

Transport and Environment Committee

10.00am, Thursday, 8 December 2022

Public Utility Company Performance and Road Work Co-ordination April 2021 to March 2022

Executive/routine Wards Council Commitments	Routine All
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1. Recommendations

- 1.1 It is recommended that Transport and Environment Committee notes the report and the arrangements for securing an improved level of performance from all Public Utility Companies (PUs).

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Executive Director of Place

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Public Utility Company Performance and Road Work Co-ordination April 2021 to March 2022

2. Executive Summary

- 2.1 This report summarises the performance of Public Utilities (PUs) during 2021/22 and reviews the major issues and actions taken to address road works co-ordination issues.

3. Background

- 3.1 Much of Edinburgh's underground utility infrastructure is old and in need of renewal. The majority of the PUs works programme in the Edinburgh area involves replacing mains that are over 100 years old.
- 3.2 There are currently 4,430 streets equating to 1,511km length of carriageways and 2,120km of footways in Edinburgh. On average, Edinburgh receives approximately 14,000 notifications to work at specific locations from PUs in a normal year. This compares with other Scottish cities as follows:
- Glasgow – 14,000;
 - Aberdeen – 5,000; and
 - Dundee – 3,500.

Impact of COVID-19

- 3.3 As a result of the Covid-19 pandemic, most Utility operations were suspended in the early part of 2020. As each Utility delayed their major programmes of work, the Council is now receiving an increase in the number of requests for work.
- 3.4 In particular, the Telecommunications sector has seen a significant increase in installation of new services, including the replacement of copper cables with fibre optic services. This has been deemed to be of major importance in the past few years to increase broadband bandwidth to facilitate increased numbers of people working from home.
- 3.5 The return to normal working began in July 2020 with PUs and contractors returning to work in a structured way.

The Council's Role in PU works

- 3.6 The Council balances the needs of the PUs, supporting them to complete the works in the shortest practical time, against the overall needs of those who live, work, visit and travel in the city.
- 3.7 There are three key stages of work for inspections of PUs:
- 3.7.1 While it is being carried out (live sites);
 - 3.7.2 Once a reinstatement is complete; and
 - 3.7.3 Up to the end of their guarantee period. The guarantee period currently lasts for a period of two years. This is expected to be increased to a six year guarantee period if new legislation is approved.
- 3.8 Typically, inspections of PUs work will consider, but are not limited to, the following:
- Safe and proper traffic management used;
 - Ramps and correct information signs used;
 - Correct materials used;
 - Surface profile;
 - Line and level of the work;
 - Compaction of materials;
 - Sealing of joints, joints that have begun opening up;
 - Edges of the patch proximity to others in the road or pavement;
 - Settlement;
 - Condition of any specialist surface treatments;
 - All markings been replaced; and
 - Cracking.
- 3.9 This report provides an update on the performance of PUs work that has occurred during 2021/22.

4. Main report

Inspections

- 4.1 During 2021/22, a total number 9,848 inspections were carried out, as shown in Graph 4.2 (Appendix 1).
- 4.2 The average pass rate for inspection of all reinstatements by PUs was 88%, against a minimum target of 90%, as shown in Table 4.3 (Appendix 1).
- 4.3 The breakdown between each different inspection type carried out is shown in Table 4.4 (Appendix 1).

Sample Inspections (Statutory)

- 4.4 Statutory Inspections are a method by which a Roads Authority can regularly establish the performance of PUs. It involves inspection of a structured random sample of works at various stages during the works and reinstatement guarantee period. These equate to 10% of live sites (Category A), 10% of completed reinstatements within six months of the works being completed (Category B) and 10% of the completed reinstatements within three months prior to the end of their guarantee period (Category C). The numbers in the sample to be used are averaged over a three year period. In 2021/22, the total number of Sample Inspections carried out was 2,504.
- 4.5 The average percentage pass rate for all PUs for statutory inspections was 85% as shown in Table 4.6 and Graph 4.6. The only PUs not to achieve the target pass rate of 90% were Virgin Media and CityFibre. All other PUs met the nationally agreed target pass rate.

