

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE: 26 AUGUST 2003

MONITORING OF PUBLIC UTILITY REINSTATEMENTS

Report by the Director of Development Services

1 PURPOSE OF REPORT

- 1.1 To inform Committee of the performance of Public Utilities in reinstating road openings.

2 BACKGROUND

- 2.1 Whenever a Public Utility (or a contractor employed by them) digs up a public road they have to comply with the rules and regulations as described by the 'New Roads and Street Works Act (NRSWA) 1991. This Act also defines the duties of the Roads Authority with regard to Public Utilities works and sets limits on the Roads Authority's powers to regulate and supervise Public Utilities works in the road.

3 AUDIT OF ROAD OPENINGS

- 3.1 A check has been done on the Inspection process for the first quarter April to June 2003.

	Scottish Power	West of Scotland Water	British Telecom	Transco
No. of Inspections carried out	21	102	27	74
No. of Satisfactory Reinstatements	12	27	13	49
No. of failures notified	9	76	14	25
% failures	42	75	52	34

The proportion of failures of all Utility companies is unacceptable. A considerable amount of time is spent chasing up remedial work. The public suffer from poor service levels both during the period taken to secure remedial action and as a consequence of work having to be re-done.

- 3.2 Meetings have taken place with Senior Management of Scottish Water. The latest took place on 27 May 2003 between The Director, Head of Roads and Scottish Water's Networks Manager for this area to express concern about various aspects of Scottish Water's performance, including the following:

- Poor communication
- Safety defects not being attended to promptly

- Water bursts not being attended to promptly
- Problems tabled at RAUC meetings not being addressed
- Non notification of completed work

Some improvement has been evident since then, particularly improved lines of communication. Over the last few months, Scottish Water has been undergoing some major restructuring and within the new structure, a dedicated team has been established, to plan and co-ordinate all civil repairs, including urgent works, to their asset infrastructure.

3.3 The Roads Division will also discuss with the other Undertakers their performance.

3.4 Further consideration is being given to increasing the level of enforcement action taken by the Council using existing powers. The quality standards and monitoring enforcement regimes are also currently the subject of review by the Scottish Executive. A further report on these proposals will be submitted to a future meeting of the Committee.

4 LEGAL IMPLICATIONS

4.1 The Roads Division's inspections of Public Utilities are governed by the New Road and Street Works Act 1991. (NRSWA 1991).

5 FINANCIAL IMPLICATIONS

5.1 The cost of the sample routine inspections of reinstatements undertaken under the NRSWA 1991 is financed by the Public Utilities and met by a charge on the Utility companies, but the proportion of sites for which a charge for inspection may be made is restricted by regulation.

5.2 Section 131 of the NRSWA 1991 also empowers the Roads Division to carry out such investigatory works (e.g. coring) as appear to be necessary to ascertain that Utilities are complying with reinstatement specification standards. The cost of these investigatory works is borne by the Roads Division. Only when a failure is found can the cost of the investigatory works be recovered.

6 RECOMMENDATIONS

6.1 The Committee is requested to:

- (a) note the performance of Public Utilities in reinstating road openings; and

- (b) note that a further report will be submitted to the Committee on proposals for increasing the level of enforcement activity and changes in the specifications of reinstatement work and regulatory framework currently being considered by the Scottish Executive.

Stephen Chorley
Director of Development Services
26 August 2003
SC/JMcR/YK

BACKGROUND PAPERS

Nil

For further information on the contents of this report, please contact John McRobert, Roads & Transportation Division, on 01563 576310

Implementation Officer: John McRobert