



WAREA ROADS AUTHORITIES & UTILITIES COMMITTEE

Minutes of the QUARTERLY MEETING

Date: 26th September 2023

Meeting held on MS TEAMS

Present:

Scott Walker (Chair)	S.W.	North Lanarkshire Council
Vincent Addo	V.A.	Hyperoptic
Caroline Auld	C.A.	Network Rail
Greig Barker	G.B.	Stirling Council
Joanne Bain	J.B.	Axione
Lee Broomhall	L.B.	Royal Mail
Ainsleigh Bown	A.B.	Transport Scotland
Kevin Buckley	K.B.	Openreach
Michael Casey	M.C.	Royal Mail
William Collins	W.C.	Stirling Council
Lesley Craig	L.C.	Renfrewshire Council
Ian Dalrymple	I.D.	Openreach
Karyn Davidson	K.D.	Vodafone
William Doyle	W.D.	Petroineos
Julie Greig	J.G.	SGN
Jim Forbes	J.F.	CityFibre
Lauren Goodman	L.G.	BEAR Scotland
Frederick Hart	F.H.	Argyll and Bute Council
David Hearty	D.H.	MBNL-EE/3
Ian Houston	I.H.	BEAR Scotland
Mamadou Jalloh	M.J.	North Lanarkshire Council
Rob James	R.J.	Network Rail
Matthew Jones	M.J.	Lastmile
Claire Kirkpatrick	C.K.	West Dunbartonshire Council
Christofer McCarte	C.McC	Energy Assets
Jordan McDonald	J.McD.	CityFibre
Peter McGillivray	P.McG.	City of Glasgow Council
Fiona McInnes	F.McI.	Scottish Water
Graeme McLaren	G.McL.	Renfrewshire Council
Craig McQueen	C.McQ.	Scottish Water
Andrew Matheson	A.M.	Virgin Media
Graham Milne	G.M.	oSRWC
Chris Murray	Ch.M.	Sky
Elaine Paterson	E.P.	BEAR Scotland

Present continued:

David Ross	D.R.	BEAR Scotland
Iain Ross	I.R.	oSRWC
Evelyn Scott	E.S.	Indigo Pipelines
Ruth Scott	R.S.	SSE Telecom
Nuala Shelley	N.S.	ESPUG
Craig Stewart	C.St	East Dunbartonshire Council
Steven Tilson	S.T.	Zayo
David Thomson	D.T.	SPEN
Kristoffer Thorbjornsen	K.T.	Amey
Alistair Wales	A.W.	Verizon
Peter Walton	P.W.	Lumen
Jennie Wills	J.W.	West Dunbartonshire Council

In Attendance:

George Borthwick	G.E.B.	Secretary to RAUC(S)
Robert Young	R.Y.	Scottish Government

Apologies:

Kevin Burns	K.B.	Inverclyde Council
Ian Clarke	I.C.	Virgin Media / O2
Martin Cochrane	M.C.	Amey
Greg Fleming	G.F.	Giggle
Darren Grant	D,G,	SSEN
Kevin Hamilton	K.H.	Scottish Road Works Commissioner
Owen Harte	O.H.	Virgin Media
Alan Houston	A.H.	East Dunbartonshire Council
Steve Ives	S.I.	Concept Solutions
Anna Jensen	A.J.	Netomnia
Brian Mcatear	B.McA.	Energetics
Brenda McDonald	B.McD.	Inverclyde Council
Amanda McFarlane	A.McF.	Indigo Pipelines
Tom Murphy	T.M.	Argyll and Bute Council
Clare O'Brien	C.O'B.	Argyll and Bute Council
Jean-Donan Olliero	J-D.O.	Axione
John O'Neill	J.O'N.	Netomnia
Katrina Quane	K.Q.	Scottish Government (TS / SG)
Gavin Rodgers	G.R.	Lothian Broadband
Wendy Ross	W.R.	Amey
Steven Scanlon	S,S,	Openreach
Callum Stewart	C.S.	Glasgow City 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 30th May 2023

a. Accuracy

The minutes of the last meeting of the WOS Area RAUC held on 30th May 2023 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 with the following additional comments: -

31st January 23 – Item No. 8c - A.O.C.B. – Graffiti

Members of the public and Elected Members are raising this matter and are looking for prompt action to remove the graffiti. The concern is that it is at best unsightly but at worst it is very sectarian / offensive.

If all the cabinets etc had information tags on them it would allow the details to be relayed to the relevant S.U. with a request for a quick response.