Target Inspections (other than Statutory)

- 4.6 Target Inspections are those inspections other than statutory, including inspections undertaken by the Council as part of our checks that a PU has complied with their duty in respect to reinstatements. In 2021/22, the number of non-statutory inspections carried out was 7,344.
- 4.7 The average percentage pass rate for target inspections for all PUs reinstatements was 88%. The target pass rate for all PUs is 90%.

PUs Defective Apparatus

- 4.8 The total number of outstanding defective apparatus by the end of March 2022 was 1,125. A breakdown for each PU is shown in Table 4.9 and Graph 4.9.
- 4.9 The three PUs with the largest number of defective apparatus' that had not been repaired by the end of March 2022, were Virgin Media, Scottish Water and SPEN, with 379, 464 and 172 defects outstanding respectively.
- 4.10 The total numbers outstanding at the end of the last four years are shown in Table 4.9 for comparison.

PUs Defective Reinstatements

- 4.11 The total number of outstanding defective reinstatements by the end of March 2022 was 413. A breakdown for each PU is shown in Table 4.12 and Graph 4.12.
- 4.12 The PU with the largest number of outstanding defective reinstatements, that had not been repaired by the end of 2021/22, was Scottish Water with 176 defects outstanding.

Fixed Penalty Notices (FPNs)

- 4.13 The total number of FPNs accepted by PUs was 540 as shown in Graph 4.14A. For comparison, the total number of FPNs for each PU at the end of the last four years are shown in Graph 4.14B.

- 4.14 In 2021/22, the PU issued with the most FPNs was CityFibre with 32.6% of the total number.

General - Improvement Plans

- 4.15 There are currently no PUs on an Improvement Notice with the Council however, due to the poor performance of CityFibre during the year, this is being considered with a view to issuing an Improvement Notice before the end of this current financial year.

Traffic Management Review Panel (TMRP)

- 4.16 A TMRP is responsible for the review, comment and outline approval for Temporary Traffic Management (TTM) proposals and programmes associated with major developments and significant road works in the city. Ultimate approval for TTM proposals remains with the City Wide Traffic Management Group.
- 4.17 TMRPs currently taking place are for the Tram extension and the City Centre West East Cycle Link (CCWEL) installation.

Temporary Traffic Management

- 4.18 There had been an increase in the number of complaints regarding the positioning of Diversion and other road work signs on pavements in the city. The signs in some cases did not leave the statutory 1.5m available footway width.
- 4.19 A workshop was held with all available Traffic Management companies and contractors, PUs, Council officers to highlight the issues being experienced in Edinburgh during early March 2020.
- 4.20 An agreement was reached that the standard in Edinburgh needed to improve and all PUs and their contractors would work towards that goal.
- 4.21 There is still significant improvement required in this area and a follow up workshop is proposed to take place in early 2023.

5. Next Steps

- 5.1 To recommence the use the formal Improvement Notice process, as specified in Code of Practice for Inspections for those PUs not achieving an acceptable performance.
- 5.2 Council officers will continue to co-ordinate all works requested by PUs and, as outlined in paragraph 4.21, a workshop to discuss the acceptable practices on the road network (including the current issues being experienced on the network) is planned.
- 5.3 Staff have recently been recruited to the Network Management team and it is intended to continue to recruit to the teams responsible for the co-ordination of road works and the monitoring of performance of PUs working in Edinburgh. To ensure the monitoring of road works and PU performance is managed, it is vital to have the teams responsible resourced adequately. This will assist the co-ordination and

management of the road network therefore minimising delay and disruption particularly in relation to public transport.

- 5.4 Partnership working with all relevant stakeholders, including Public Transport operators, and utilising all available innovation and technology to better co-ordinate road works and minimise disruption on the network will continue.

6. Financial impact

The revenue streams associated with sample and repeat inspections of failed PUs reinstatements and FPNs during 2021/22 was £233,028.

7. Stakeholder/Community Impact

- 7.1 Officers take account of stakeholder and community impact, as outlined in paragraph 3.6 when dealing with applications from PUs.

