



ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL REPORT

SCOTTISH ROAD WORKS COMMISSIONER'S PERFORMANCE REVIEW 2018/19

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to update the Environment Policy Development and Scrutiny Panel on the Scottish Road Works Commissioner's performance review for 2018/19.

B. RECOMMENDATION

It is recommended that the Environment Policy Development and Scrutiny Panel notes progress made by Roads and Transportation in improving performance in respect to compliance with the notification, co-ordination and planning aspects of the New Roads and Street Works Act 1991 and acknowledge the efforts of the staff involved.

C. SUMMARY OF IMPLICATIONS

I Council Values	Being honest, open and accountable; providing equality of opportunities; making best use of our resources.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Council is required to demonstrate Best Value through a structured framework for the management of its assets.
III Implications for Scheme of Delegations to Officers	Not applicable
IV Impact on performance and performance Indicators	Improved performance in terms of New Roads and Street Works Act 1991.
V Relevance to Single Outcome Agreement	Not applicable
VI Resources - (Financial, Staffing and Property)	Not applicable
VII Consideration at PDSP	Not applicable
VIII Other consultations	None

D. TERMS OF REPORT

D1 Background

The Office of The Scottish Road Works Commissioner submitted its annual review of West Lothian on 4 September (Appendix 1).

The Scottish Road Works Commissioner is an independent public official established under section 16 of the Transport (Scotland) Act 2005 and is accountable to the Scottish Ministers and ultimately to the Scottish Parliament.

The Commissioner's aim is to improve the planning, co-ordination and quality of road works across Scotland.

The Commissioner monitors performance, promotes and encourages good practice by both utility companies and roads authorities. They also have powers to impose financial penalties on roads authorities who systematically fail in their duty to coordinate, and on utility companies who systematically fail to co-operate when undertaking road works.

D2 The key outcomes which the Commissioner considers are those that the public are looking for in relation to road works:

- Shorter Works Periods;
- Better Co-ordination of Works;
- Better Traffic Management; and
- Better Reinstatements

D3 The Commissioner produced five key questions which any monitoring of road works should try to answer:

- Are roads authorities co-ordinating their works?
- Are utility companies co-operating with roads authorities?
- Are works taking too long to complete?
- Is traffic management to an acceptable standard?
- Are reinstatements in roads meeting the specification?

D4 For each of the questions above, national indicators have been identified and developed. It should be noted that the council's performance is measured in two respects, i.e. Roads Authority and Road Works Authority. The former relates to the council's duties to maintain the road network and would generally relate to works carried out to this effect (these are highlighted in orange in page 2 of appendix 1). The latter relates to duties to coordinate road works carried out by public utilities (these are highlighted in blue in page 2 of appendix 1). It is worth noting that utility works represented 68% of total notifiable works completed in West Lothian during 2018/19.

D5 As part of the 2017/18 Commissioner's review, West Lothian Council's performance was described as "mediocre" and "in need of some improvement". Following this review, a number of process changes were developed and implemented by Roads and Transportation Services in order to drive indicator level improvement.

- D6** The Commissioner has recently completed his annual performance review for 1 April 2018 to 31 March 2019 and has observed performance to be “good” and “with significant improvements made to a number of indicators”. It was, however, observed that the council’s performance fell slightly below the required level for sample inspections of utility works. Officers have investigated the circumstances behind this and found that changes to the operating programme of Virgin Media and the arrival of a new gas utility (GTC) were broadly the reasons for this dip in performance. Accordingly, measures have been developed/implemented to ensure that all of these inspections are carried out and that the target is met going forwards.

Overall, the review represents welcome news and is down in the main to the hard work of the staff involved.

E. CONCLUSION

Process changes developed and implemented by Roads and Transportation during the period since 2017/18 have significantly improved performance indicator levels. This is a result of the on-going efforts of all the staff involved. The challenge is now with us to sustain these levels and, by applying regular training and good planning, the expectation is that this performance level will be maintained.

F. BACKGROUND REFERENCES

Nil

Appendices/Attachments:

Appendix 1 - Scottish Road Works Commissioner’s Letter of 4 September 2019

Contact Person: Jason Halliday, Public Utilities Officer, Tel: 01506 284839

Email: Jason.halliday@westlothian.gov.uk

Jim Jack, Head of Operational Services

Date: 5 November 2019

Appendix 1: - Scottish Road Works Commissioner's Letter of 4 September 2019



Mr Graham Hope
Chief Executive
West Lothian Council
Civic Centre
Howden South Road
Livingston EH54 6FF

Contact: Graham Milne
Direct Tel: 0131 528 5518

4 September 2019

Our Ref: PER/GM/2019/WLC

Dear Mr Hope

Scottish Road Works Commissioner 2018/19 Road Works Performance Review

Please find enclosed West Lothian Council's 2018/19 annual road works Performance Review in respect of the period 1 April 2018 to 31 March 2019.