A.M. indicated that Virgin Media have been putting tags on their plant since about 2015 and they will arrange for the graffiti to be removed when reported to them. The R.As asked for an indication of timescales for the work to be carried out. **Action – A.M.**

He commented that VAULT indicated the location of ducts which would help locate the owner of boxes which were not tagged.

SGN commented that there had not been any extended discussion at RAUC(S) on this matter, and it appeared that not all R.As were affected to the same extent. All SGN cabinets were tagged and they will deal with this problem if notified.

The same problem is being experienced in Glasgow.

A Report will be tabled at the next North Lanarkshire Council meeting following major concern.

West Lothian had been affected following a recent match, but the graffiti was quickly removed.

The S.U.s were asked for details of tagging and response times for dealing with the problem.

Action – S.U.s

30th May 23 – Item No. 3 - WoS Local RAUC (Inverclyde / Argyll and Bute / West Dunbartonshire)

The request for discussion about the dispute between A & B Council and Openreach had not taken place at RAUC(S) due to several factors.

There are still two Improvement Plans outstanding on work carried out as far back as 2016 but monthly / weekly meetings were being held to discuss issues and have the required performance progressed.

I.D. indicated that progress had been made and the 92 issues had been reduced to 10 and progress is continuing to be made with new defects which were now lower and being dealt with promptly.

An example was provided of the type of specific issues causing delays, with further works required at the site of a cabinet which will eventually become redundant due to the R100 programme. A request has been made for a temporary agreement allowing the cabinet to stay in place for the present to avoid abortive work.

J.F. suggested that the source of the problem was the delay in getting the reinstatements completed due to complications known to the R.A. and if this was being dealt with the matter should be remitted until the next round of meetings.

S.W. offered to attend the A & B / Openreach meeting to provide arbitration if that would assist the matter. On the basis of the meeting S.W. will decide if the Item should be remitted to RAUC(S) but the CoP was not totally clear on taking it forward. ABC recognised the effort made by ID and his team but highlighted the significant use of resources required from ABC to get to this stage.

It appeared that progress was being made but if there were any dangerous defects, they should be dealt with immediately to at least make them safe.

Depending on the discussions the decision will be made on the next action to be taken. **Action – S.W. / A & B / Openreach**

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

Glasgow / Renfrewshire

General discussion took place with the following issues dealt with: -

- Updates were provided on Openreach build within Glasgow
- Updates were received on the ongoing Woodside Viaduct works.
- There were no items to remit to this Committee.

East Dunbartonshire / North Lanarkshire

A general discussion took place with the following issues dealt with: -

- General discussions about ongoing and upcoming works.
- Comment was made on the recent presentation from SRL on new Temporary Traffic Signals and improvements made to the equipment.
- Issues raised about smaller developments and companies not following regulations and timescales for road openings and permits.

An example was provided of a burst being reported to Scottish Water which they declined but subsequent investigation indicated that the pipe was part of their network. Feedback from inspectors suggests this is an increasing problem with defects in underground apparatus being declined. Other R.As in the South West area have reported the same problem.

These defects will continue to be reported to the call center then recorded on the Register.

F.McI. commented that the Defect recording on the Register was for dealing with above ground plant only.

I.R. commented that while the SRWR allowed for recording of such defects, these records must be subsequently closed with details of the action which was taken. This would require the use of a Da3 notice to be recorded. The instructions provided in the Advice Notes and Codes needed to be followed in these circumstances.

S.U.s believed the only above ground apparatus should be recorded in the Register. S.W. responded that the Legislation was clear that both under and above ground apparatus was covered.

This subject will be passed to the Inspections W.G. to discuss and if necessary issue an Appendix. **Action – S.W. / J.G.**

- It was noted that sites were being recorded as “No Excavation” and subsequently noted to have been excavated. This would affect the works recorded in this category and the numbers being used to agree the inspection samples for the next year. In addition as the site had no excavation or reinstatement against it problems would result in locating the S.U if there was a failure.

J.G. suggested that numbers in this category were low and would be unlikely to affect the sample agreement for the future years but agreed that the problems of finding the S.U. responsible for the reinstatement would present the R.As with problems.

Stirling

A general discussion took place with the following issues dealt with :-

- An Openreach contractor had been ignoring Traffic Sensitivity and working out with the permitted hours. This has been raised with Openreach.

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

The following verbal update was provided: -

Since June there have been problems with Virgin Media leaving excavations open in Helensburgh. Meetings are now being held twice monthly to discuss programmes and any problems which arise.

The complaints were being reported to the Council and not to the Contractor or Virgin Media. Copies of the letters issued to residents had not been passed to the Council so that they were aware of the content.