8. Background reading/external references

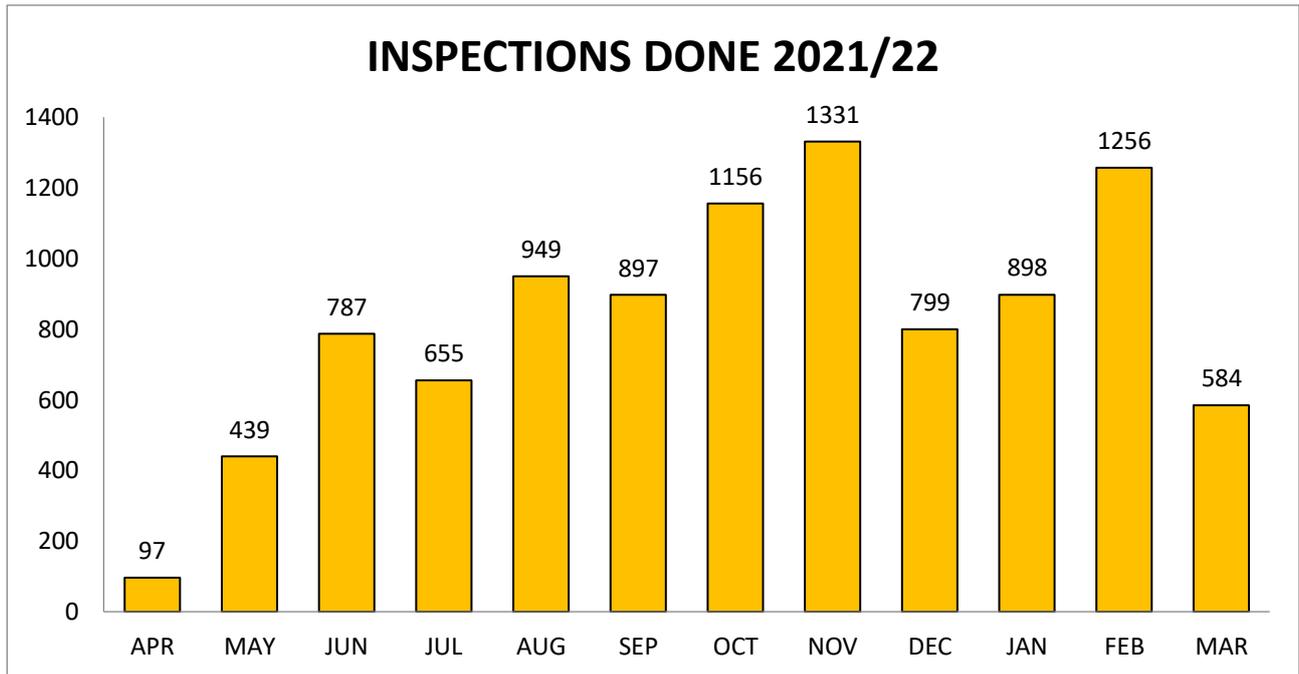
- 8.1 [Code of Practice for Inspections, 4th edition, approved by the Roads Authority and Utility Committee Scotland, April 2020.](#)
- 8.2 [Code of Practice for the Co-ordination of Works in Roads, version 1.0, April 2013.](#)

9. Appendices

- 9.1 Appendix 1 – Supporting Evidence Tables and Graphs

APPENDIX 1 – Supporting Evidence Tables and Graphs

Graph 4.2



In 2021/22 there were 9,848 inspections carried out.

Table 4.3

Average pass rate for ALL PUs

	No of Failures	% Pass Rate
INSPECTIONS	320/2504	87%
Category A (during work)	123/805	84%
Category B (within 6 months of Completion)	136/822	83%
Category C (within 3 months of end of guarantee)	61/877	93%
DEFECTIVE REINSTATEMENTS	197/1699	88%

The target minimum pass rate for all PUs is 90%.