My review is presented in a similar format to last year utilising data from two full business years for comparison purposes. Roads authority and utility company averages are included where appropriate.

In terms of section 118(1) of the New Roads and Street Works Act 1991 (the 1991 Act), roads authorities have a statutory duty to co-ordinate the execution of works of all kinds (including works for road purposes) in roads for which they are responsible:

- a) in the interests of safety;
- b) to minimise inconvenience to persons using the road; and
- c) to protect the structure of the road and integrity of apparatus in it.

This review considers how well you are meeting your statutory obligations.

In addition to your annual review, West Lothian Council's road works performance is routinely discussed at quarterly Area Roads Authorities and Utilities Committee meetings.

Management and Performance Reports

Organisations are expected to routinely monitor their own performance utilising reports which are downloadable from the Scottish Road Works Register (SRWR). This ongoing performance review process allows your organisation to take appropriate action throughout the year to improve performance. If your performance falls at any point during the year, it is expected that an explanation will be provided to my representative at your Area RAUC meeting. Organisations can also generate reports to assist benchmarking against similar authorities.

Consistent failure to achieve the expected level of performance may result in further formal action.

E Spur, Saughion House, Broomhouse Drive, Edinburgh, EH11 3XD
Tel: 0131 244 9936 enquiries@roadworks.scot <http://roadworks.scot>

West Lothian Council – 2018/19 Road Works Performance – Primary Indicators

	Indicator	Performance				Notes
		West Lothian	Expected	RA Average	Utility Average	
Administrative Functions	Gazetteer Submissions	4	4			
	Noticing Failure rate (%)	5%	< 4%	6%	5%	
	Notices without correct Contact Details	0%	0			Originator and Contractors names and telephone numbers must be recorded prior to works commencing.
	Notices without Traffic Management Type	0%	0			Prior to works commencing the correct traffic management type must be recorded on all notices of 7 days or less
Operational Functions	Works requiring Early Start (%)	13%	< 15%	16%	8%	
	Works requiring Late Start (%)	0%	< 1%	1%	1%	
	Works requiring Works Extension (%)	10%	< 10%	10%	8%	
	Overrunning Works (%)	0%	< 1%	1%	3%	
	Unplanned Works (%)	2%	< 4%			Excessive use suggests poor works planning and a lack of co-ordination and co-operation.
	Works Awaiting Closure at year end	0%	0			
Works Planning and Operational Functions	Works awaiting Final Site Reinstatement Details Notice at year end	0%	< 1%			
	Works registered per 100km	117		64		This metric considers a roads authorities performance against their respective SCOTS peer group. The RA Average is shown for SCOTS Group - Semi-Urban Group.
	Category A Undertaken	87%	100%			It is expected that all roads authorities undertake all target sample inspections in each of the 3 categories.
	Category B Undertaken	94%	100%			
Sample Inspections	Category C Undertaken	95%	100%			
	Fixed Penalty Notices (FPNs) Issued	285	> 0			All roads authorities are encouraged to issue FPNs to drive improvement of utility performance. Currently 21 authorities issue FPNs.
	Attendance at Area RAUC meetings	100%	100%			Regular attendance at Area RAUC meetings demonstrates a commitment to meeting your statutory obligations to co-ordinate road works.
Miscellaneous	Vault Submissions	4	4			Whilst not a statutory requirement, organisations are encouraged to submit regular updates in the interests of safety and to assist good works planning.

I would draw your attention to page 2 which compares your organisation's performance against the expected standard.

Specific action is required in respect of:

- Sample Inspections Undertaken – Roads authorities are expected to undertake 100% of all agreed Category A, B & C target sample inspections. Results are used to monitor utility company road works performance. Details of inspections registered should be comprehensive, accurate and registered timeously. It is important that 100% are undertaken, demonstrating that road works sites are being properly monitored and works co-ordinated in accordance with your statutory obligations.

Summary

In general terms, the road works performance of West Lothian Council was good during 2018/19, with significant improvements made to a number of indicators.

Administrative Functions

No specific action is required.

Works Planning and Operational Functions

No specific action is required.

Sample Inspections

The number of Category A sample inspections undertaken decreased and is now below the required level. At 87% (98% in 2017/18), this suggests that live sites could be better monitored and co-ordinated.

Data and statistics relating to your road works performance is available from the Scottish Road Works Register throughout the year. It is expected that your organisation will continue to self-monitor this information and take appropriate action. In particular, it is recommended that your mid-year performance is made available to senior managers in November.