Some locations were made safe by the Council and the costs will be recharged. FPNs have been issued where appropriate.

4. Matters Arising from RAUC(S) Meeting 22nd February 2023

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

- SLR gave an interesting presentation on their current Temporary Traffic Signal range with indications on future developments. Some members, although appreciating the content thought that it was very near to a commercial pitch and questioned whether it should have been given without the other suppliers being able to present on their equipment.

With the availability of adaptive control there should be a reduction in the need for manual control, which was expensive to provide and was an added H & S issue.

- The SROR Ver 5 will come into force on 1st October. The Commissioner has issued invitations to all R.As and S.U.s to attend a webinar on 2nd November on this topic. As the Webinar is on MS TEAMS there should not be a restriction on the numbers attending.
- There is a problem being experienced with some developers refusing access to some S.U.s (generally telecom / broadband suppliers) to lay their plant in the roads within the development. This is ongoing with R.As looking at options e.g. using clauses in the Construction Consent.
- National Coring Programme Final Draft Report – The Working Group were asked to remove the results for S.U.s which had less than 10 cores as their performance was skewing the overall results. 1 failure in a sample of 10 or less had a large affect on their pass rate.

The recommendation is to have another Programme which will require new Lead Authorities to be appointed. In order to reduce the staff time, the suggestion has been made that the programme could be more focused on S.U.s which have poor performance.

- There are problems on some R.A. Gazetteers. The Road Type and Reinstatement Category recorded in the Additional Data Tables is incorrect e.g. Type 4 road with a Cat 1 reinstatement. Roger Garbett was meeting with the R.As and discussing this problem with them.
- The HAUC UK Conference will be held on 18th April 2024 with the same format as last year.
- The HAUC UK review of the Red Book has started, and Scottish Representatives are involved in the project. The process has split the review into 6 groups who are dealing with different sections of the Code. The groups will bring their individual section drafts together for final drafting of the Code for submission to the Community for comment.

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

a. Scottish Government Report

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

K.Q. informed the meeting that she had invited Ainsleigh Brown to the meeting. Ainsleigh had recently joined the department and would when required substitute for Kat.

Progress is ongoing on the introduction of the various sections of Transport (Scotland) 2019 Legislation. The batch diagram had not changed since the May meeting but would be revised prior to the RAUC(S) meeting to reflect the changes being introduced from 1st October 2023

Roadworks Reform and Related Legislation

- The major legislative review is nearing completion with compliance notices, officers and VAULT due to be in place by April 2024. The major review of FPNs and the remaining FPN related commencements will take place after the final VAULT legislation and guidance is published.
- VAULT legislation is being introduced in three legislative steps. Broadly it will become a requirement to supply data from 01 April 2024, but with a ‘bedding in period’ and further guidance on the information, required to be in place by October 2024. As the enforcing body and under his general remit, the Commissioner may also set best practice in this area which further supports or supplements the legislation.
- Although at the conclusion of this process, VAULT data will sit equally alongside other ‘plant data gathering’ sources (commercial suppliers, direct access etc) it is important that the community keep in mind that safe digging techniques will always be required, and that no data gathering service will ever entirely negate the need for onsite safety measures. There are no plans for separate rules on safe digging for Scotland.

Codes of Practice

- The updated SROR fifth addition will come into force on 01 Oct 2023. The Transport Scotland website has also been updated to show final date when the 4th Edition will be applicable and redirects to the Commissioners website for the 5th Edition.
- The Scottish Coordination and Disputes Codes will need an update to include reference to the Commissioners Compliance Officers, including how to respond to a formal (SRWR) issued Compliance Officer Observation. This will be analogous to the HSE’s first stage sanction to ‘ provide information and advice face-to-face or in writing’

HSE Policy Opportunity

- The Health and Safety Executive are undertaking a policy review on issues relating to vibration (with the aim of reducing Hand Arm Vibration). At this very early stage there is no formal consultation, however it would be very beneficial to the Executive to get a broader understanding of the types of compaction tools currently in use currently. They have produced a short list of tool types and would be interested to hear if your organisation/supply chain uses them.
- The questions are very generalised and informal – e.g. “HSE believe anti vibration compaction plates (whacker plate with insulated handle) are commonly used and easy to obtain, does this seem accurate”
- If any party is interested in helping, they should contact K.Q. and she will provide a copy of the questionnaire.