Table 4.4

Number of inspections for ALL PUs

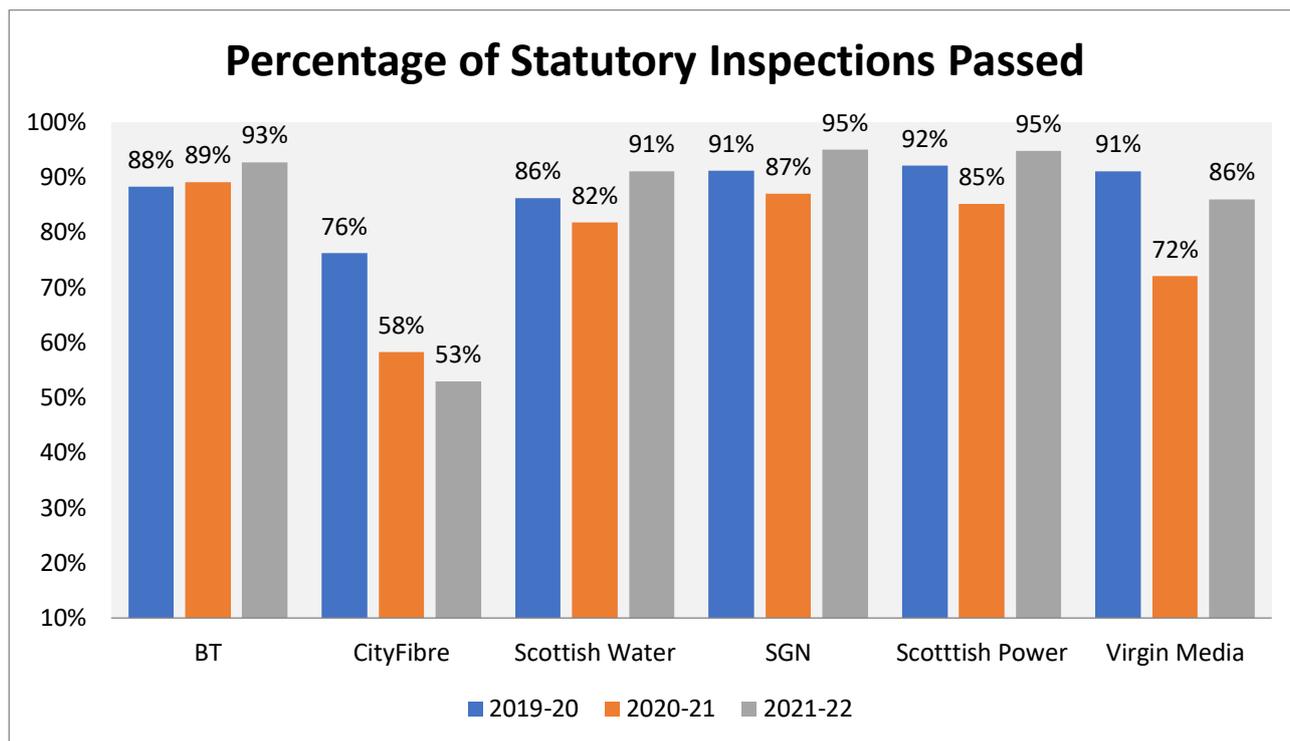
TYPE	CATEGORY A	CATEGORY B	CATEGORY C	OTHER INSPECTIONS	TOTAL
	Inspections during the progress of the works.	Inspection within six months of the work being completed.	Inspection within three months of end of guarantee period.		
SAMPLE INSPECTIONS	805	822	877		2504
DEFECTIVE APPARATUS				1019	1019
DEFECTIVE REINSTATEMENT				5371	5371
INSPECTIONS RELATED TO CORING				274	274
OTHERS				680	680
TOTAL	805	822	877	7344	9848

Table 4.6

The table below shows the average percentage pass rate for Sample Inspections for each PU during 2021/22. The target minimum pass rate for all PUs is 90%.

	Openreach	SPEN	Virgin Media	SGN	Scottish Water	CityFibre	Average
Pass Rate	93%	95%	86%	95%	91%	53%	85%

Graph 4.6



BT, Scottish Water, SGN and SPEN managed to achieve the minimum pass rate. CityFibre and Virgin Media did not achieve the target pass rate of 90%.