Should you wish to discuss any part of this letter please do not hesitate to contact my Performance Manager Graham Milne at: enquires@roadworks.scot

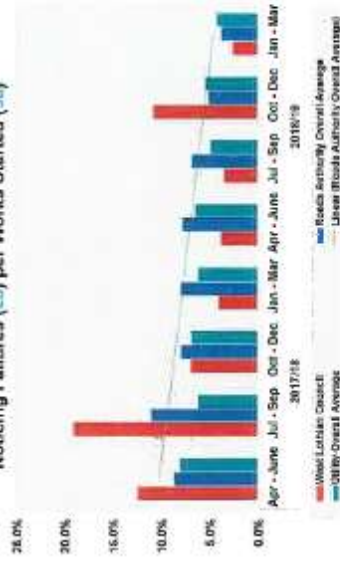
Yours sincerely



Angus Carmichael
Scottish Road Works Commissioner

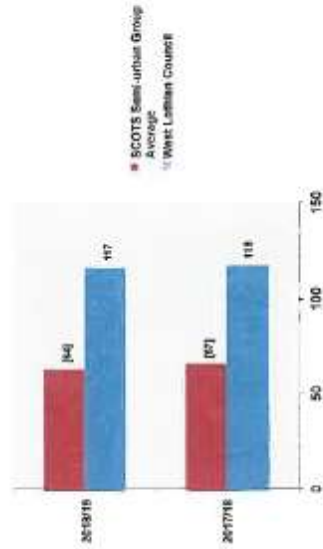
WEST LOTHIAN COUNCIL KEY MANAGEMENT INDICATORS (April 2017 to March 2019)

Noticing Failures (2a) per Works Started (3a)



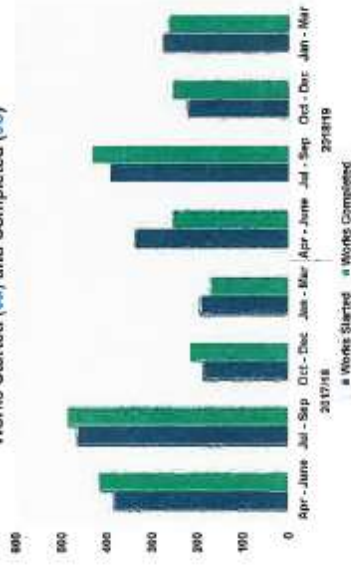
The number of noticing failures made by the roads authority as a percentage of actual starts as compared with the overall Utility and Roads Authority averages across Scotland.

Works Started (3a) per 100 km (Scottish Transport Statistics)



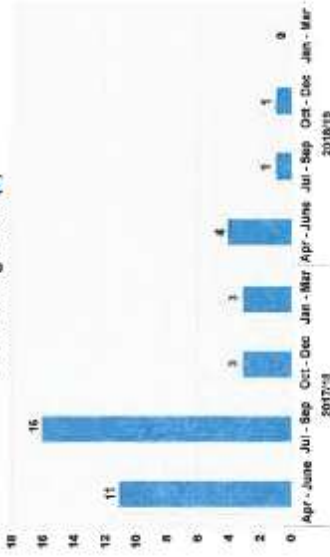
The number of works started notices entered per 100 km of road in authority area as compared to the authorities SCOTS grouping.

Works Started (3a) and Completed (3b)

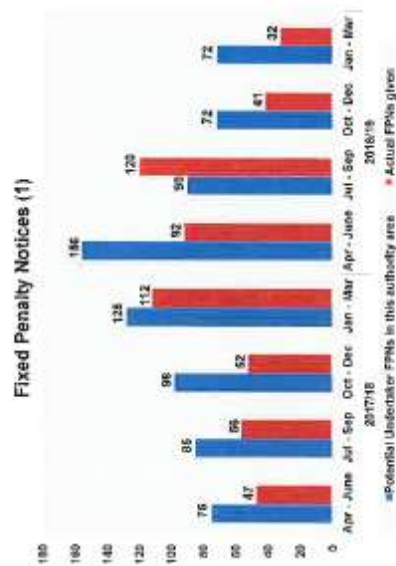


The number of works started and works completed in each quarter.

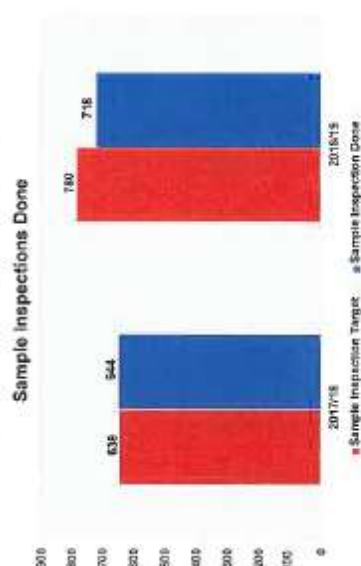
Overrunning Works (3)



The number of roads authority overrunning works outstanding



The number of actual fixed penalty notices issued to undertakers operating in the authority area compared with the potential fixed penalty notices.



