



Environment and Transport Select Committee
23 January 2014

Utilities Task Group: Update Report

Purpose of the report: Policy Development and Review

The Select Committee is asked to review the progress made on the recommendations of the Task Group, which seek to improve the co-ordination and quality of work of utilities companies in Surrey.

Introduction:

1. This report provides an update on the recommendations of the Task Group established to improve the co-ordination and quality of work of utilities companies in Surrey. Task Group membership was;
 - Mrs Pat Frost (Chairman)
 - Mr Mike Bennison
 - Mr Stephen Cooksey
 - Mr Michael Sydney
2. Under the provisions of the New Roads and Street Works Act 1991 (NRSWA) and Traffic Management Act 2004 (TMA), the County Council has a “Network Management Duty” (NMD).
3. Similarly, the NRSWA makes utilities companies (“works promoters”) wholly responsible for the management of their street works. They have the right to place, inspect, maintain, adjust, repair, alter, change position or remove apparatus in highways maintainable at the public expense.
4. Surrey County Council’s Street Works team had made significant progress in recent years to improve the Council’s ability to fulfil its NMD. However, some problems surrounding utility maintenance works and reinstatement works remained.
5. In order to alleviate these issues, the Environment and Transport Select Committee convened a Task Group of Members to look at the subject in depth and form a number of recommendations to assist the Council in

better co-ordinating works carried out by utilities companies on the County's highways.

Review Structure and Consultation

6. The Task Group met on seven occasions between September and December 2012 and considered a number of different subjects, including communication, co-ordination, reinstatements, areas with special conditions and permit schemes.
7. A survey was sent to County Councillors, Borough & District Councillors and Parish Council representatives. These responses were used to inform the review.
8. A press release was issued at the start of the review which publicised the work of the Task Group. This was featured in local papers, local radio stations and on Council websites. Members of the public were encouraged to submit their views to a dedicated street works inbox and postal address to inform the review. The Task Group also received two letters of support from senior Surrey MPs.
9. As part of the evidence gathering process, the Task Group interviewed a number of witnesses from six utilities companies. Members and officers felt that their evidence would be of significant importance to help the Council understand the challenges the companies themselves faced when carrying out street works in Surrey.
10. The Task Group also interviewed street works officers from Kent and Hampshire County Councils, who provided evidence of their experiences with different street work management systems.
11. The information gathered from both the survey and public comments helped to direct and shape the work of the Task Group in a manner that aimed to put the views of the public at the forefront of any recommendations.
12. Four Recommendations (sub divided) from the Task Group were considered by the Environment and Transport Select Committee on 10 Jan 2013 and were approved by Cabinet on 5 Feb 2013.

Progress against Recommendations

13. **General Recommendation 1:** That a clear and accessible internal and external communications policy with regards to the publicising of street works is developed, to include:
14. Recommendation 1a: *Clearer and easier to access information on the Surrey County Council website in relation to street works, including specific pages detailing utility works in Surrey.* This has been incorporated into the wider website development project. Extensive Development of www.roadworks.org by 'Elgin' is ongoing and it is

prudent to await final 'Elgin' functionality before finalising appropriate content and links between Surrey's site and roadworks.org.

15. Recommendation 1b: *A Utility Works 'quick links' heading on the Council's 'report it online' page.* This has also been incorporated into the wider website development project. 'Quick Links' have been prioritised by volume/demand, in order for the website to function most effectively overall. Requests have been submitted to the Digital Delivery team for both 'Street works' and 'Utility Company works' to feature in the newly developed A-Z reporting list.
16. Recommendation 1c: *Greater use of social media.* The Street works team have commenced tweeting information on Utility Company activities. This is incorporated into a wider social media project led by John Pateman in the Highways information team. '@surreytravel partnership meetings' are aligning the use of such tools to ensure consistency of messaging.
17. Recommendation 1d: *A commitment to adhere to the Council's Customer promise, with all public reports to be acknowledged and responded to, within a reasonable timescale.* All existing and new street works team staff have been trained on the Council's customer promise and fully understand the timelines required for responses, as part of the wider Highways move towards achieving Customer Excellence award.
18. Recommendation 1e: *The linkage of Symology to the Surrey County Council Contact Centre to improve the efficiency and speed at which street works enquires are dealt with.* As yet, It has not been possible to progress with Symology licenses for contact centre staff as a current lack of Symology licenses – along with the additional staff numbers in the street works team – has meant that key operational staff have needed first access to the system and until permit scheme operation commenced, no funding was present for additional licenses. This can now be revisited and in the interim, use of www.roadworks.org has been promoted for contact centre staff.
19. Recommendation 1f: *Automatic 'areas of interest' alerts to be sent to the relevant member by the elgin system, to enable Members to better communicate with residents.* The ongoing 'Elgin' system development will provide improved functionality, and so this recommendation has been deferred until final functionality is fully understood and rolled out. In the interim, Street works officers send out email alerts of works likely to cause disruption to affected Members.
20. **General Recommendation 2:** That the process for monitoring and reporting the quality of street works be made more cost effective and efficient for the County Council, and have a greater incentive for utility companies to complete their works on time and to a high standard. Specifically:
21. Recommendation 2a: That Surrey County Council, in conjunction with South East 7 members and the Highways Authorities and Utilities