Table 4.9

The table below shows the comparison of the numbers of outstanding defective apparatus for each PU over the past four years.

PU	End of 2018/19	End of 2019/20	End of 2020/21	End of 2021/22
BT	80	66	76	67
SGN	69	55	28	43
SPEN	78	79	112	172
Scottish Water	297	352	239	464
Virgin Media	291	257	318	379

Graph 4.9

The graph below shows the comparison of the numbers of outstanding defective apparatus for each PU during 2018 to 2022

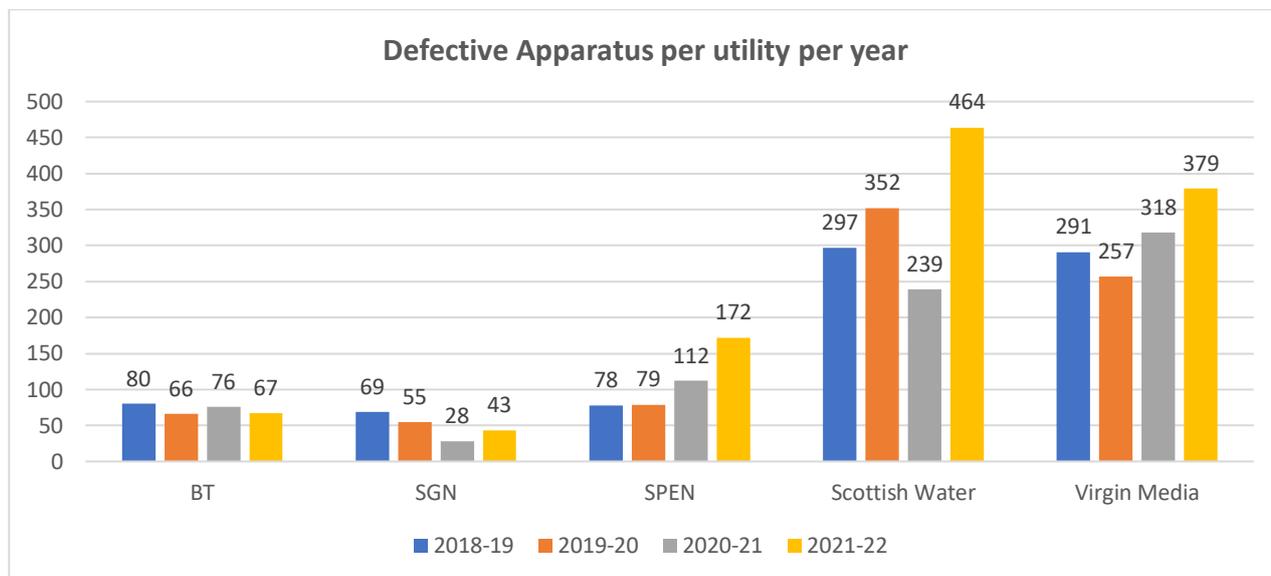


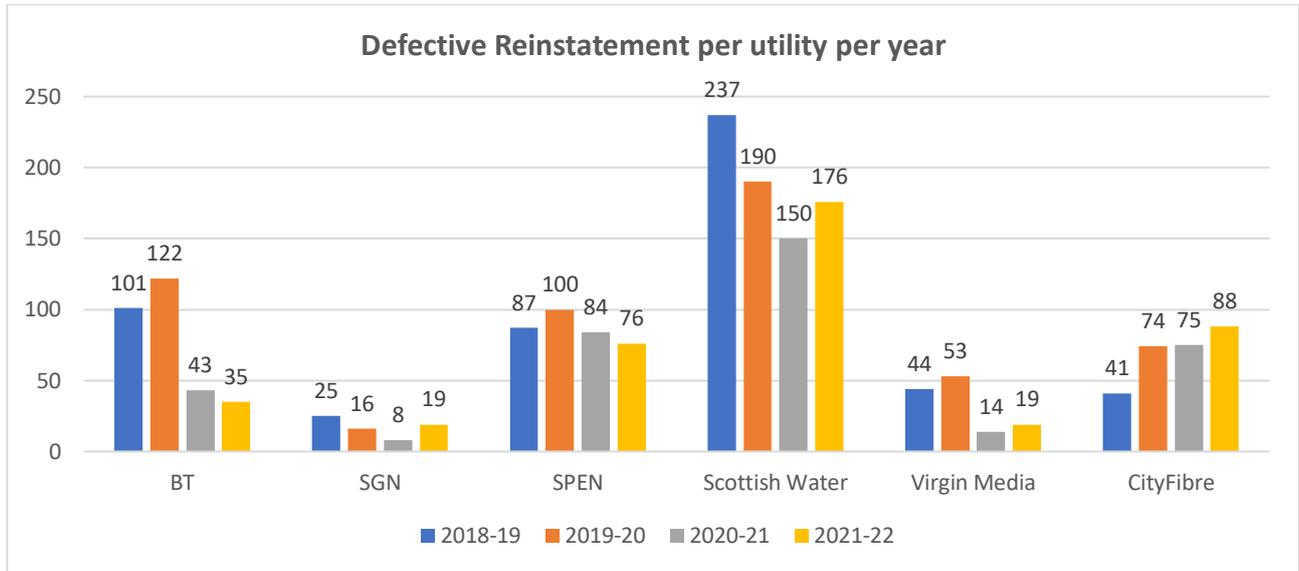
Table 4.12

The table below shows the comparison of the numbers of outstanding defective reinstatements for each PU over the past four years.

PU	End of 2018/19	End of 2019/20	End of 2020/21	End of 2021/222
BT	101	122	43	35
SGN	25	16	8	19
SPEN	87	100	84	76
Scottish Water	237	190	150	176
Virgin Media	44	53	14	19
CityFibre	41	74	75	88

