

ABERDEEN CITY COUNCIL

COMMITTEE	Operational Delivery Committee
DATE	13 January 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Annual report on the performance of Aberdeen City Council from the Scottish Roadworks Commissioner.
REPORT NUMBER	OPE/20/242
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Mark Reilly
REPORT AUTHOR	Kevin Abercrombie
TERMS OF REFERENCE	1.1.1

1. PURPOSE OF REPORT

To update the Committee on the performance of Aberdeen City Council's Roads Maintenance and Roadworks Coordination teams following the publication of the annual performance report by the Scottish Roadworks Commissioner.

2. RECOMMENDATION

It is recommended this Committee: -

- 2.1 Note the contents of the Commissioners report, dated 25th August 2020 (Appendix 3).
- 2.2 Acknowledge the updated information as contained within this report, following the joint meeting between representatives of Aberdeen City Council and the Commissioner's office on the 11th November 2020, along with the latest update as received on the 23rd December 2020 (Appendix 4).

3. BACKGROUND

- 3.1 The Scottish Roadworks Commissioner oversees improvements to the planning, co-ordination and quality of road works by both Local Authorities and statutory undertakers in Scotland. All works as undertaken within the adopted highways in Scotland require to be noticed in accordance with the conditions and timescales as set out in the New Roads and Street Works Act 1991. These works are recorded on the Commissioner's noticing system (Aurora). Any proposed works entered onto the Aurora system without the requisite information, or out-with the prescribed timescales (both prior to and after the works are undertaken) will incur a 'noticing failure'. The office of the Scottish Roadworks Commissioner (OSRWC) issues quarterly figures to all undertakers which shows the performance of each organisation. Following the publication of the Quarter 4 figures, the OSRWC issues annual performance review letters to all works promoters in Scotland. Any organisation that fails to meet the identified performance figures may be required to attend a joint meeting with representatives from the Commissioner's office to discuss the figures in greater detail.
- 3.2 The annual performance review letter as issued by the OSRWC on the 11 September 2018 (Appendix 1) indicated that Aberdeen City Councils performance was 'poor and in need of improvement'. A joint meeting between representatives from the Council and the OSRWC was convened in Edinburgh on the 3rd December 2018.
- 3.3 At the meeting it was agreed that the Council would be placed on an Improvement Plan (Appendix 2). This would be produced and issued by the OSRWC. The plan would include the specific area identified as requiring the most urgent attention. The figures would be manually updated by the Council following the publication of the quarterly figures and reviewed subsequently by the OSRWC.
- 3.4 Figures released from the OSRWC indicated that 11 out of the 32 local authorities in Scotland were placed on an improvement plan following the 2017 /18 annual review.
- 3.4 The Improvement Plan was issued in January 2019 and contained the figures for quarter 3 of 2018 /19 (October to December 2018). Since then, the Council's Roadworks Coordination section have continued to monitor the notices as entered onto the Aurora noticing system to ensure that the areas of concern are addressed.
- 3.5 Greater emphasis has also been placed on ensuring that all teams within the Council that require works to be noticed on Aurora, are aware of the timescales and requirements involved. This includes regular coordination meetings with the teams within the Tullos roads depot.
- 3.6 Throughout the period since the Improvement Plan was introduced, there has been a steady improvement across each of the categories. The most recent set of figures, submitted by the Council in October 2020 (Appendix 2), indicated

that across the five areas originally highlighted, three were at, or within the accepted parameters as set by the Commissioner.

- 3.7 On the 25th August 2020, the Commissioner issued his annual performance review to the Chief Executive (Appendix 3). Within the summary section of the letter it indicated that 'little improvement' had been observed since the improvement plan was introduced. A request was included within the summary to arrange for a further joint meeting to discuss the contents in more detail.
- 3.8 A Teams meeting was convened on the 11th November 2020, which was attended by the Roads Infrastructure Manager / Team leader Roadworks Co-ordination along with representatives from the Commissioner's office.
- 3.9 At the meeting it was agreed that the contents of the letter did not in fact reflect the true position of the Council in the first half of 2020 (quarters 1 and 2), due to the impact that was being felt as a result of the ongoing COVID-19 restrictions. It was also agreed that an anomaly within the Commissioners works recording process, which had been raised by the Council on the 8th September 2020, had also adversely impacted onto the figures within the Noticing Failures report (Report 2a). With regards to the above factors, it was agreed that a final decision on the position of the Council within the Improvement Plan would be delayed until the end of Quarter 3 (end Dec 2020). A further meeting would be convened between the Council and the Commissioner's Office in early 2021.
- 3.10 At the meeting of the 11th November it was also indicated that all 7 local authorities still on improvement plans were subject to similar delays in their reviews, until early 2021.
- 3.11 Following the submission of this report to the pre agenda meeting on the 18th December 2020, an update was received from the Commissioner's Office, dated 23rd December 2020 (Appendix 4). This letter confirmed that the Commissioner was satisfied that Aberdeen City Council had attained the required level of performance and would be removed from the Improvement Plan with immediate effect.

