

ABERDEEN CITY COUNCIL

COMMITTEE	Net Zero, Environment and Transport Committee
DATE	29 August 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Annual report on the performance of Aberdeen City Council from the Scottish Roadworks Commissioner
REPORT NUMBER	RES/23/226
DIRECTOR	Steven Whyte
CHIEF OFFICER	Mark Reilly
REPORT AUTHOR	Kevin Abercrombie
TERMS OF REFERENCE	7

1. PURPOSE OF REPORT

- 1.1 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

- 2.1 That the Committee note the contents of the Roads Commissioner's report, dated 26 May 2023 (Appendix 1) for assurance.

3. CURRENT SITUATION

- 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 local authorities and 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 most recent annual performance review letter was issued by the OSRWC on the 26th of May 2023 (Appendix 1). This concluded that Aberdeen City Councils performance during the period between the 1st of April 2022 and 31st of March 2023 was 'satisfactory'. For reference, the Commissioner's Office have three levels of compliance – 'Well Managed', 'Satisfactory' and 'Unsatisfactory'.
- 3.3 Within the above letter from the OSRWC, reference was made to specific areas where action was required to be implemented by ACC's Roadworks Coordination team with regards to noticing errors within the Commissioner's works register website (Aurora). This was with regards to 'Gazetteer Submissions', 'Misuse of Traffic Management Not Yet Known' and 'Late Starts'.
- 3.4 The issue surrounding the Gazetteer Submission related to a data clearing exercise which had been rolled out by the Commissioner's Office in late Summer 2022. This affected all Local Authorities and Utilities and was designed to remove outdated records within the affected user's data records. Updated records were provided by the Commissioner's Office on a monthly basis which highlighted outstanding errors. It should be noted that the Commissioner's Letter was issued on the same day that the final Gazetteer submissions were verified by the OSRWC, at which time it was confirmed (separately) that the exercise had been resolved to a satisfactory conclusion. Therefore the above issue requires no further action.
- 3.5 The 'Traffic Management Not Yet Known' issue related to insufficient information that was entered onto the Commissioner's 'Aurora' website with regards to several proposed works by our Roads Maintenance Team. The Commissioner regularly emphasises the importance of ensuring that all works as registered contain specific detailed information to ensure that all other Aurora users fully understand the extent of restrictions associated with all activities on the adopted roads network.
- 3.6 An issue with the figures was first identified following the release of the Quarter 3 figures in December 2022 (covering the period between October and December 2022) when it became apparent that anomalies had been identified in 11 notices uploaded onto Aurora. On investigation it was identified that these were duplicate entries, which did not contain the correct information.
- 3.7 In January 2023, following the release of the above Q3 figures, the relevant notices were examined, and appropriate action taken to resolve the issues accordingly. For reference it appears that duplicate notices had been entered informing that the works had been 'abandoned'. Unfortunately, the original notices were still active and this flagged a discrepancy in the relevant notices..
- 3.8 In Quarter 4 (period between January and March 2023) only one notice was identified as requiring attention. This was updated accordingly.
- 3.9 The issue relating to 'Late Starts' refers to works which commenced out-with the prescribed timescale, as specified on the Commissioner's Aurora website. The expected figure as set by the Commissioner is 2%. In Quarter 2 of 2022 (the period between July and September 2022) ACC recorded 10 works that

started later than expected. This equated to 9.3% of the total number of works registered at that time.

- 3.10 On investigation it appeared that the majority of these related to works involving ACC's Street Light refurbishment programme. Further investigation highlighted ongoing issues surrounding delays caused by the frequent late cancellation by Scottish and Southern Electric (SSE). SSE were contracted to attend sites to make the relevant connections/ terminations to the street lighting columns. Feedback from SSE confirmed that there was a backlog of issues relating to the storm damage from earlier in the year, and their limited resources were being redeployed at short notice.
- 3.11 Alternative arrangements for the live electrical connections were subsequently sourced by the Street Lighting team to remove the delays being experienced for the remainder of the programme of works for 2022.
- 3.12 For reference, the Late Start figures reduced dramatically in Quarter 3 (October to December 2022) to 1.5% and Quarter 4 (January to March 2023) to 2.4%.

4. FINANCIAL IMPLICATIONS

- 4.1 There is the potential that the Roadworks Commissioner may apply a fine on any organisation if any identified performance issues do not show any sign of improvement over a sustained period of time. This is generally no less than three quarters (nine months). In the first instance a face-to-face review of any issue(s) would be discussed with the Commissioner, and any required improvement measures agreed (along with timescales). Fines would only be considered if it was obvious that no effort was being made to address the problems. The level of fine would also depend on the severity of the non-compliance, along with any undue delay in taking remedial action to address the failings.
- 4.2 According to the Roads Commissioner, ACC's performance in 2021/22 and 2022/23 have been 'satisfactory'. There has been no indication that ACC are failing to address any issues as highlighted in either the annual review letters, or quarterly updates. There has also been no indication that any areas of concern are not being addressed within the prescribed timescales. Therefore there is no indication that any fines are likely to be imposed

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications with regards to this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Conflicting or increased demands on the service may impact on the ability to ensure that all works are recorded and processed timeously.	Ensure close communication between the various teams is maintained to ensure that any potential issues are dealt with before they incur any noticing failures.	M	Y
Compliance	Failure in compliance will risk a potential fine to be imposed by the Roadworks Commissioner if figures fall below expected targets for an extended period of time.	Continue to manage noticing system to ensure compliance with timescales as set by the Roads Commissioner	L	Y
Operational	Ongoing high levels of service demand are placing additional pressure on existing staff resources.	There is a need to ensure that there are sufficient, suitably qualified staff available to manage the various works elements.	M	Y
Financial	Potential for fine to be imposed by Roadworks Commissioner if figures fall below expected targets for an extended period.	Continued monitoring and management of noticing system will offset the risk of any fine being imposed.	L	Y
Reputational	Failure to maintain a high level of performance may result in ACC being	It is vital that the current operating model and close communication	M	Y

	placed back on an Improvement Plan.	channels between the various teams is maintained to offset any potential noticing issues.		
Environment / Climate	N/A			

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
Impact of Report	
<p>Aberdeen City Council Policy Statement</p> <p><u>Working in Partnership for Aberdeen</u></p>	<p>The proposals within this report support the delivery of the following aspect of the policy statement: -</p> <ul style="list-style-type: none"> - Seek to invest in our road and pavement network.
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
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.
Regional and City Strategies	<p>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.</p>

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Stage 1 assessment has been completed.
Data Protection Impact Assessment	
Other	

10. BACKGROUND PAPERS

10.1 N/A

11. APPENDICES

11.1 Appendix 1 – Roadworks Commissioners Annual Review letter, 26 May 2023
Appendix 2 - Performance Data for ACC, April 22 to March 2023

12. REPORT AUTHOR CONTACT DETAILS

Name	Kevin Abercrombie
Title	Roadworks Coordination Team Leader
Email Address	KAbercrombie@aberdeencity.gov.uk
Tel	01224 523886