Fees and Amounts 2024

- In the near future a consultation on the SRWR register fees for 2024 will be circulated. This will take the normal format, however due to changes with the Scottish Governments digital consultation platform, the ‘paper’ option may not have a link to the associated electronic option as in previous years. If this is the case, the link will be circulated

a. Performance Dashboard

The Committee received the reports as follows: -

Dashboard

The SRWR 2023/24 Q1 quarterly dashboard was issued on the 26 July 2023. The Q2 update will be issued on w/c 23 Oct 2023.

Noticing Failures

The Commissioner remains concerned that R.As and S.U.s are failing to meet the target of 4% for noticing failures. In Q1 R.As averaged 6.2% and S.U.s averaged 8.9%. Little improvement has been achieved since Q1 with R.As recording an average of 6.3% for July and August, whilst S.U.s have averaged 7.8%. The Telecoms sector (9.5%) continues to influence the overall high figure and engagement is continuing with a number of Organisations.

Commissioner Improvement Plans

Currently 4 Organisations, Axione, Lothian Broadband, SGN and SPEN are on plans with all continuing to provide positive improvement and engagement.

Note that the next Improvement plan submissions are due on the 13 October 2023.

Policy and Quality

Compliance Officers

Work is ongoing to develop the Compliance Officer Code of Conduct. It is proposed to present this at RAUC(S).

The job outlines are now being finalised and it is anticipated that the posts will be advertised before Christmas.

Dashcam trials to capture sites from moving vehicles has now been completed. The trial captured information on works in 5 council areas. It is considered that this approach offers an efficient and effective way to collect information.

c. Management Report

Works on Structures

The Commissioner carried out an investigation into an incident in January, where a structure on Shandon Place, Edinburgh was damaged during CityFibre duct installation works. This found failings in communication between CityFibre (or their representative) and the bridge owner prior to works taking place. It is a requirement of NRSWA Section 147 that undertakers consult the bridge (structure) owner prior to the issue of the Section 114 Notice (notice of starting date of works). This gives bridge owners the opportunity to consider the proposed works, place any necessary conditions and monitor works to ensure safety and maintain the structural integrity of the bridge.

The Commissioner is concerned that failure to consult with bridge owners may be more widespread than this one incident and would like to remind undertakers of their duties in this regard.

The current Coordination CoP does not cover such scenarios in detail, as such the Working Group has been asked to consider drafting this within the next version.

Integrated Impact Assessments:

The Commissioner has been developing an Integrated Impact Assessment process. This considers the impacts that policies and other strategic decisions can have on Equality, Fairer Scotland Duty, Environment, Data Protection, and Child Rights and Wellbeing. It is proposed that an Integrated Impact Assessment will be carried out on any revisions to Codes of Practice, Advice Notes and Commissioner Guidance, prior to these being published on the Commissioner's website.

Safety / Technical Standards

National Coring Programme

The Commissioner has contacted S.U.s with 10 or more cores who achieved less than the 85% pass rate.

Research Project – Service Life of Reinstatements.

The research project on Service Life of Reinstatements is now complete and has been published on the Transport Scotland website. There will be a presentation at the Road Expo on Tuesday 28 November 2023.

ci. Commissioner Review of RAUC(S) Advice Notes

The previously circulated paper was taken as read. Any queries or comments on the content of the paper should be sent to enquiries@roadworks.scot

d SRWR Report

SROR Webinar

There will be a webinar on 2nd November regarding the changes introduced in the new SROR Ver 5.

Safety at Street Works and Road Works Code of Practice Review

The review has now started with Scottish Representatives from the road works community involved.

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

Management & Operation of SRWR

SRWR Procurement

The current contract for the provision of the SRWR has been extended to end on 31 March

2025.

The procurement exercise to replace the contract for the SRWR service has been commenced. The service requirement will be broadly similar to the service tendered in 2016 but will include additions brought in by changes to legislation.

Fiona McInnes is representing Community stakeholders on the Procurement Project Board and the Evaluation Team. A volunteer is required for the Evaluation Team, preferably a R.A. member of the Systems Assurance Team or someone with equivalent knowledge and experience. If you are interested (or know someone who is) please contact Iain Ross.

SRWR Terms of use

The terms of use of the SRWR are being revised, to better describe how Organisations and their contractors can access the SRWR, what data about you and your users is held by the oSRWC, and what this data is used for.

This will include clauses which describe issues relating to account /password sharing. All should note that this is not permitted, and that Administrators are responsible for ensuring only authorised users are granted access to the register.

We plan to roll out the update on 1 October 2023.

An email with a link to the new terms has been circulated to all Primary and Secondary Contacts held by the Commissioner in each Organisation. Any concerns with the proposed changes should be forwarded to the enquiries@roadworks.scot mailbox.