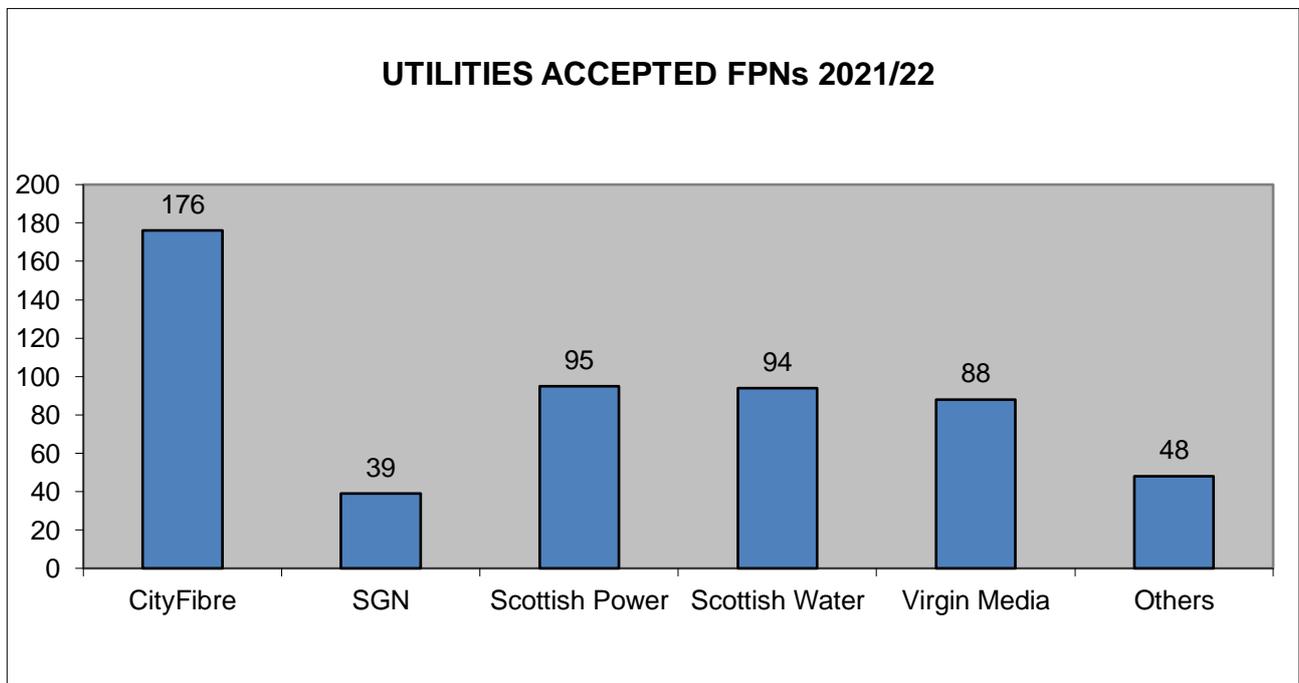
Graph 4.12

The graph below shows the comparison of the numbers of outstanding defective reinstatements for each PU during 2018 to 2022.

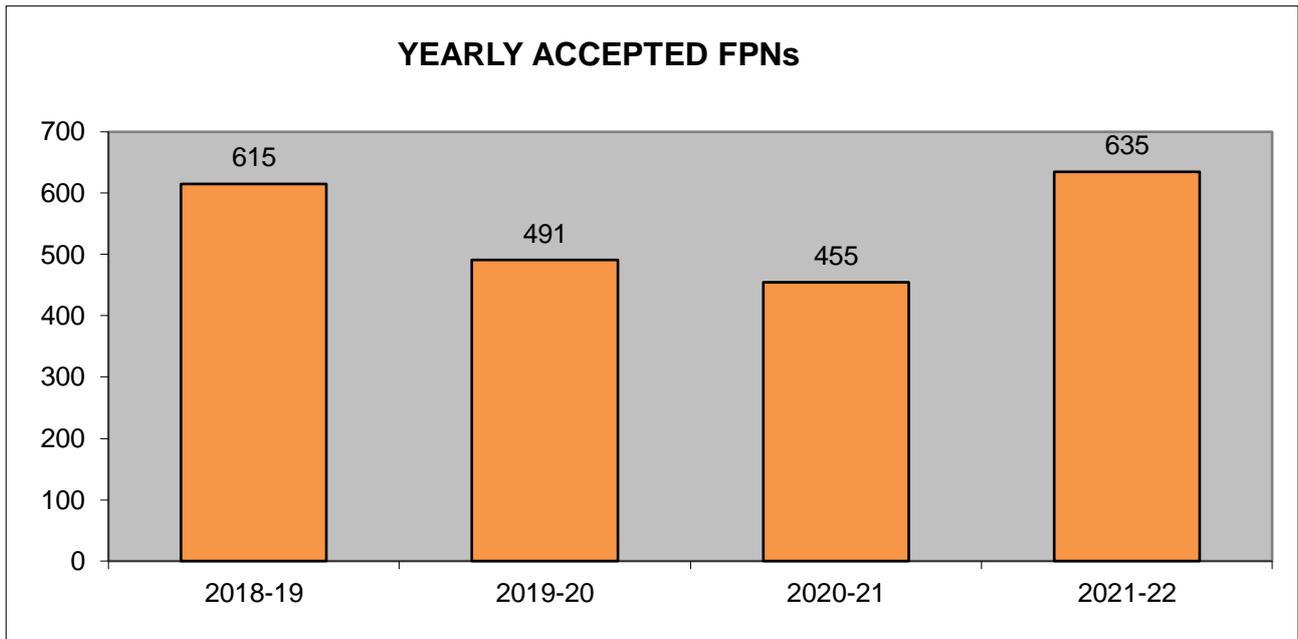


Graph 4.14A

CityFibre was issued with the highest number of Fixed Penalty Notices by the end of 2021/22. This was due to their notices not being closed on time, sites not cleared of TM or spoil, Notices being closed when the work was still in progress and no notice being received for their work.



Graph 4.14B



The number of FPN's issued has been decreasing each year since 2018 however start rising again in 2021. This is a direct result of CityFibre works.