The percentage of Sample Inspections carried out by the authority shown as a percentage of those expected to be achieved.

Fixed Penalty Notices

The Commissioner is monitoring the number of roads authorities which are issuing Fixed Penalty Notices. This is included for information only as the issuing of FPNs is at the discretion of the roads authority.

Potential Undertaker FPNs in this authority area Actual FPNs given FPNs given for Road (Scotland) Act Offences	Indicator Report 1 Indicator Report 2 Indicator Report 3	2017/18				2018/19				2019/20				
		Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Total
		75	85	96	122	150	90	72	72	150	90	41	32	380
		47	46	52	112	82	8	120	41	8	8	7	8	280
		1	0	0	2	3								28

Conflict Details

The Commissioner wishes to ensure that all roads authorities are issuing accurate conflict details to ensure that road closures are avoided. The Sheriff requires a warning if a notice is created without correct details for the Originator of the notice and the Contingency for the works. Data is presented as a percentage of total works started. Only under licence works are included from RSC.

Number of works recorded without correct conflict details Percentage of works input under this category per Actual Start Notice	2017/18				2018/19				2019/20				
	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Total
	110	165	27	1	303	1	0	0	1	1	0	0	2
	24.4%	37.5%	11.5%	0.5%	71.5%	0.2%	0.0%	0.0%	0.2%	0.2%	0.0%	0.0%	6.1%

Minimising and Timing of Works

Timing of Works

The Commissioner wishes to review the use of RAUCS/ agreed procedures relating to Early Starts, Late Starts, Overtaking Works and Works Extensions. Early Starts, Late Starts and Works Extensions are presented as a percentage of all works.

Number of Early Starts Percentage of Early Starts Roads Authority Early Starts Average	Indicator Report 10	2017/18				2018/19				2019/20				
		Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Total
		34	53	14	42	133	66	26	7	96	66	26	7	180
		8.5%	7.7%	3.5%	10.1%	10.1%	16.7%	16.7%	2.5%	16.7%	16.7%	16.7%	2.5%	12.4%
		177.4%	173.7%	115.4%	21.8%	178.3%	116.8%	114.4%	14.8%	116.8%	116.8%	114.4%	14.8%	116.3%
Number of Late Starts Percentage of Late Starts Roads Authority Late Starts Average	Indicator Report 10	3	4	1	2	10	1	0	0	1	1	0	0	2
		0.8%	1.3%	1.3%	1.0%	1.2%	0.3%	0.0%	0.0%	0.3%	0.3%	0.0%	0.0%	0.2%
		1.2%	1.2%	1.3%	1.2%	1.2%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%
Number of Overtaking Works Percentage of Overtaking Works Roads Authority Overtaking Works Average	Indicator Report 6	11	16	3	3	33	4	1	0	1	1	0	0	6
		2.8%	3.0%	1.7%	1.5%	1.1%	1.2%	0.3%	0.0%	0.3%	0.3%	0.0%	0.0%	0.4%
		1.6%	1.4%	1.0%	1.0%	1.1%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
Number of Works Extensions Percentage of Work Extensions Roads Authority Work Extensions Average	Indicator Report 12	76	40	32	48	196	37	21	18	117	37	21	18	120
		19.3%	10.3%	11.2%	15.6%	16.7%	11.4%	7.7%	8.4%	11.4%	7.7%	11.2%	8.4%	9.2%
		112.4%	112.8%	114.2%	113.3%	114.4%	113.3%	113.3%	113.3%	113.3%	113.3%	113.3%	113.3%	113.3%
Works Awaiting Closure Works Awaiting First Site Remediation Details	Indicator Report 16 Indicator Report 15	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0

Traffic Management at Not Yet Known

Message of "Not Yet Known" Traffic Management Type

The Commissioner wishes to monitor the volume of this category. The Sheriff requires a warning if Traffic Management "Not Yet Known" is also selected when issuing a Notice of Expected Start Date on planned, non-urgent works. Data is presented as a percentage of all works where an Actual Start Notice is required.

Number of works recorded late as "Traffic Management not yet known" Percentage of works input under this category per Actual Start Notice	2017/18				2018/19				2019/20				
	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Apr - June	Jul - Sep	Oct - Dec	Jan - Mar	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