The Commissioner would like to remind all users that their login details should not be shared and each individual user must have their own login to the system. An organisation can have as many unique logins as they need. Logins found to be used by multiple individuals will be deactivated.

Dial before you Dig Service

Following a complaint from a user of the Dial before you Dig service, who didn't receive a single response to a request, the Commissioner intends to undertake a review of the quality of the responses sent by R.As and S.U.s.

It has also been suggested at the SRWR Steering Group that a list of contact numbers be collated that can be shared with users of the service if and when they need to chase a response from a particular Organisation. The Commissioner would like to hear your views on this.

New Organisations on SRWR

There are no new organisations who have been granted access to the SRWR since the last meeting.

Concept Solutions People has changed its name to Glide Fibre Ltd.

RAUC(S) Website

The RAUC(S) website has been updated to reflect the changes to the constitution. George Borthwick now has access to upload the relevant details and papers for each Area and Local RAUC meetings.

The Commissioner would like to remind all Chairs and Secretaries that details of their meetings, including minutes should be passed to the George Borthwick for publishing on this site.

6, **Working Group Reports**

National Coring Programme Working Group

See record of discussions above.

RQP Working Group

There were no plans for the Working Group to meet again at present but if there were any problems they would be recalled.

Coordination Group

The Group has been meeting and have discussed the following: -

A review of the operation of road closures has been progressing and will be reported on in due course.

The Group is working its way through the list of actions suggested by K.Q. and when that has been completed they will move onto the list submitted by Jason Halliday.

Inspections Working Group

S.W and J.G. reported that the Group were considering the following: -

- A risk-based approach to dealing with defects.

Evidence provided from Scottish Water (in comparison to RA data) showed that a very high percentage of defects are being recorded in the High-Risk category, which could be addressed by moving to a risk based approach. However, the current limitations on the SRWR mean there are only 3 categories of defects available. The robust risk-based approach adopted by the RA's and developed through Well Managed Highway Infrastructure CoP enables 5 categories of defect to be recorded.

The view is that this project will require greater development and it is unlikely to progress at this time, however, any suggestions from the Community would be welcome.

SROR Review Group

See above in the Commissioners Report above for more information.

The Code will come into force on 1st October and the guidance webinar has been arranged for 2nd November on MS TEAMS

The Group is continuing to develop the Appendix 9 instructions and it will be issued for comment before the RAUC(S) meeting on 25th October 23.

7. Health and Safety

a. H & S bulletins are circulated by the Secretary when he receives them, but Organisations should share any internal bulletins or reports on incidents which would be beneficial for the Community. **Action – All**

b. 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. New/ Smaller Organisations which do not appear on the existing version should contact the Secretary to have their details added to the schedule.

The existing version will be reviewed and the new Organisations added. **Action - Secretary**

c. 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.

The Committee noted that there were several Organisations which to date have not submitted any contact information. All should review the schedule and advise the Secretary of their details.

Action – All

8. AOCB

a. RAUC(S) / Area RAUC Meeting Dates 2024

The meeting dates on the draft schedule mirrored those in 2023. As there had been no problems with these dates the draft was agreed.

b. Meeting Format for 2024

All LRAUC Chairs should notify the Secretary of the proposed dates for their meetings in 2024 so that any clashes could be spotted and dealt with. **Action – All LRAUC Chairs**

The oSRWC has recently circulated a Questionnaire to gauge opinion on the proposal to introduce at least one round of face-to-face meetings per year. All were asked to respond with their views as soon as possible.

Some members suggested that there was better discussion between the members at face-to-face meetings and they allowed general and specific dialogue before and after the meetings. Potential problems could often be discussed and dealt with before they became an issue.

There were differing views on the provision of a hybrid facility at these meetings. Due to time and travel constraints for some Organisations e.g. Island R.As and S.U.s needing to travel a distance the hybrid facility would be a big help.

c. Area Representation at RAUC(S) Meetings

Members were reminded that RAUC(S) Constitution specified that 12 R.A. representatives and 12 S.U.s were required to attend the RAUC(S) meetings. The R.A. Representation should comprise 3 Members from each Area. The Co-Chairs have asked for notification on who the R.A. Representatives will be. **Action – Area Chairs**

9. Date and Venue of the Next Meeting

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

Next Meeting: - Tuesday 30th January 2024

Venue: - MS TEAMS or as agreed and advised

**Future Meeting Dates – Tuesday 28th May 2024
Tuesday 24th September 2024**

Meeting Closed – 11.50