4. FINANCIAL IMPLICATIONS

- 4.1 There was the potential that the Roadworks Commissioner may have applied a fine on Aberdeen City Council if the performance in relation to any of the previously identified areas within the Improvement Plan continued to fall below the required level for a significant period of time (more than three months). The level of the fine would depend on the severity of the non-compliance, along with any undue delay in taking remedial action to address the failings. In the most severe case, this could be up to £30,000.00.

5. LEGAL IMPLICATIONS

- 5.1 Please refer to 'Financial Implications'.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	Potential for fine to be imposed by Roadworks Commissioner if figures fall below expected targets for an extended period of time.	L	Any fine imposed would have been influenced by the level of non-compliance along with the time taken to address the issue(s). Therefore, assuming suitable measures were taken to address any failings, within a reasonable timeframe, it is unlikely that a fine would be imposed.
Legal	Please refer to Financial (above).	L	Please refer to Financial (above).
Employee	N/A		
Customer	N/A		
Environment	N/A		
Technology	N/A		
Reputational	Failure to maintain a high level of performance may result in ACC being placed back on an Improvement Plan.	M	The Quarterly figures for all works promoters are published monthly on the Commissioners website. Therefore, any sudden drop in performance will be visible to everyone who access the Commissioners website.

7. Outcomes

Aberdeen City Local Outcome Improvement Plan	
	Impact of Report
Prosperous Economy Stretch Outcomes	Closer monitoring and programming of works will reduce disruption to road users and assist in maximising the economy of the city.
Prosperous People Stretch Outcomes	Better management of roadworks associated with the roads and footways, street lighting and traffic safety measures will assist in making safe and resilient communities for people to live in.
Prosperous Place Stretch Outcomes	Supporting and promoting more efficient working methods in an effort to reduce the overall disruption to all road users on a day to day basis will ensure that works are undertaken in a safe and managed method which will be an overall benefit to everyone.

	Impact of Report
Regional and City Strategies	Aberdeen City Council has a statutory duty to ensure that all planned works are undertaken within the parameters as set by the Scottish Roadworks Commissioner. Failure to achieve certain key targets has the potential to adversely impact on the delivery of schemes by other statutory undertakers. Regular monitoring of all information as uploaded onto the Roads Commissioner's website is vital to ensure that disruption to the road network is minimised. Better management of all planned works, in terms of multi-utility coordination is essential to maximise productivity and reduce long-term, or multiple occupations on the adopted roads network, which merely serves to increased disruption and delays to all road users.
Organisational Design	Our organisational structure is such that it reflects our services and the statutory duties we have to deliver.
Governance	The Chief Officers from Finance and Governance have been consulted in the preparation of this report and the report complies with the scheme of Governance and relevant legislation.
Workforce	Need to ensure that there are sufficient adequately trained staff resources to deliver the required noticing

	information , within the prescribed timescales as set by the Scottish Roadworks Commissioner.
Process Design	Requirement of Technical staff to understand both the noticing requirements of the Commissioner’s website and the need to ensure that works programmes are managed in terms of works durations / advanced noticing.
Technology	There is a need to ensure that all relevant staff receive full training on the Commissioners new operating system (Aurora).
Partnerships and Alliances	Continue to improve the internal communication channels between ACC’s Roads Maintenance and Roadworks Coordination teams in order to ensure that all planned works are recorded correctly and undertaken within the agreed timescales. Roadworks Coordination team to continue to liaise with all statutory undertakers in order to ensure that disruption within Aberdeen City’s roads network is carefully managed in order to minimise delays as much as possible.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Full EHRIA not required
Privacy Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not Applicable

9. BACKGROUND PAPERS

N/A

10. APPENDICES

Appendix 1 - Performance Review letter dated 11 September 2018
Appendix 2 - Improvement Plan for Aberdeen City Council – latest figures
Appendix 3 - Performance Review letter dated 25 August 2020
Appendix 4 - Aberdeen IP sign off letter 23 December 2020

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