissioner wants to be assured that roads authorities' street gazetteers are accurate and up to date. East Lothian Council's last submission was successful, and the Commissioner would wish for this to continue.

Commissioner's comments (Area RAUC (S) meetings attended) –

The Commissioner wishes to ensure that all roads authorities participate at Area RAUC (S) meetings and so that they remain abreast of current issues. The Commissioner is pleased to note East Lothian's 100% attendance at Area RAUC(S) meetings.

However, the Commissioner asked for an action plan to show how the Council intends to improve on the points of concern raised in his review and this is attached to this Report.

4 POLICY IMPLICATIONS

4.1 None

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 Reports to the former Environment PPRP on 3 May, 2005, 20 September, 2005, 28 February, 2008, 29 September 2009 and the 16 February, 2010.

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Appendix 1

Quarter 3 – 2011/12

Utility	Defect Inspections	Sample Inspections
Open Reach (BT)	3	100% pass rate (11 insps)
SGN (gas)	5	100% (15 insps)
Scottish Water	39	87% (23 insps)
Scottish Power	5	100% (16 insps)

Quarter 4 – 2011/12

Utility	Defect Inspections	Sample Inspections
Open Reach (BT)	10	100% (15 insps)
SGN (gas)	26	100% (19 insps)
Scottish Water	112	96% (26 insps)
Scottish Power	3	100% (12 insps)

Income generated from the inspection regime for Quarter 3 & Quarter 4 – 2011/12 is as follows: -

Sample inspections = £3392

Defect inspections = £608

A direct comparison against the results for Quarter 3 & Quarter 4 – 2010/11 reveals the following: -

Quarter 3 – 2010/11

Utility	Defect Inspections	Sample Inspections
Open Reach (BT)	20	100% pass rate (16 insps)
SGN (gas)	16	100% (37 insps)
Scottish Water	84	94% (16 insps)
Scottish Power	0	100% (12 insps)

Quarter 4 – 2010/11

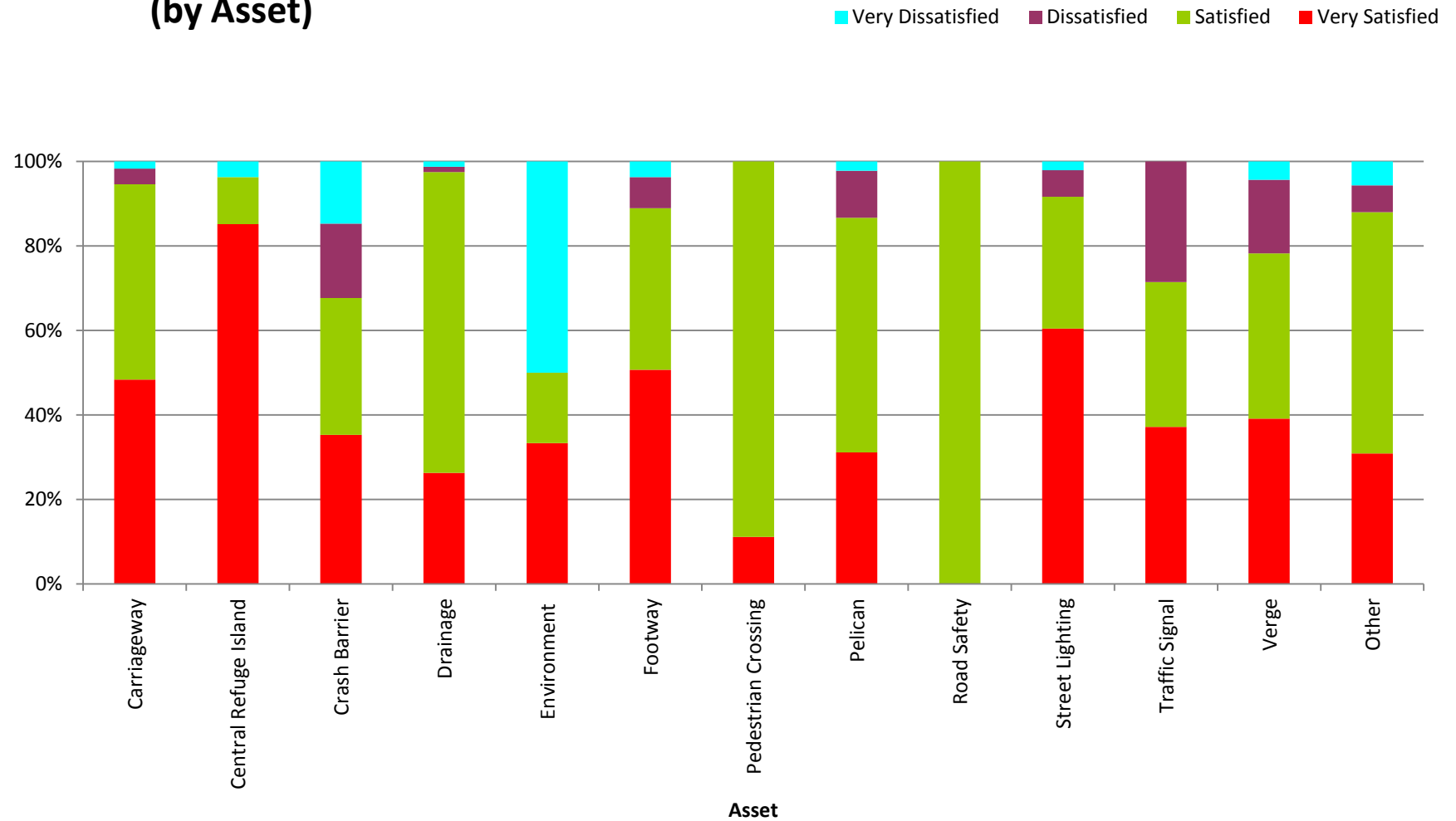
Utility	Defect Inspections	Sample Inspections
Open Reach (BT)	29	100% (15 insps)
SGN (gas)	10	98% (60 insps)
Scottish Water	103	91% (44 insps)
Scottish Power	1	96% (28 insps)

Income generated from the inspection regime for Quarter 3 & Quarter 4 – 2010/11 is as follows: -

Sample inspections = £4092

Defect inspections = £1023

Overall Response Results (by Asset)



WORKS INSPECTION REPORT



Undertaker:

Location:

SRWR LA Ref:

Routine Inspection Third Party Inspection
 Investigatory Works
 Dangerous Non Dangerous

Cause for Failure	Incorrect Equipment	Acceptable	Not Acceptable	Not seen / Not applicable
Signing/Guarding/Lighting				
Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Distance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Safety Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barriers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traffic Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pedestrian Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excavation				
Backfill & Reinstatement				
Apparatus Surround		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Material		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compaction		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sub-base		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Base		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Binder Course		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Course		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Profile & Structure				
Edge Depressions		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Edge Cracking		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Depressions		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Crowning		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Texture Depth		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Regularity		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Structure		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
As Laid Profile		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Further Comments

Name:

Signature:

Date:

Time: