

Transport and Environment Committee

10.00am, Tuesday, 27 August 2013

Public Utility Company Performance 2012/13 and First Quarter 2013/14

Item number	7.6
Report number	
Wards	All

Links

Coalition pledges	P28 and P33
Council outcomes	CO19 and CO26
Single Outcome Agreement	SO4

Mark Turley

Director of Services for Communities

Contact: Stuart Harding, Performance Manager

E-mail: stuart.harding@edinburgh.gov.uk | Tel: 0131 529 3704

Executive summary

Public Utility Company Performance 2012/13 and First Quarter 2013/14

Summary

The management and co-ordination of road works has a high profile across Edinburgh.

The Council is required to balance the needs of the Public Utility Companies (PUs), supporting them to complete the works in the shortest practical time, against the overall needs of those who live, work and travel in the city.

PUs have a statutory right to maintain their pipes and other apparatus but they also have a legal duty to work with the Council as the Roads Authority to minimise disruption and delays.

The Council has a duty to manage and co-ordinate all road works across the city. Over the last two years, a comprehensive performance framework has been introduced. It is proposed to report performance to this Committee every quarter. The performance for the year 2012/13 and for the first quarter of 2013/14 is appended as part of this report.

A member/officer working group is proposed to develop the proposals for the content and functionality of the Edinburgh Road Works Ahead Agreement prior to it being presented for approval at the January 2014 Committee.

Recommendations

It is recommended that the Transport and Environment Committee:

- 1 agrees that a member/officer working group be established to develop proposals for the Edinburgh Road Works Ahead Agreement (ERWAA) brought back to Committee for final agreement on 14 January 2014;
- 2 notes the performance information shown in Appendix A;
- 3 notes the trend information shown in Appendices B and C; and
- 4 agrees that quarterly performance reports will be submitted to future meetings of the Committee.

Measures of success

Greater public satisfaction with:

- the planning, co-ordination and delivery of road works across the city;
- the quality of information supplied to people who live in, work in or visit Edinburgh; and
- the quality and longevity of PU reinstatements.

Financial impact

Road Services had a number of income streams in 2012/13 relating to the monitoring of PU works. This is shown in the following table together with, the income targets for the next financial year and the income achieved to date.

<u>Income Stream</u>	<u>2012/13</u>	<u>Target Income 2013/14</u>	<u>Actual Income April – June 2013</u>
Sample Inspection Fees	£67,449	£68,200	£15,873
Coring and Inspection Follow ups	£73,191	£139,536	£28,842
Coring Failures	£6,370	£22,540	£1,568
Fixed Penalty Notices issued	£56,050	£63,000	£11,680
Total	£203,060	£293,276	£57,963

Equalities impact

There are no equalities impacts arising directly from this report.

Sustainability impact

There are no sustainability impacts arising directly from this report.

Consultation and engagement

The Roadworks Support Team within Road Services meets quarterly with representatives of the South East Roads Authorities and Utilities Committee (SERAUC). At this meeting Roads Authorities are represented by the City of Edinburgh Council, East, Mid and West Lothian Councils plus Scottish Borders Council. All Utilities are also represented. The purpose of this meeting is to:

- discuss overall performance issues;
- report mutually agreed working practices;
- report local initiatives to RAUCs for adoption nationally; and
- report performance regionally of Councils and Utilities.

The chairmanship of SERAUC rotates between PU's and Councils on a two year cycle. Since November 2012, the City of Edinburgh Council has chaired these meetings. There has been one meeting to date, held on 21 May 2013.

Managers from the Roadworks Support Team also meet quarterly with the PUs, the Council's Neighbourhood Roads Managers, Bus Companies and other core managers to consider any issues relating to road work planning and co-ordination. The purpose of this meeting (Edinburgh RAUC) is to:

- consider both the Council's and PU's major projects;
- review medium term and annual programmes (both capital replacement and revenue maintenance) for road works;
- review local factors affecting road works, including traffic management proposals; and
- grant permission to carry out road works.

There has been one meeting to date, held on 14 May 2013.

In addition to the above meetings, individual liaison meetings are held every two months with representatives of each of the major PUs. Specific performance issues and improvement requirements are discussed at these meetings.

This quarter, the Council was represented at all relevant meetings as required within the Code of Practice for the Co-ordination of Works in Roads.

Background reading/external references

Utility Company Performance – Item 7.10, Transport and Environment Committee, 15 January 2013.

Quality of Utility Company Reinstatements – Item 5.16, Transport, Infrastructure and Environment Committee, 18 June 2012.

Code of Practice for Inspections", 3rd edition, approved by the Roads Authority and Utility Committee Scotland, November 2012.

Code of Practice for the Co-ordination of Works in Roads, version 1.0, April 2013.

Public Utility Company Performance 2012/13 and First Quarter 2013/14

1. Background

- 1.1 The New Roads and Street Works Act 1991, as amended by the Transport (Scotland) Act 2005, gives statutory undertakers (PU companies and others given permission to work on roads) responsibility for signing, lighting and guarding works that are being undertaken. The Legislation also requires the road to be reinstated to prescribed requirements upon completion of works.
- 1.2 The same Legislation gives Councils the power to inspect, investigate and report on PU works and re-instatements. Councils also have powers to take such steps as appear necessary to remove any dangers works may cause to users or the roads.
- 1.3 The Act makes PUs wholly responsible for the management of their road works. Councils, as Roads Authorities, are responsible for monitoring the performance of the PUs and are empowered to charge them for a number of sample inspections carried out to monitor their performance. The sample size is currently 30% of the total annual number of re-instatements carried out over the previous three year period. Other inspections, carried out routinely by the Council, or in response to reports from the police or members of the public, may also be carried out. These inspections, unless a defect is found, are carried out at the Council's expense.
- 1.4 A previous report on 15 January 2013, recommended that a utility performance report be submitted to the Committee on a quarterly basis. The Committee approved the recommendation, to instruct the Head of Transport to enhance the scrutiny and monitoring of all road works. The Committee also agreed to instruct the Head of Transport to take the lead in developing a revived ERWAA.
- 1.5 To enable the Council to inspect 100% of PU reinstatements, a further two Inspectors have been employed within the Roadwork Support Team, on a two year fixed term basis.

Developments that have occurred during this quarter are also given within the report.

2. Main report

Fixed Penalty Notices (FPNs)

- 2.1 The total number of FPN's issued to PUs in 2012/13 was 607. A further 177 FPNs were issued to other agents in relation to Road Occupation Permits ie skips, scaffolding etc.
- 2.2 The total number of FPN's issued to PUs in Q1 was 121. A further 36 FPNs were issued to other agents in relation to Road Occupation Permits i.e. skips, scaffolding etc.

Co-ordination

- 2.3 Each of the four quarterly meetings took place for Edinburgh RAUC and for the SERAUC. Of these meetings, Cable & Wireless were the only PU to have missed nearly every meeting. A letter is being sent to their management team to request an improvement in their attendance.
- 2.4 The City Wide Traffic Management Group (CWTMG) meeting takes place monthly and discusses major works on the strategic road network. Discussions cover both Council and PU works. Only when the CWTMG is satisfied that the disruption is manageable are works approved.

Utility Reinstatement Work

- 2.5 The sample Inspections carried out in 2012/13 were divided as follows:

Sample A Inspections	No - 628	Undertaken during the progress of the works.
Sample B Inspections	No - 637	Reinstatements within six months of the work being completed.
Sample C Inspections	No – 648	Reinstatements within three months of end of maintenance guarantee period.

2.6 The sample Inspections carried out in Quarter 1 were divided as follows:

Sample A Inspections	No - 162	Undertaken during the progress of the works.
Sample B Inspections	No - 149	Reinstatements within 6 months of the work being completed.
Sample C	No – 150	Reinstatements within 3 months of end of maintenance guarantee period.

Utility Defective Apparatus

2.7 The total amount of outstanding Defective Apparatus (manhole covers and other street ironwork) at the end of 2012/13 was as follows:

- Scotland Gas Networks - 22
- Scottish Water - 582
- BT Openreach - 53
- Scottish Power - 8
- Virgin Media – 27
- Others – 5

This amounts to 697 items of outstanding defective apparatus. The PU with the largest number of outstanding defective apparatus was Scottish Water.

2.8 The total numbers of outstanding Defective Apparatus for the three months of Q1 was as follows:

Utility	April	May	June
Scotland Gas Networks (SGN)	19	10	6
Scottish Water	586	508	534
BT Openreach	54	43	41
Scottish Power	4	8	8
Virgin Media	19	5	16

2.9 At the end of quarter 1, there were 607 items of outstanding defective apparatus. The PU with the largest number outstanding was again Scottish Water. Of the 534, that show as still outstanding, the Council has received assurances from Scottish Water that approximately 200 have already been repaired, with a further 200 on the schedule currently with their contractors. However, the Scottish Road Works Register still shows this total as outstanding. Scottish Water has received instructions from the Council to correct any errors and duplications in their registration work with immediate effect. Assurances have been gained that a dedicated team is currently working on this. Until such time as this can be verified no changes will be made to the Council's reports. These defects and the proposals to address them were discussed at an improvement meeting held on 18 June 2013.

Defective Reinstatements

2.10 The total number of outstanding Defective Reinstatements at the end of 2012/13 was as follows:

- Scotland Gas Networks (SGN) – 61;
- Scottish Water – 172;
- BT Openreach – 21;
- Scottish Power – 23;
- Virgin Media – 34; and
- Others – 27.

At the end of the year the total number of outstanding defective reinstatements in the city was 338. These will continue to be monitored every 17 days until they are repaired. The PU with the largest number of defective reinstatements is again Scottish Water and these were discussed at the improvement meeting noted in 2.18 below.

2.11 The total number of outstanding Defective Reinstatements for the three months of Q1 was as follows:

Utility	April	May	June
Scotland Gas Networks (SGN)	64	77	80
Scottish Water	155	198	202
BT Openreach	16	22	24
Scottish Power	21	32	29
Virgin Media	35	39	34

At the end of the quarter the total number of outstanding defective reinstatements in the city was 370. The PU with the largest number of defective reinstatements is still Scottish Water. These were discussed at the improvement meetings on 18 June 2013. Scottish Water is currently undertaking training of its contractors to address issues that result in failed reinstatements. The actions being taken by Scottish Water have been submitted and discussed with Road Services.

It can be seen that during May of quarter 1 every PU showed an increase in their failed reinstatements from April. The number of inspections carried out by the Council during May also increased, by 47%. The trend of increasing failed reinstatements found has continued into June with the exception of Scottish Power and Virgin Media. This trend will be discussed at the next liaison meetings with each PU. Details of their improvement actions will be requested.

The Edinburgh Roadworks Ahead Agreement

2.12 The Edinburgh Road Works Ahead Agreement (ERWAA) was signed in April 2007 by the major Utility Companies and the Council. The Agreement was designed to go beyond the minimum statutory requirements which were about to be introduced in Regulations as part of the Transport (Scotland) Act 2005. The stated ERWAA's objectives were to:

- Minimise the Impact of Road Works to the Public;
- Improve the Quality of Reinstatements;
- Measure and Report on the Service Performance;
- Ensure Safety and better information signage at Road Works;
- Provide better Co-ordination of works throughout the City; and
- Create a mechanism for continuing improvements from the creation of a Council/Utility Company review team meeting held on a monthly basis.

2.13 Since the launch, initiatives to meet the objectives include the setting up of a Traffic Control Centre, better communication between PU's and the Council by the setting up of Liaison meetings where the Council meets every individual PU on a two monthly cycle.

2.14 It is planned to re-launch the ERWAA after consideration on 14 January 2014 by Transport and Environment Committee. A member/officer working group is proposed to develop proposals for inclusion in the new agreement. It is envisaged that additional requirements will be added to the existing document and some of the less successful sections be removed. It will be important to obtain representation from the community to seek their suggestions and comments on the document. It is intended that this is discussed at an early meeting of the member / officer group.

Changes in 2012/13

- 2.15 Since January 2013, Road Services have registered all elements of their work that, under the standard requirements for registration, would normally be exempt. This includes all excavations and work involving the erection of single columns. As a result this additional registration contributed to an increase in the notification failure rate of the Councils registered work, in Quarter 4. The failure rate increased by 7% and additional training of council staff registering the work has taken place to address the increase in failures. The intention of registering additional work, is to set an example to PU's, that this type of work will now be registered. This will not only facilitate a better and more accurate co-ordination of road works but will allow the Council to monitor its own work more thoroughly.

Changes in the First Quarter of 2013/14

- 2.16 Two additional Inspectors have been employed on a two year fixed term contract to assist the four existing Inspectors achieve the target of 100% inspection of the reinstatements carried out by PU's. Their training is ongoing and early indications show that both are on target to meet their inspection quotas.

Transport Research Laboratory Report

- 2.17 A project carried out by the Transport Research Laboratory, entitled 'The Long-term Damage to Roads Caused by Utility Reinstatements' was undertaken between December 2012 and March 2013. The Council were asked to take part and provide data for the project. This involved a detailed examination of 38 reinstatements in the city area between two and ten years old. Other Councils involved in the project were Aberdeenshire, East Lothian and North Lanarkshire. The project report has yet to be published and the findings announced however, initial findings seem to suggest that PU reinstatements do have an effect on the long term damage to roads. It is hoped that the report will make suggestions on how to avoid similar problems in the future.

Improvement Plan

- 2.18 A meeting was held on, 28 March 2013, with the General Manager of Scottish Water and his senior managers to discuss the poor performance throughout the year, particularly in respect of Defective Apparatus and Defective Reinstatements. At the meeting a commitment was received from Scottish Water to draft and submit an Improvement Plan for the coming year.
- 2.19 A subsequent meeting took place on 2 April 2013 with Scottish Water's contractors. Initial plans have been received showing the location of all outstanding items of defective apparatus. Information was also provided detailing how the work is to be carried out.

- 2.20 A further meeting took place on 18 June 2013, with Scottish Water to discuss progress of its improvement actions. Significant training has taken place with staff who are involved in setting out their signing, lighting and guarding of their works.
- 2.21 A commitment was received from Scottish Water and work started on repairing their defective apparatus in June 2013 in the North, City Centre & Leith and South Neighbourhoods. Work will be undertaken outwith peak times and will utilise evening and weekend working to minimise disruption to traffic. It will be subject to regular monitoring and it is planned to have the backlog of defects completed in 2013/14.

Performance Monitoring

- 2.22 Performance is the subject of regular measurement and monitoring by the Council. A comprehensive report showing the performance for 2012/13 is attached in Appendix A. Performance charts are shown for:
- **Graph 1** – Fixed Penalty Notices per Utility Company. The high failure rate by Scottish Power was identified during Quarter 2 of the year. Following discussions at Liaison meetings, Scottish Power employed additional dedicated staff to address the failures. At Quarter 4 the failure rate for Scottish Power was the lowest of the five Undertakers.
 - **Graph 2** – Number of Inspections undertaken. In 2012/13 over 13,000 inspections were carried out. It is estimated that in 2013/14 approximately 20,000 inspections will be undertaken, ie 100% of PU reinstatements carried out.
 - **Graph 3** – Core Results Pass/Fail performance for each Utility. The recognised acceptable failure rate for coring is 10%. Both Scottish Water and SGN were at 17%. Scottish Water is addressing this by updating its working methods and has assured the Council that this will be improved in the new financial year. SGN have been informed that its performance is unacceptable. Assurances have been received from SGN that its performance will show an improvement in the current financial year.

- **Graph 4** - Defective Apparatus Outstanding (Overall numbers that have yet to be repaired). It is widely known that the theft of metal, including access covers, manhole covers and toby lids, is a problem. Although this is not the only reason for the numbers shown in this graph, it is a contributory factor. The number outstanding for Scottish Water is a long standing issue. This has been raised as a specific problem and plans are being put in place by Scottish Water to address this early in the current financial year.

2.23 Figures showing trend information over the last three years are also shown in Appendix B. Performance charts are shown for:

- **Graph 5** - Road Works Registration – Notification Failures for CEC and other Councils for the past three years. The target Failure Rate for Edinburgh is 9% and a rate of 14% was achieved at the end of the year. The target for 2010-11 was 23%. The Quarter 4 rate in 2012/13 was 19% and was affected by the further changes detailed in paragraphs 2.5 involving the additional registration of work not previously registered. The Failure Rate for Quarters 1 to 3 was 19%, 6% and 12% respectively. Some registration failures were expected during this period of change and correlates to the increased number of works registered. The failures should reduce as the new procedures become embedded.
- **Graph 6** – Road Works Registration – Notification Failures for CEC and the major Utility Companies for the past three years as a comparison.
- **Graph 7** - Statutory Inspections pass rates for the past three years. The target pass rate is 90%. The trend for three out of the five major PUs is showing an improvement in the pass rates for statutory inspections. Both British Telecom/Openreach and Scottish Water showed a lower pass rate than the previous year. Both BT/Openreach and Scottish Water have been advised that an improvement is required in their performance, in the new/current financial year. Refer to paragraph 2.18.
- **Graph 8** – The number of FPN's accepted by Utilities for the past three years. There has been an improvement in four out of the five major PUs. It is believed this is due to monitoring the failures and raising the numbers of FPN's at the liaison meetings. The slight increase in the FPN's issued to SGN has been raised with them. However, they still remain the better performer of all five PUs. The target pass rate is 90% for all PUs.

- **Graph 9** – The number of Inspections carried out for the past three years. In 2012/13 over 13,000 inspections have been carried out. It is estimated that in 2013/14 nearly 20,000 inspections will be carried out.
- **Graph 10** – The amount of Defective Apparatus over the past three years. The amount of outstanding defective apparatus has reduced from last year. This is due to regular inspections, performance discussions at the Liaison meetings and additional resources allocated by Scottish Water. Scottish Water remains the poorest performer in 2012/13 and meetings with their senior management have resulted in improvement plans being required to address the high numbers that are outstanding. As detailed in paragraph 2.18.
- **Graph 11** – The average Core Failures for all Utilities for the past three years. Regular coring of reinstatements is carried out to check compliance with the required specification in reinstatements. Overall the performance is still below the required failure rate of 10% or less. This is a subject that will be closely monitored in 2013/14 and with the aid of two additional Inspectors will involve the inspection of 100% of PU reinstatements.

2.24 Figures showing performance information for the first quarter of 2013/14 are shown in:

- **Graph 12** - Fixed Penalty Notices per Utility Company; the failure rate by Scotland Gas Networks was the highest in quarter 1. This was due to their notices not being closed on time and no notice being received. These were the same reasons for the high fixed penalty rate of Scottish Water. These issues will be raised at their next liaison meetings. Requests will be made for an improvement by the next month's monitoring.
- **Graph 13** - Number of Inspections undertaken; in this quarter there were 5,352 inspections carried out. The number of inspections carried out per month depends on a number of variables, weather, staff available and proximity of inspections to one another. It is estimated that the target of 20,000 inspections will be achieved this year.
- **Graph 14** - Core Results Pass/Fail performance for each Utility; the recognised acceptable failure rate for coring is 10%. Both Scottish Water and Openreach were higher than the target.

Scottish Water failed 18/60 cores for the following reasons; depth of laid material (17%), compaction (2%), no bonding (2%) and the wrong material used (10%). Scottish Water is addressing this by updating their working methods and has assured the Council that this will be improved within this year. This includes training and talks with their contractors.

Openreach failed 2/15 cores and has been informed that this is unacceptable. The reasons were equally split between depth of laid material and the wrong material used. Assurances have been received that it will be improved. Specific improvement details will be gained at the next liaison meeting.

- **Graph 15** - Defective Apparatus Outstanding, (Overall numbers that have yet to be repaired); the number outstanding for Scottish Water (534) is a long standing issue. This has been raised as a specific problem and plans are being put in place to address this during the first few months of next year.
- **Graph 16** – Defective Reinstatements Outstanding, (Overall numbers waiting repair); the number of outstanding or defective reinstatements has gradually increased over quarter 1. Each PU has shown an increase in failed reinstatements, with the exception of Scottish Power and Vergin Media. It is believed this is a direct result of the additional inspections carried out in quarter 1 and therefore additional failed reinstatements were discovered.

3. Recommendations

- 3.1 It is recommended that the Transport and Environment Committee:
- 3.1.1 agrees that a member/officer working group be established to develop proposals for the Edinburgh Road Works Ahead Agreement (ERWAA) brought back to Committee for final agreement on 14 January 2014;
 - 3.1.2 notes the performance information shown in Appendix A;
 - 3.1.3 notes the trend information shown in Appendices B and C; and
 - 3.1.4 agrees that quarterly performance reports will be submitted to future meetings of the Committee.

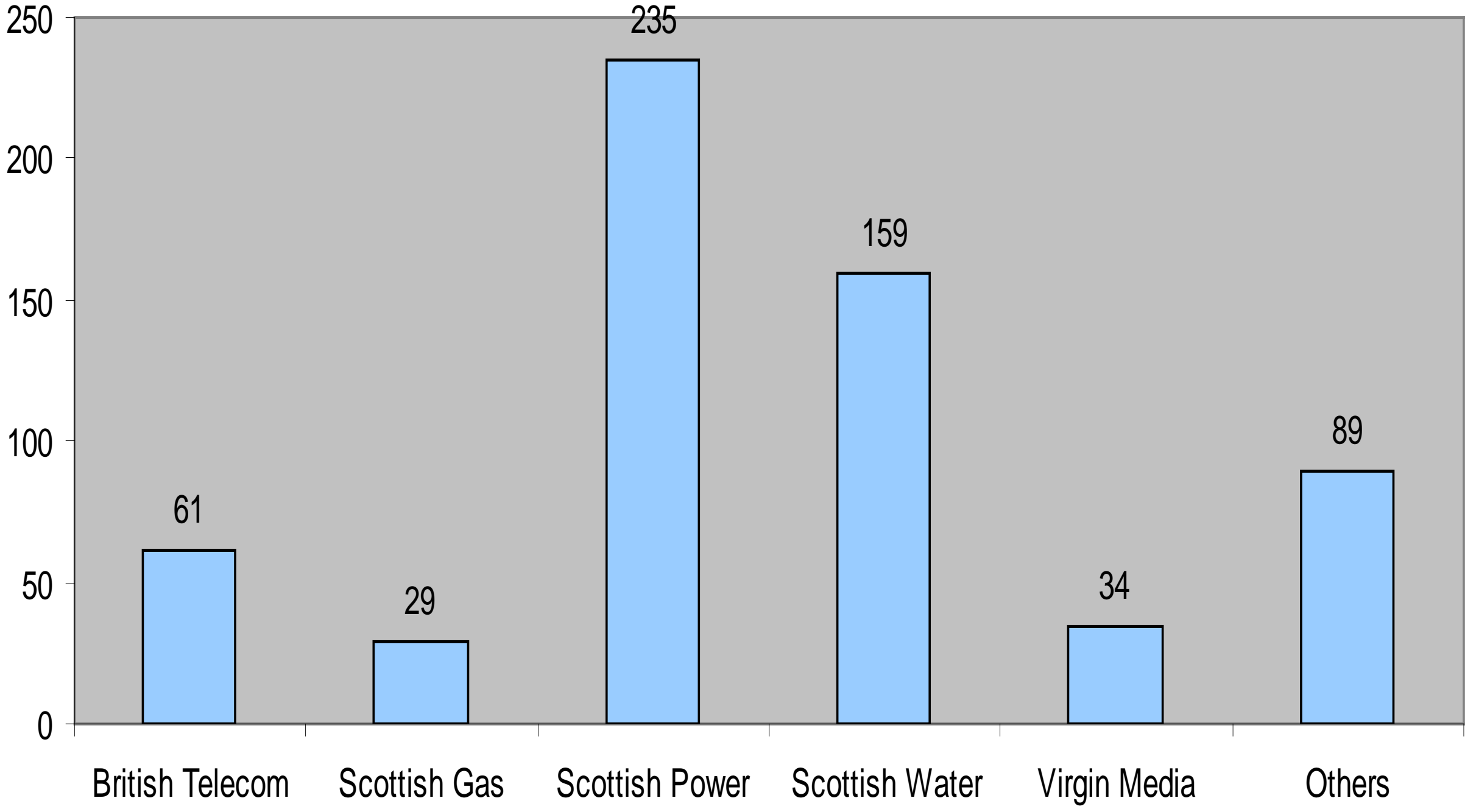
Mark Turley

Director of Services for Communities

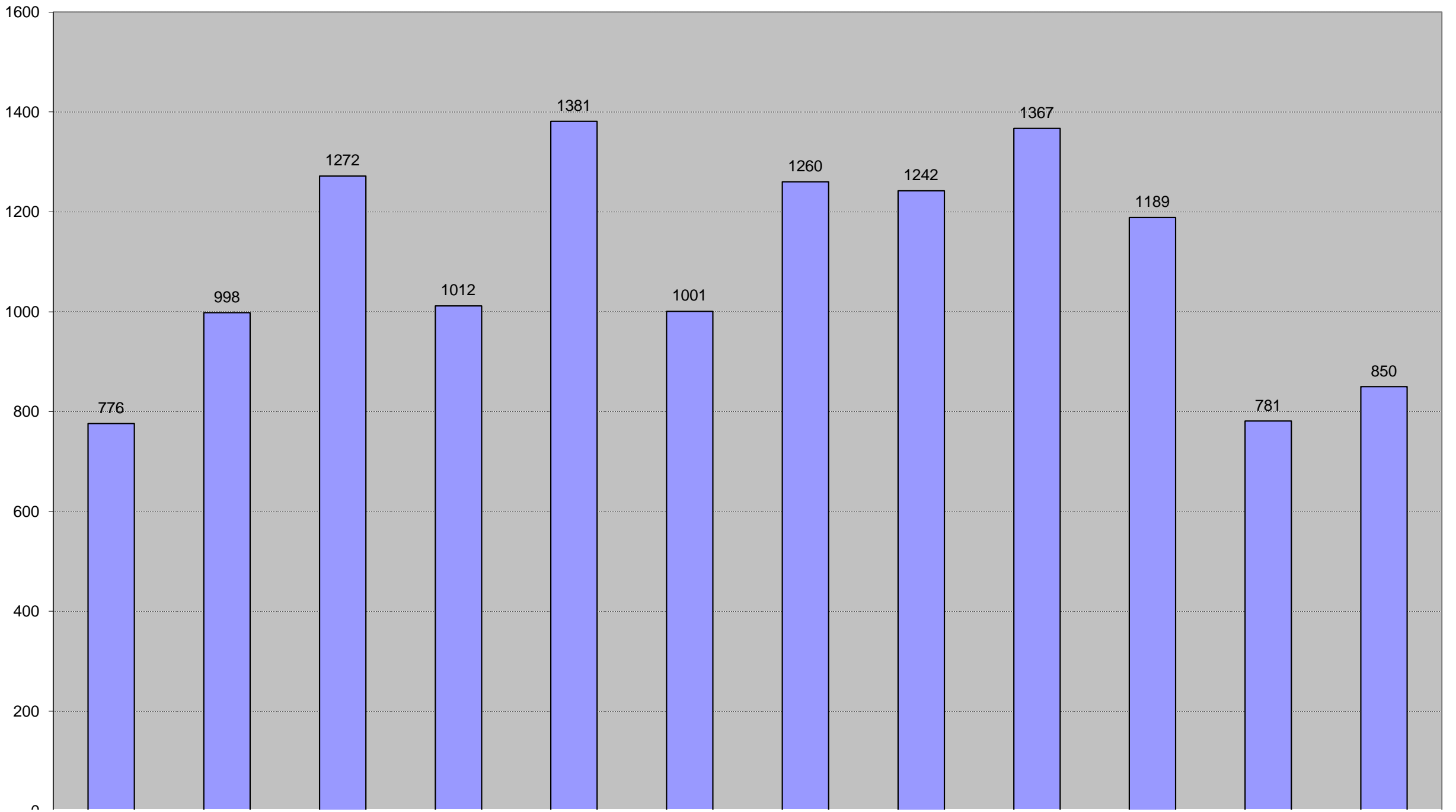
Links

Coalition pledges	<p>P28 Further strengthen links with the business community by developing and implementing strategies to promote and protect the economic well being of the city.</p> <p>P33 Strengthen Neighbourhood Partnerships and further involve local people in decisions on how Council resources are used.</p>
Council outcomes	<p>CO19 Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards and maintenance of infrastructure and public realm.</p> <p>CO26 The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives.</p>
Single Outcome Agreement	<p>SO4 Edinburgh’s communities are safer and have improved physical and social fabric.</p>
Appendices	<p>A – Utility Company Performance Full Year 2012/13</p> <p>B - Utility Company Performance 3/Year Trends</p> <p>C - Utility Company Performance Quarter 1 April to June 2013</p>

UTILITIES ACCEPTED FPNs 2012-13



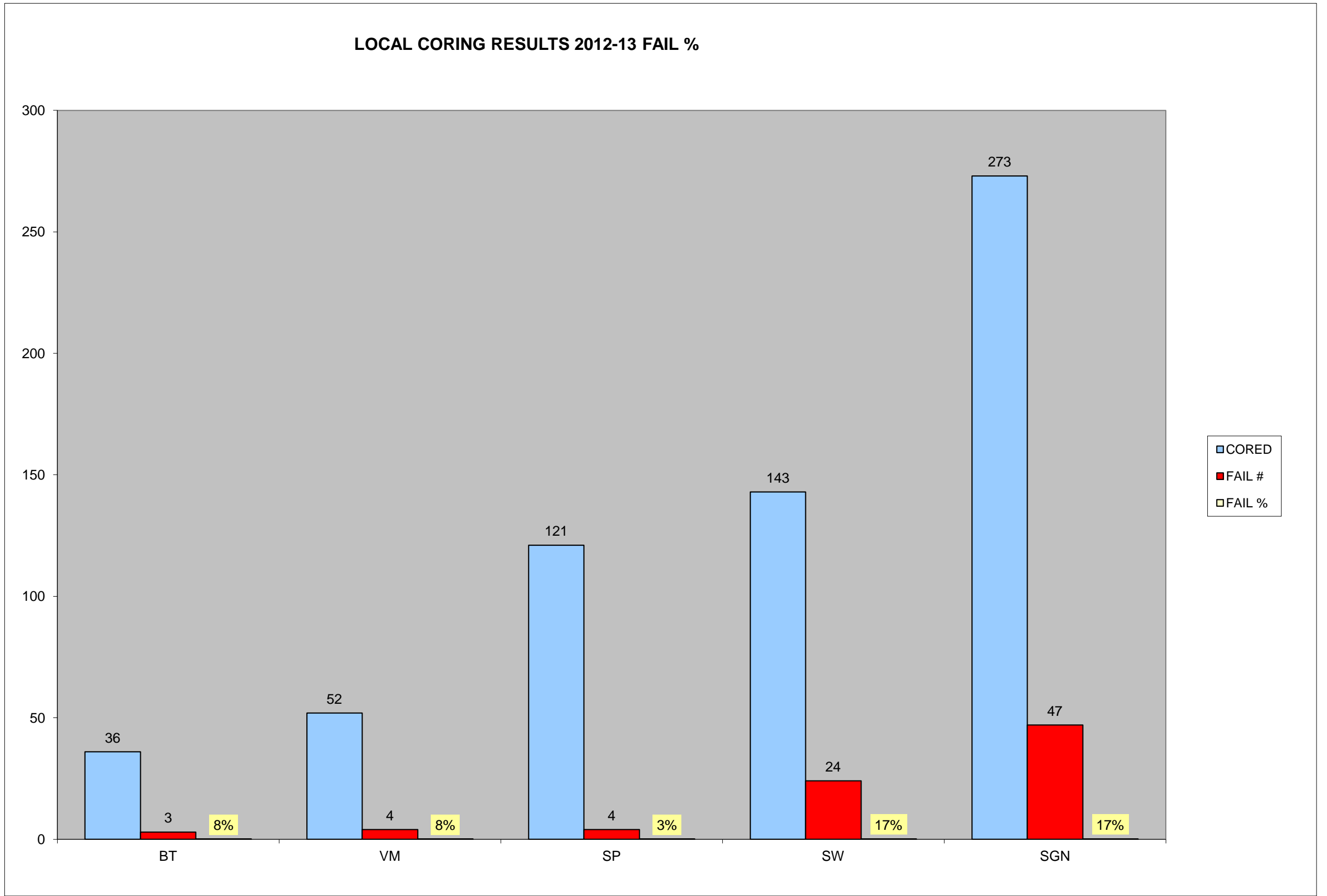
INSPECTIONS DONE 2012-13



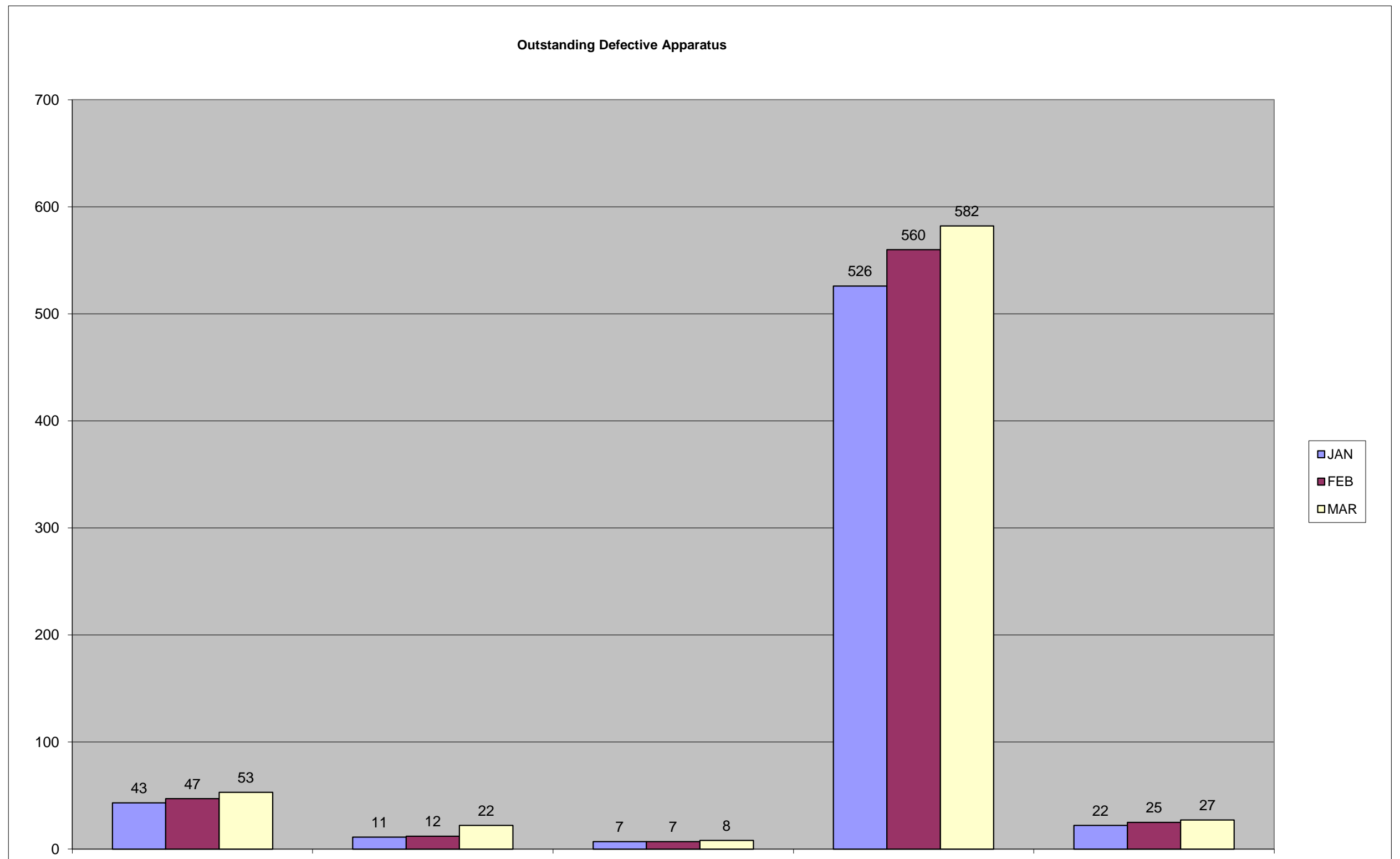
0 APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR



GRAPH No 3



GRAPH No 4



British Telecom

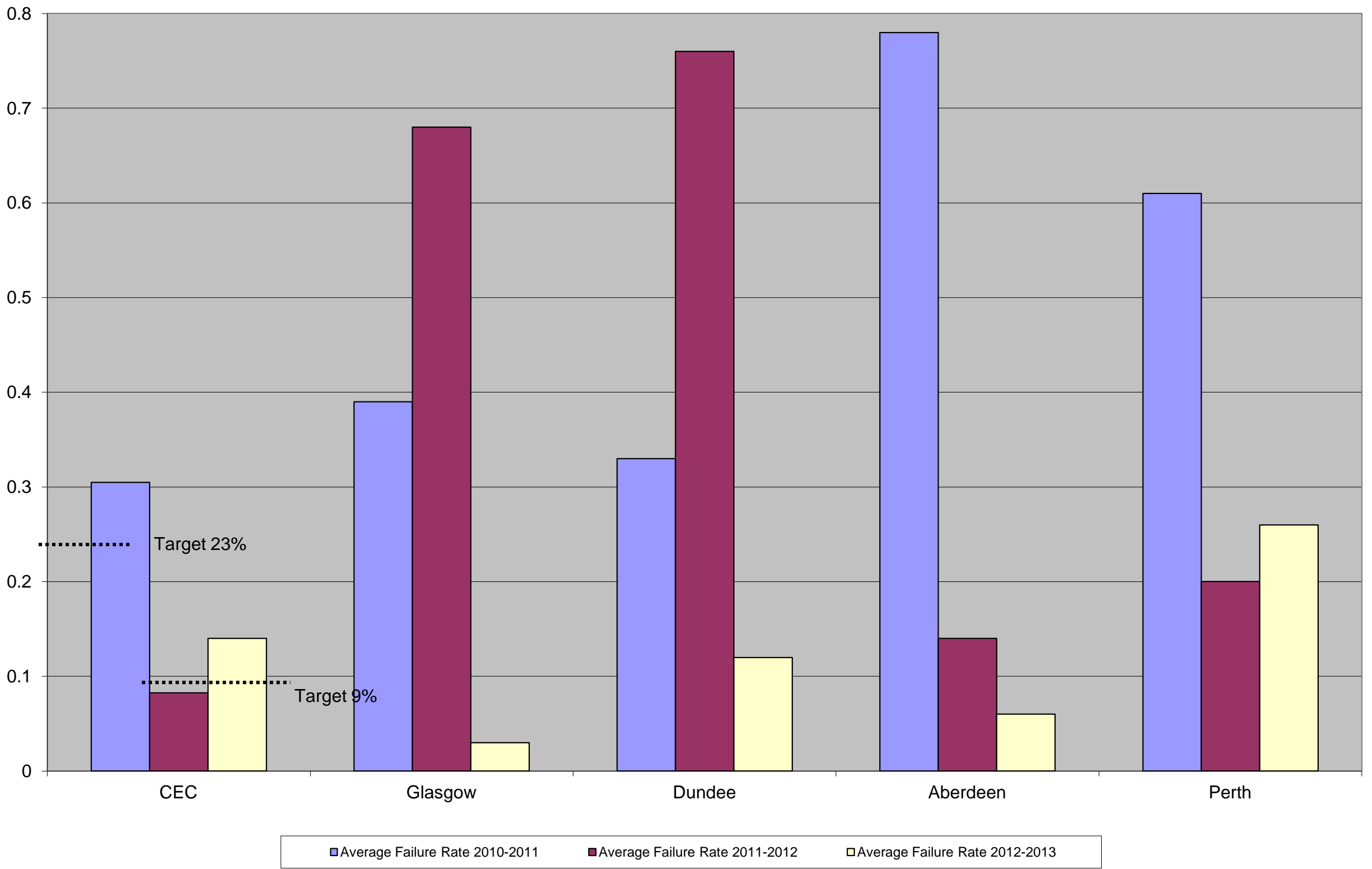
Scotland Gas Networks

Scottish Power

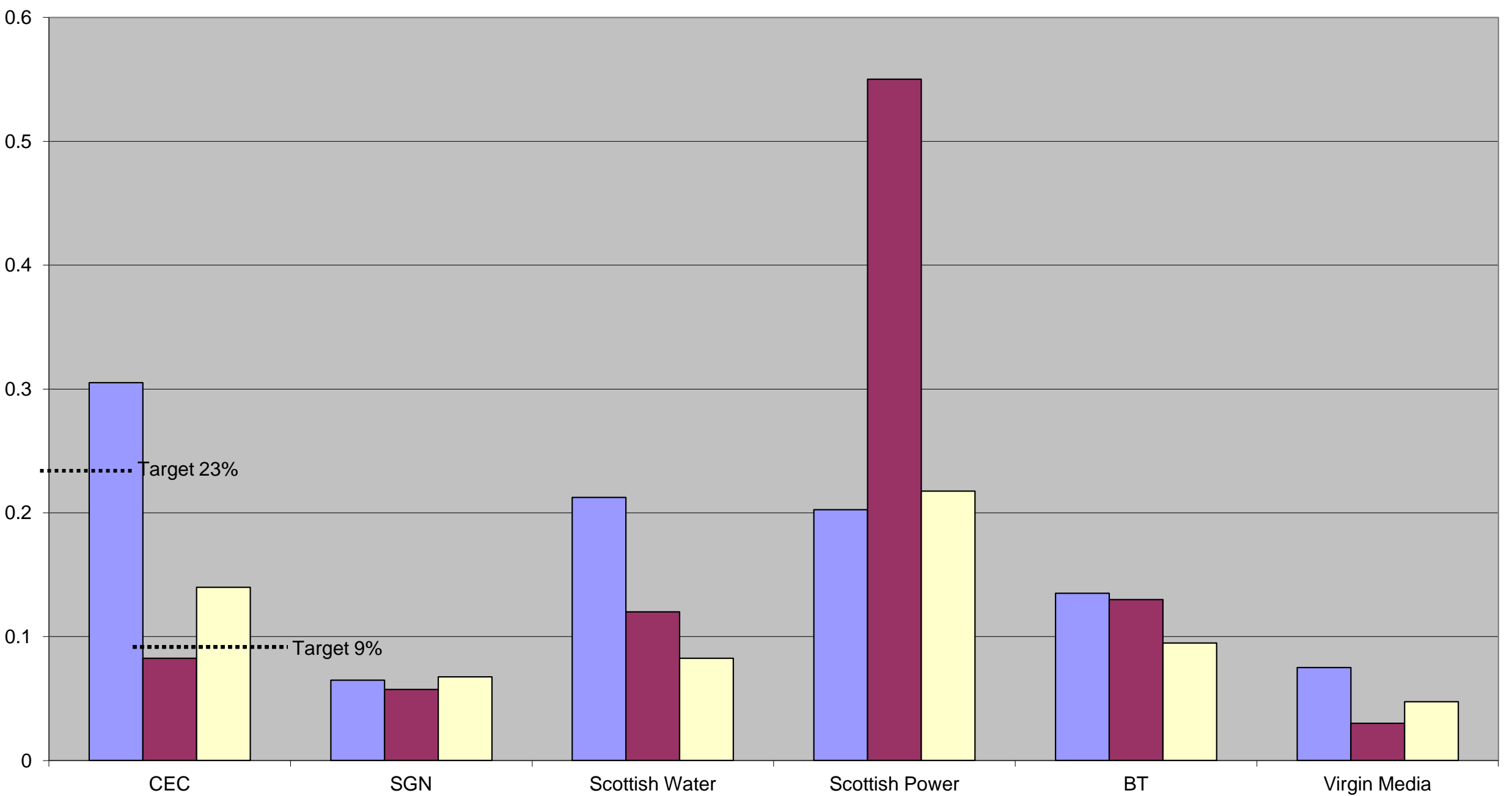
Scottish Water

Virgin Media Group

Roadworks Registration Failures - CEC/Roads Authorities Annual Average



Roadworks Registration Failures - CEC/Utilities Annual Average

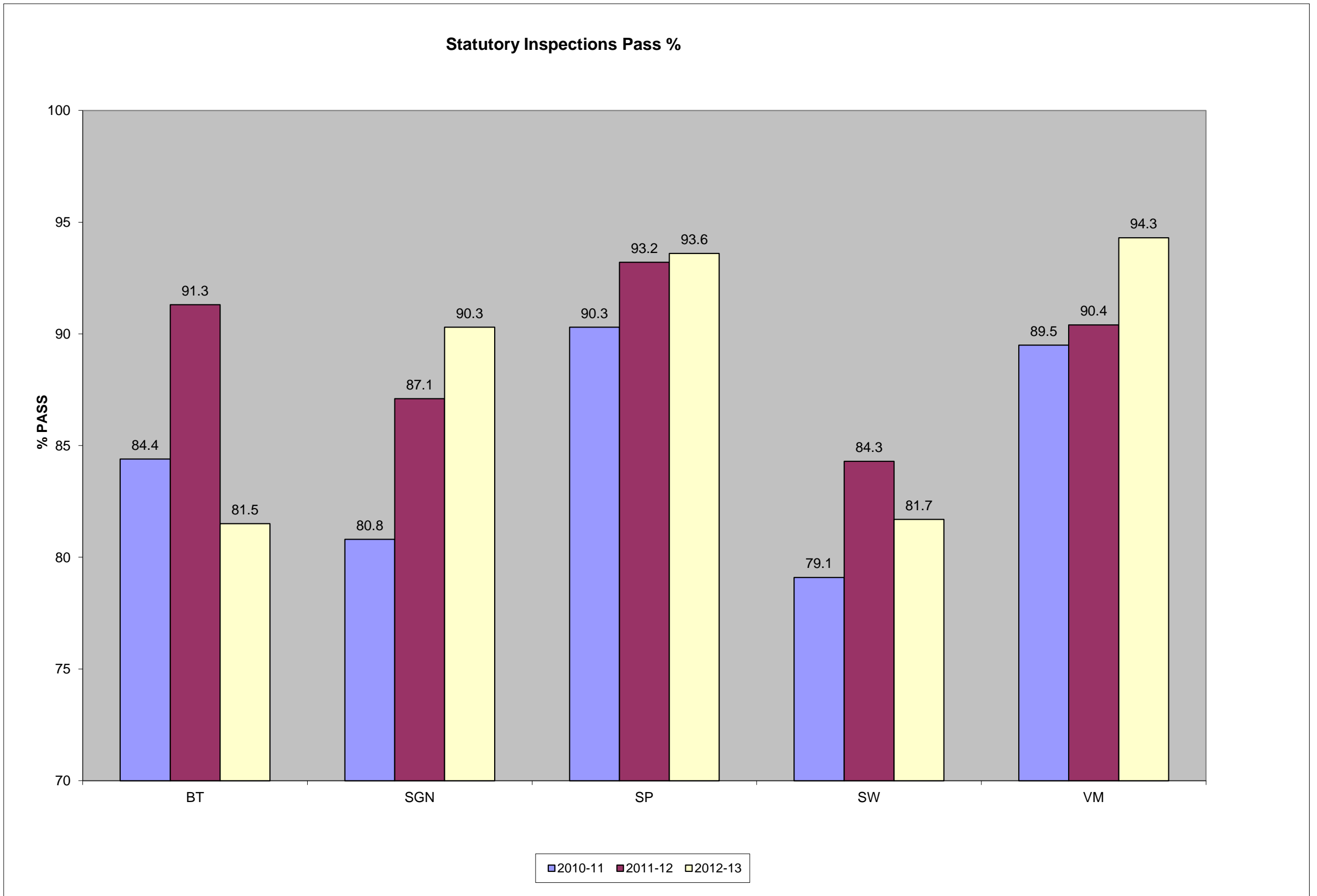


■ Average Failure Rate 2010-2011

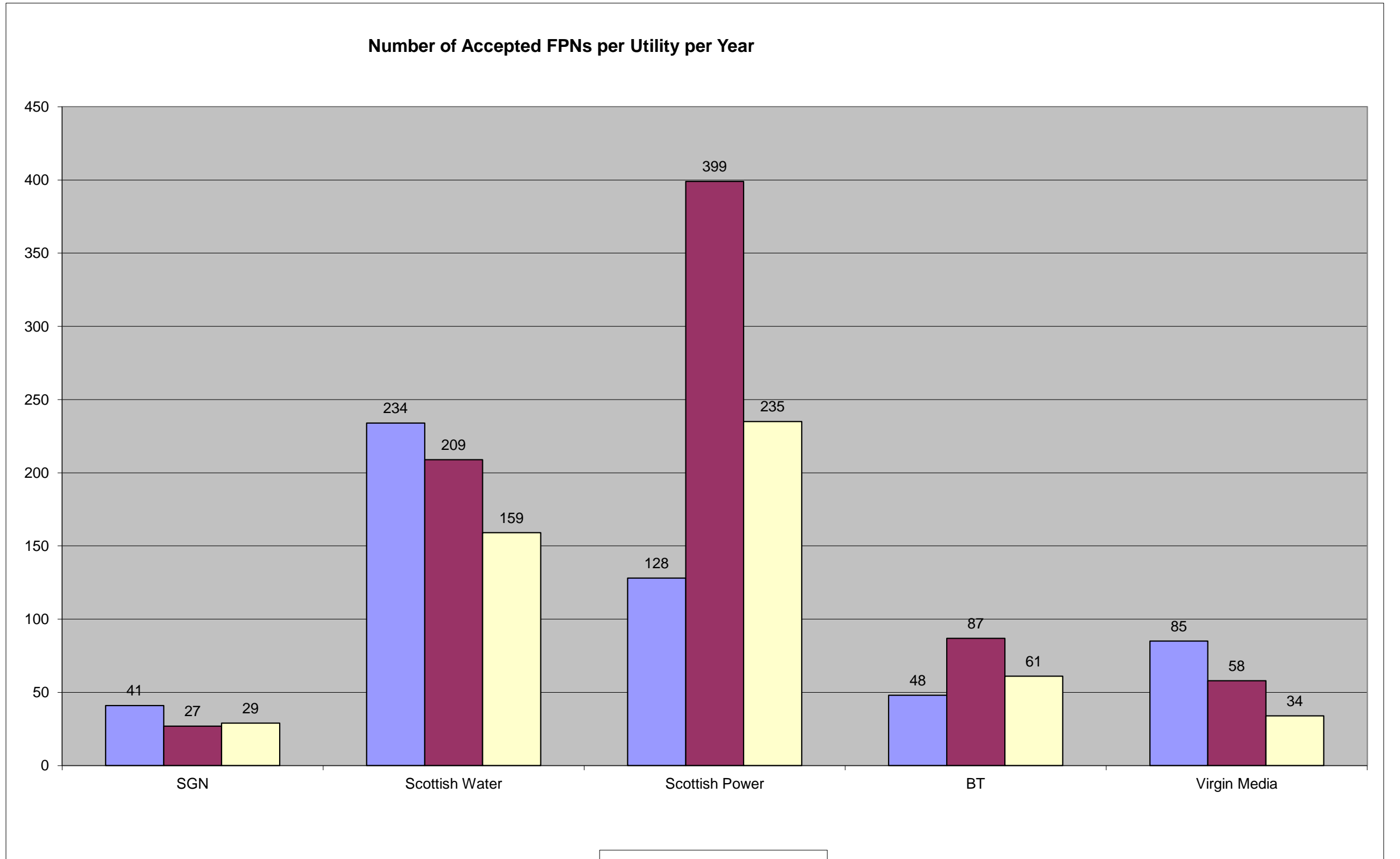
■ Average Failure Rate 2011-2012

□ Average Failure Rate 2012-2013

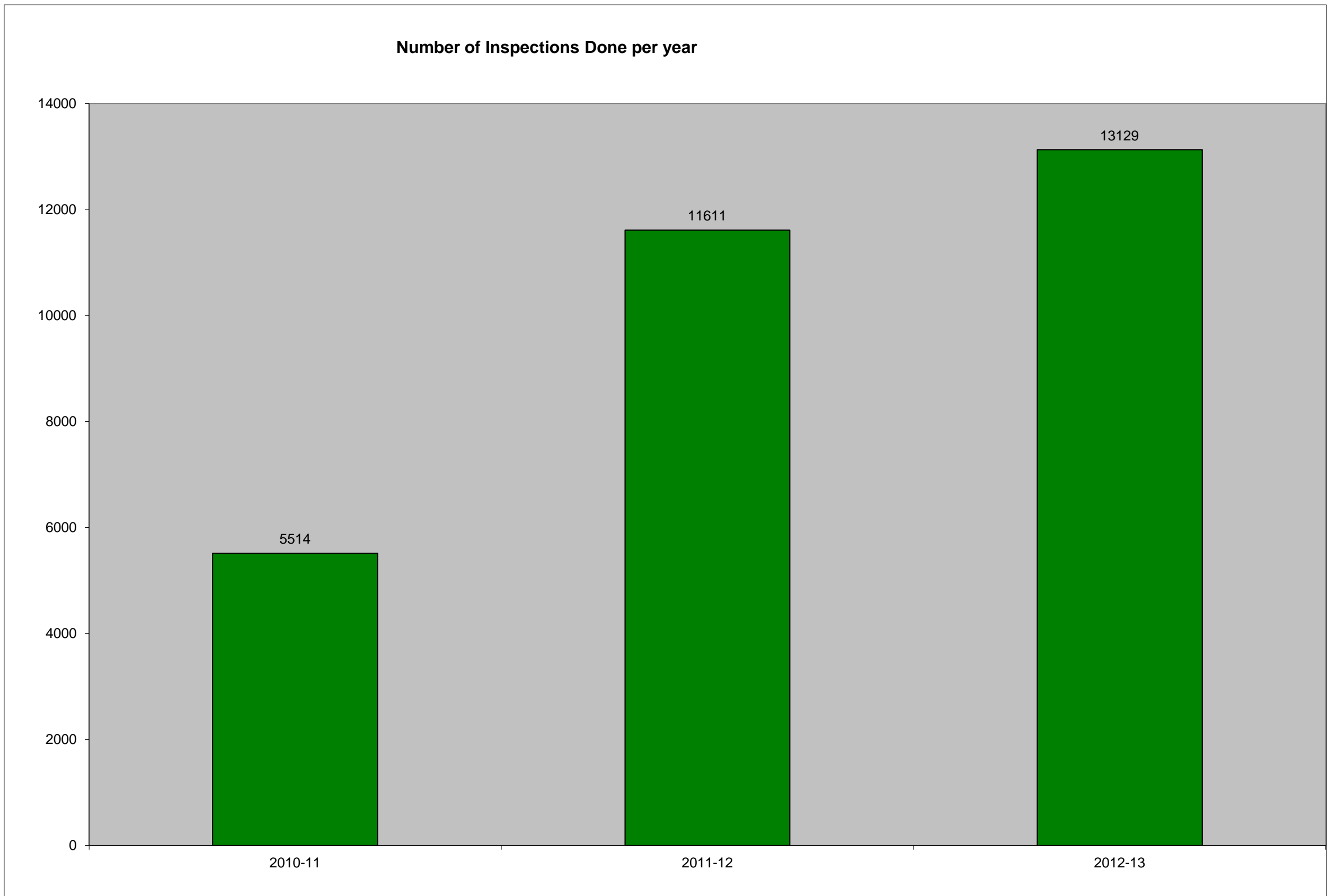
GRAPH No 7