Committee, lobby company regulators and Department for Transport on the following areas;

22. i) *That utility company street works performance be taken into account when setting prices.* This has been considered by South East Joint Authorities Group (SEJAG) and in discussions with the National Joint Authority Group Street works Manager and the DfT, however currently the structure of National HAUC (Highways and Utilities Committee) is under review and it is prudent to wait for this new hierarchy to be in place in order to progress the recommendation further.
23. ii) *That Street Authorities be granted greater flexibility in the allocation and use of inspections at various stages of street works.* This requires a change to secondary legislation and has also been considered by South East Joint Authorities Group (SEJAG) and in discussions with the National Joint Authority Group Street Works Manager and the DfT. Again however, with the current structure of HAUC UK under review, and also with Central Government's 'Red Tape Challenge' dictating that no new legislation can be laid if it "adds a financial burden to business" it is prudent to wait for this new hierarchy to be in place in order to progress this recommendation further. In the interim, a revised HAUC UK advice note has been circulated to better clarify issues with interpretation of current secondary legislation. This is recently been consulted upon and Surrey Officers responded with observations as to where improvements in the clarification could be made.
24. iii) *That utility companies be encouraged to carry out in-house inspections of their own works.* Utility Companies have been encouraged to undertake such programmes and many already do so. Affinity Water carry out their own coring programme of their works. Surrey's street works teams also receive a volume of works activities to "rectify internal defect", highlighting that in some instances, Utilities have identified their own defects before any report from a Surrey County Council Officer.
25. iv) *That a timeline for the repair of defective works be set with penalties to be applied in cases of non compliance.* The aforementioned revised HAUC UK advice note has been circulated in order to better clarify areas in the current legislation here – The Code of Practise for Inspections Sept 2002 (NRSWA). Fees apply for Surrey Officer time to be covered. A 'penalty' would require re-writing of both primary and secondary NRSWA legislation which is highly unlikely in the current political climate (see paragraph 23).
26. Recommendation 2b: *That the award of future contracts for works on the County highway takes into account the statistical street works performance of the companies concerned.* This has been discussed with colleagues in Procurement. At present there is no robust national performance measure of such areas, making contract award on this 'quality' basis problematic. A 'dashboard' is being developed by Geoplace, taking data from Highway Authorities' street works registers and when this dashboard is fully utilised by all Authorities – and the data sufficiently analysed, it may be possible for this recommendation to be further progressed.

27. Recommendation 2c: *That current efforts by Surrey County Council's Street Works Team to embrace new handheld technology and smarter working methods be supported.* Twelve new tablets have been purchased for Street works Officers' on-site use and loaded with Symology's mobile 'Insight' software, which will allow Officers on site to read and input information 'live' and will prove an invaluable tool in improving coordination and compliance. Anticipated full roll out of the functionality is late January 2014.
28. Recommendation 2d: *That the role of Boroughs, Districts, Parish and Town Councils and other known community organisations in the inspection and reporting of reinstatements be explored by Officers.* A trial has commenced in Woking Borough with an agreed proforma and reporting process in use. Thus far, only a small number of reports have been received, but those received have been of good quality and have been progressed by the Street Works Team to Woking Borough's satisfaction. The overall success of current process will be reviewed before a decision is taken on how best to roll this out further across Surrey, while accommodating any concerns over an unmanageable volume of reports.
29. **General Recommendation 3:** *That proposals to introduce a 'Common' Permitting scheme with East Sussex County Council, to coordinate all works on the Surrey Council Highway, be endorsed.* Following the required formal consultation period, both Surrey and East Sussex Councils submitted an application to the DfT in March 2013 to operate the common 'South East Permit Scheme' (SEPS) to manage activities on the highway across their networks. Following the required DfT sign off process, and the making of the Statutory Instrument, SEPS went live in both authorities on Monday 11th November 2013. Thus far, the additional powers given by the scheme have already made a demonstrable difference to Surrey's ability to manage works on the highway. Surrey and East Sussex Officers have set up a working group to review the success of the scheme and consider refinements to approach and process. Other S.E. Authorities have expressed interest in joining SEPS with Bracknell Forest Council the first to formally commence consultation on joining the scheme.
30. Recommendation 3a: *It is also suggested that the possibility be explored for the creation of one central point in the Highway Service for the issuing of Street Works Licences.* While the function of administering and issuing 'Section 50' (NRSWA) licenses has not been relocated from the Highways information team into the Street works team, Officers from both teams have agreed a revised, robust process whereby no such licenses are issued until approval has been granted by Street works officers for coordination purposes.
31. **General Recommendation 4:** That the process around the planning, monitoring and execution of street works, particularly including areas with special conditions such as Conservation Areas, be made more effective and robust, through implementation of the following proposals:

32. Recommendation 4a: That a Surrey County Council 'Code of Conduct' for Street Works be drawn up, building on best practice, with specific reference to the following;
33. i) *The encouragement of first time reinstatements in conservation areas* Model Condition numbers 170 and 180 within SEPS provide Surrey with the opportunity to specify first time permanent reinstatements where deemed appropriate.
34. ii) *That wherever possible, statutory undertakers carefully remove and store existing materials found on site, with a view to replacing them upon the completion of works.* Under SEPS, the placing of bespoke 'conditions' on the granting of promoter's permit applications (including model condition 180) is encouraging this methodology.
35. iii) *That the statutory undertakers engage in greater communication with Local Members when carrying out works in their area.* Kier MG (Surrey's primary Highways Contractor) has produced "Customer Engagement at Street works and Roadworks – A Code of Practice", which includes reference to engagement with Local Members. This document is currently being consulted upon with all works promoters across both Surrey and East Sussex.
36. Recommendation 4b: *That where possible, utility companies be given better sight of the Surrey County Council works programme at an earlier stage, to enhance joint planning and improve the overall coordination of works.* Presentations have been given on Operation Horizon at recent quarterly works co-ordination meetings and all Surrey works programmes are regularly disseminated via email to all works promoters from the Coordination Team Leader in the Street works team.
37. Recommendation 4c: *That the Surrey County Council Gazetteer be updated to include all details relating to areas with special conditions / surfaces.* This recommendation is in the work stream of Officers in the Highways information team, however the dataset itself holding such information is first being scrutinised/reviewed as part of the development of the new 'Horizons' asset management database, before any transfer into the National Street Gazetteer is scheduled.
38. Recommendation 4d: *That a review into resource levels in the Street Works Team be considered, in particular with regards to the nature of officer contracts, to ensure that the current levels of site inspections can be maintained.* All staff who were employed on fixed term contracts at the time that the Task Group met have now been employed on permanent contracts and an additional 18 FTE staff have been recruited to the Street works team to operate/support the SEPS.
39. Recommendation 4e: *That when the County Council plans major road schemes, sufficient consideration be given to the materials used, so that they will give a similar aesthetic effect to the surrounding area but also enable utility companies to reasonably source suitable replacements for reinstatements.* This recommendation has been highlighted to the Highway Network Improvements Manager who has confirmed that such

schemes always endeavour to design in keeping with existing environment, seeking to use similar materials. In any particularly sensitive areas consultation is conducted on materials used. While Surrey does not have a standard palette for design, generally materials used are those that the Kier supply chain can readily source, and as such other works promoters' supply chains should also be able to source these materials.

40. Recommendation 4f: *That the potential for the collation of a limited central store of specialist surfacing materials by Surrey County Council be explored, containing materials that can be ordered on behalf of utility companies on a cost basis, as required, to enable swifter and more appropriate reinstatements in Conservation Areas.* This option has been considered, however, as yet, no suitable location has been identified to hold such a store and no finances are in place to set up and run such an operation. Having consulted with works promoters there appears to be little appetite for such a service, with each works promoter feeling they can provide their own supply chain at lesser rates than this solution would produce. The use of appropriate conditions within permit application approvals gives Surrey greater control over the first time permanent reinstatement of specialist materials. As such it is proposed that this recommendation is not pursued any further.
41. Recommendation 4g: *That the promotion of "rent a jointer" schemes be supported, with particular reference to the forthcoming High Speed Broadband rollout.* Rent-a-jointer has been widely promoted and has been used throughout the ongoing high Speed broadband roll out, with approximately 90% of the electrical jointing required undertaken in this way, ensuring the fast progression of the work required while achieving financial savings for the works promoter.
42. Recommendation 4h: *That the content of Surrey County Council's Highways Term Contract with regard to highways repairs, particularly including areas with special conditions, be reviewed and adjusted as required, in line with the recommendations above.* No formal review has yet been undertaken as Surrey Senior Management resource has been focused on the new Safety defect process and review of the Strategic Priority Network (SPN) in order to achieve improved responses in this area. The Kier takeover of May Gurney has also precluded progress here. Model conditions 170 and 180 of SEPS (see paragraph 34) do however mean that the same requirements can be imposed on Surrey's own works promoters where deemed appropriate.

Conclusions:

43. Many of the recommendations of the Task Group have been either completed or are continuing to be addressed by Officers, particularly embedding the new processes around the South East Permit Scheme. Officers in the Street works team continue to monitor the outcome of these recommendations and also identify refinements to the recommendations along with other opportunities to continue to improve the coordination and compliance levels of Utility Company activities, in order to ensure Surrey meets its NMD under the TMA.