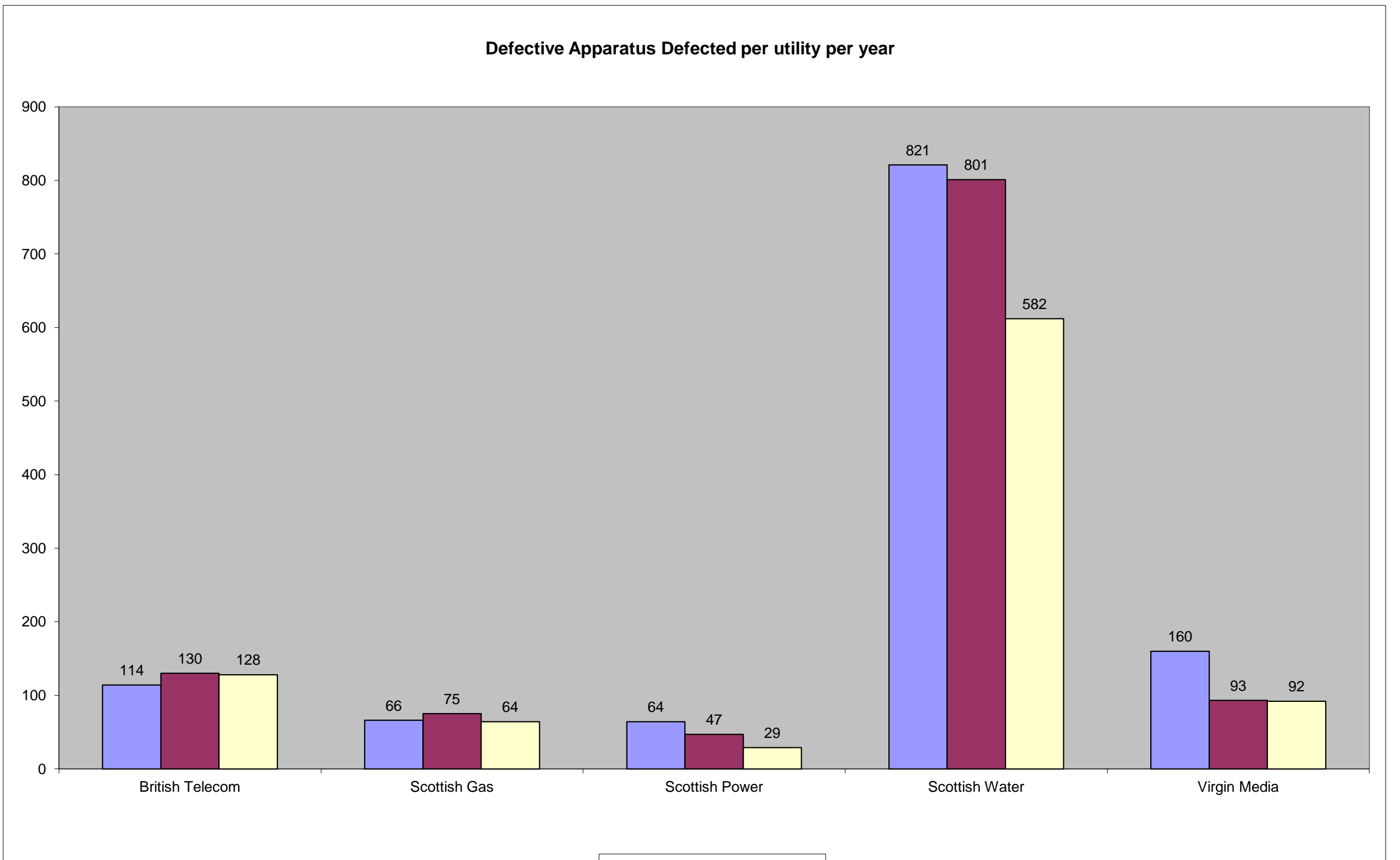
GRAPH No 8



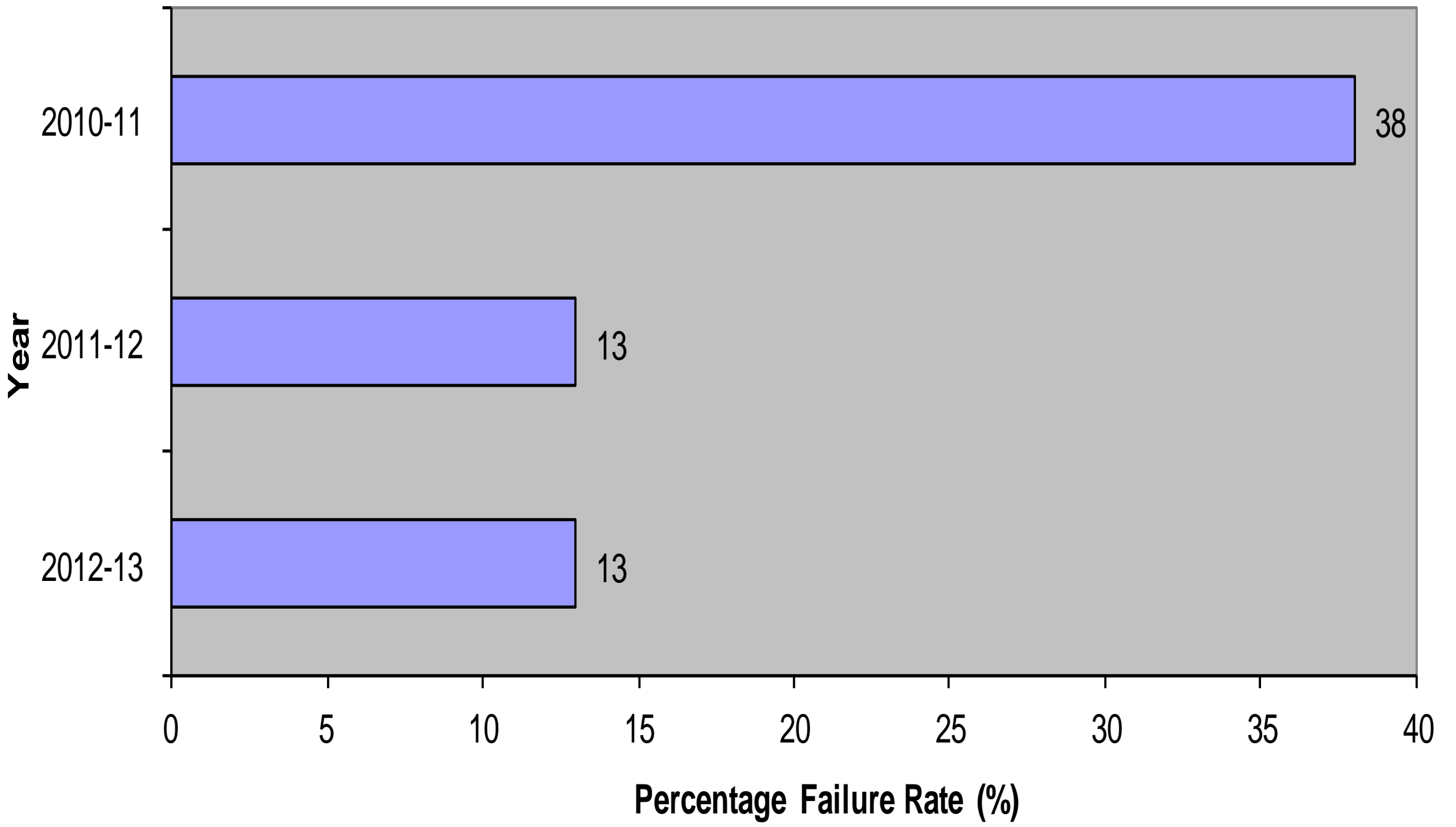
GRAPH No 9



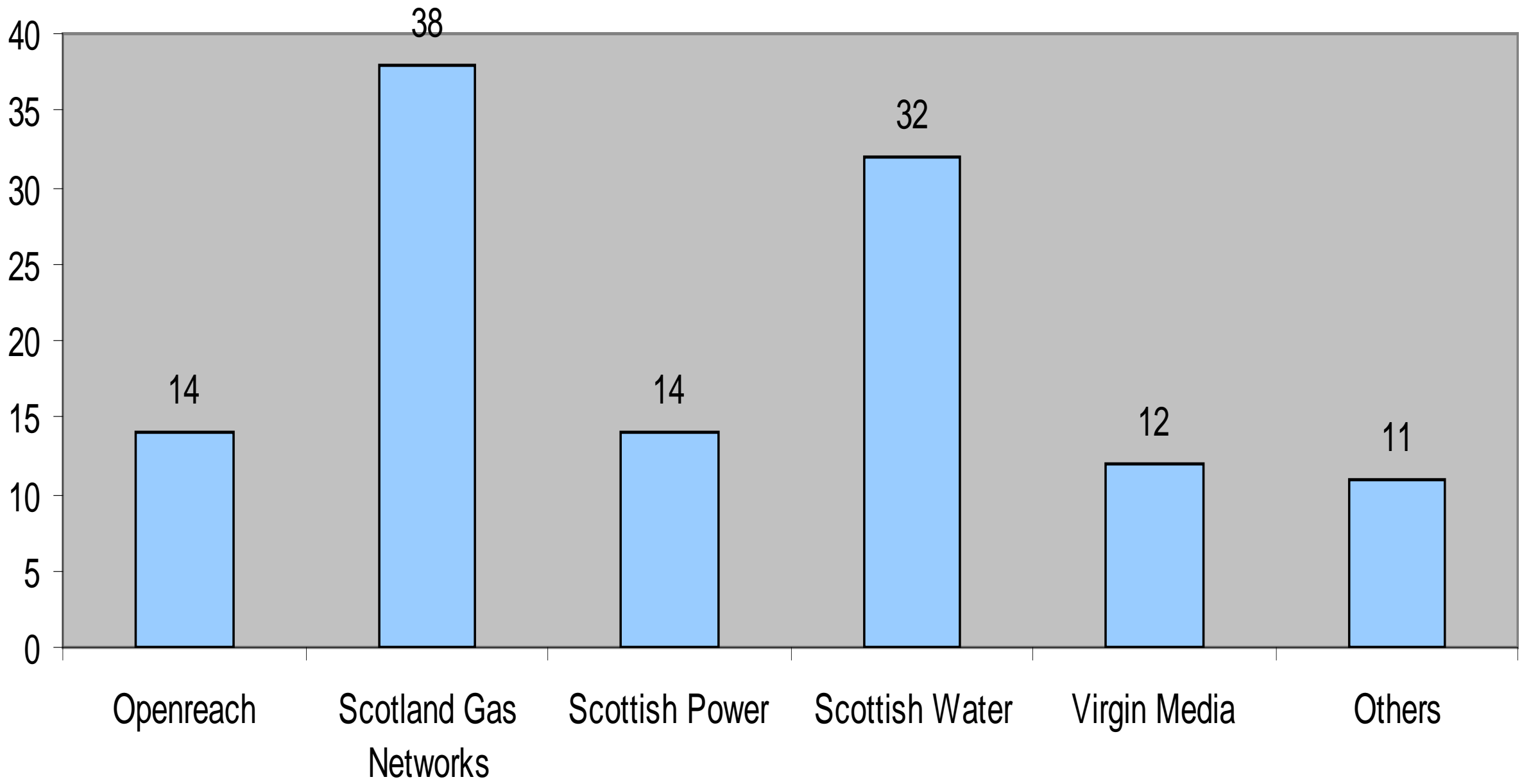
GRAPH No 10



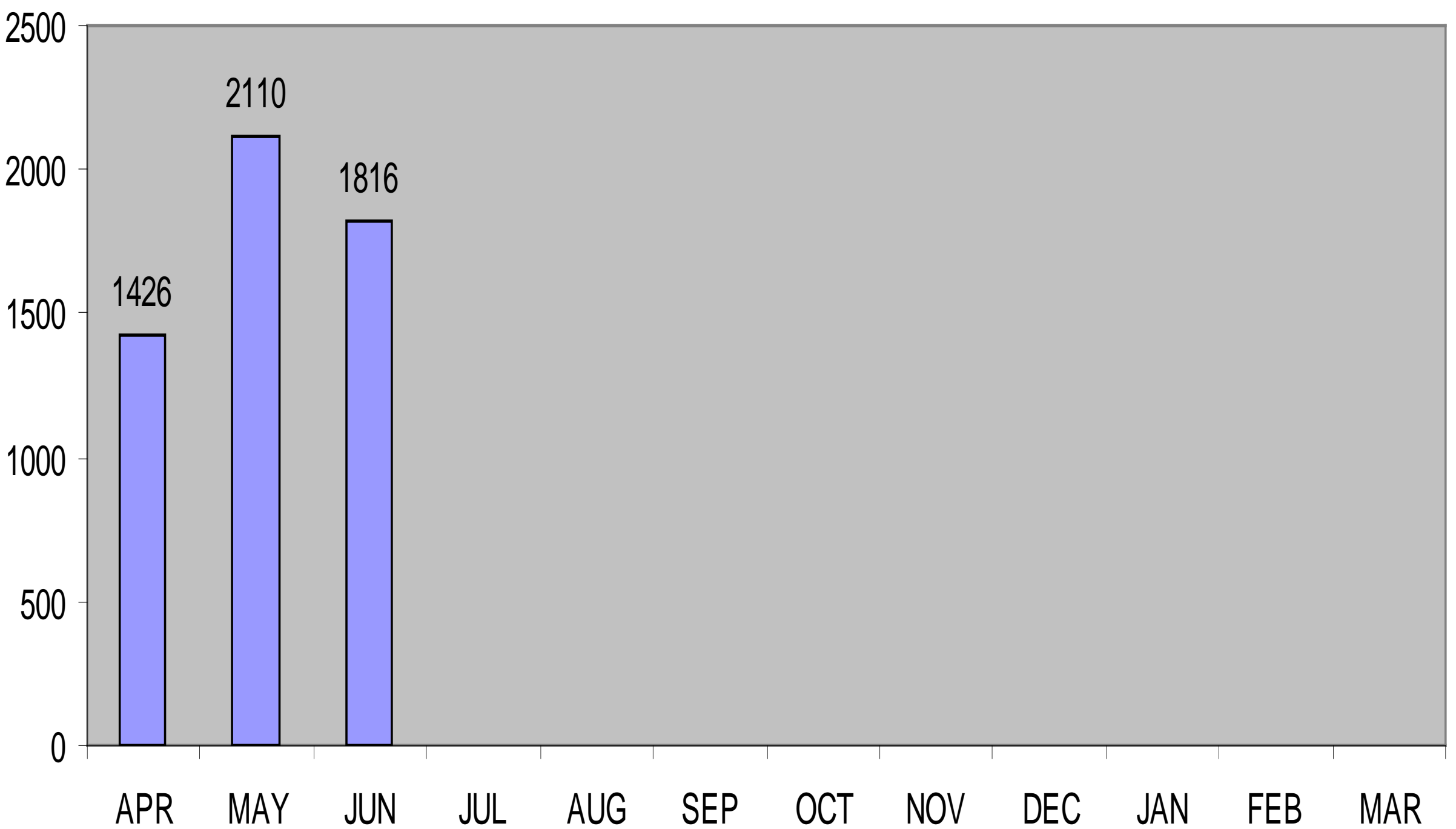
Core Fail % all utilities per year



UTILITIES ACCEPTED FPNs 2013-14

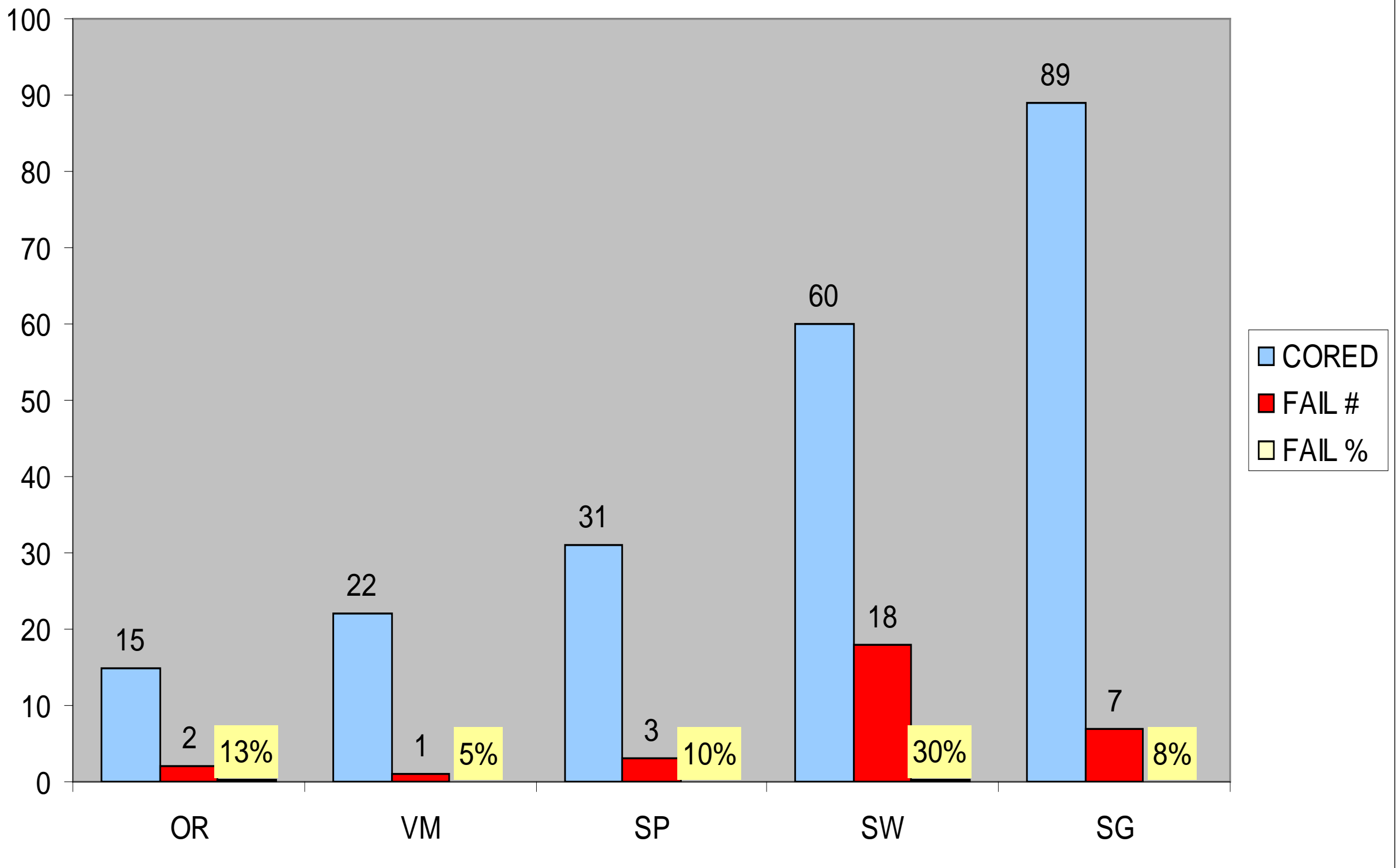


INSPECTIONS DONE 2013-14



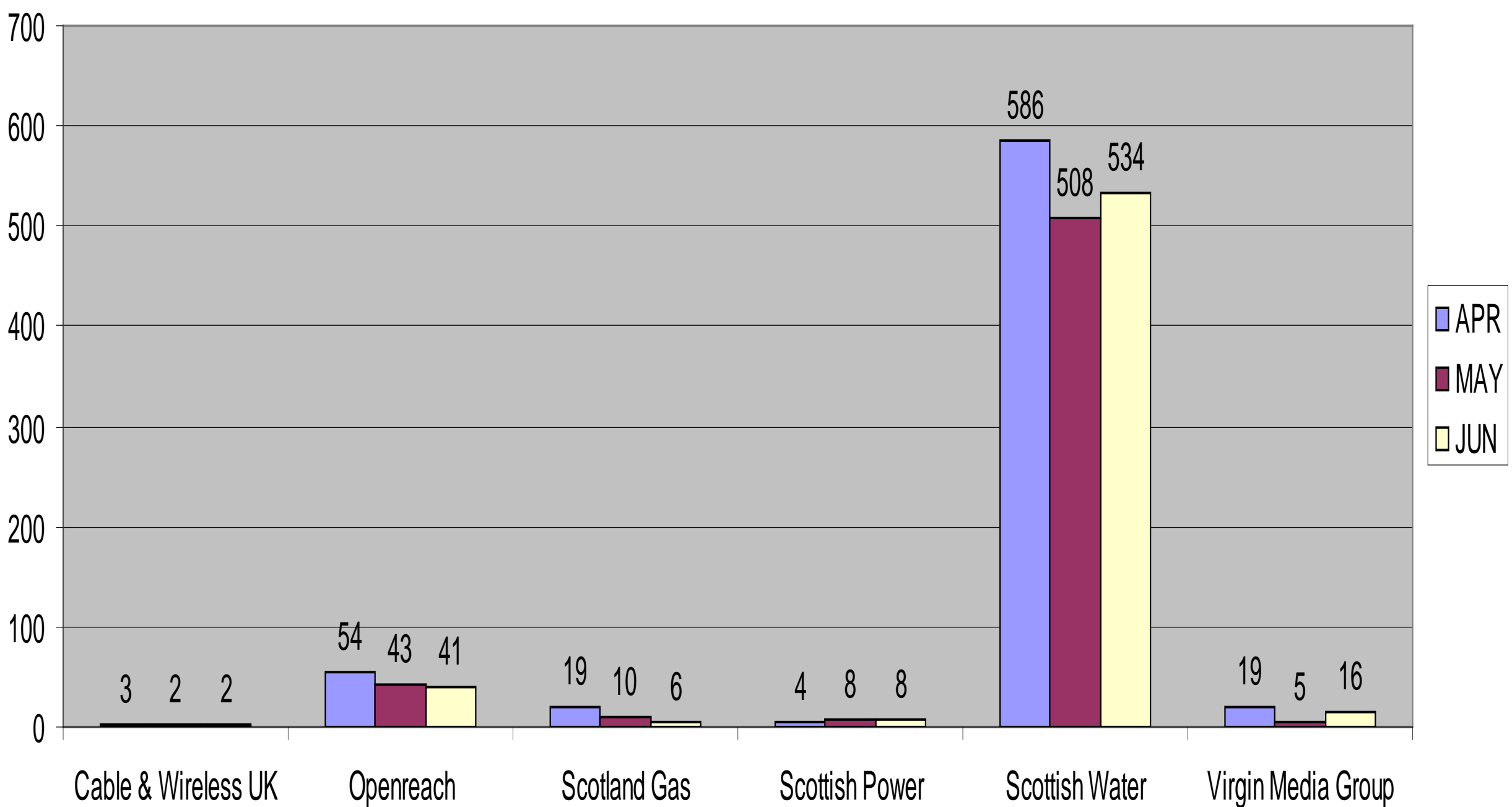
GRAPH No 14

2013-14 EDINBURGH COUNCIL LOCAL CORING (RESULTS OF 2012-13 LC5-6)



GRAPH No 15

Outstanding Defective Apparatus 2013-14



Outstanding Reinstatement Defects 2013-14

