



Environment & Transport Select Committee  
10 January 2013

**Task Group Report: Improving the Co-ordination and Quality of Work of Utilities Companies in Surrey**

**Purpose of the report:** Policy Development and Review

The Select Committee is asked to endorse 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 sets out the recommendations of the Task Group established to improve the co-ordination and quality of work of utilities companies in Surrey.
2. The Task Group was instigated to improve the standard of, and level of disruption caused by, utility company street works in Surrey. From the outset the Task Group's key objectives were:
  - i) To establish how the Council can work more effectively with utilities companies to better communicate and co-ordinate street works.
  - ii) To improve the standard and quality of work carried out by utilities companies.
3. The review also considered the viability of the introduction of a permit scheme to co-ordinate all works on Surrey County Council's highway.
4. The Task Group's Membership was as follows: Mrs Pat Frost (Chairman), Mr Mike Bennison, Mr Stephen Cooksey and Mr Michael Sydney.

**Background:**

5. Under the provisions of the New Roads and Street Works Act 1991 (NRSWA) and Traffic Management Act 2004 (TMA), the County Council has the following duty to manage its road network:

*“It is the duty of a local traffic authority to manage their road network with a view to achieving as far as is reasonably practicable the expeditious movement of traffic on the authority’s road network”.*

6. 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.
7. The NRSWA also gives the County Council the duty to use its “best endeavours” to co-ordinate the execution of works of all kinds in the streets for which it is responsible. Specifically, it is required to consider the interests of safety, minimise inconvenience to persons using the street and protect the structure of the street and the integrity of apparatus on it.
8. Therefore, the County Council has an interest and responsibility in overseeing the work carried out by utilities companies on Surrey’s highways and in challenging these companies to improve the quality of their work.
9. Surrey County Council’s Street Works team has made significant progress in recent years to improve the Council’s controls in this regard. However, problems surrounding utility maintenance works and reinstatement works remain. Inspecting and rectifying problematic or substandard reinstatement works by utilities companies has a significant revenue cost implication for the Council and issues with traffic disruption and congestion can result from problematic road works. Local Government Association figures estimate that this costs the taxpayer approximately £218 million per year<sup>1</sup>. Concerns have also been raised by Members and residents that there is a widespread perception the maintenance works of utilities companies are conducted without sufficient prior consultation and arrangement with the Council.
10. 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.

#### **Structure of the Review:**

11. 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. These matters are all addressed within this report.
12. In order to fully gauge Member perception of the issues surrounding street works carried out by utilities companies in Surrey, a survey was sent to County Councillors, Borough & District representatives and Parish Council representatives. These responses were used to inform the review and a

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<sup>1</sup> LGA media release, 12 December 2012.

summary is contained within this report in paragraphs 21 to 25. A full analysis is attached at annexe C.

13. 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. A full analysis of these responses is included in annexe C.
14. 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.
15. The Chairman of the Task Group was keen to stress that this review was not to be a “utility knocking exercise” but rather, an opportunity for the Council and utilities companies to work co-operatively to inform a series of recommendations that would assist both parties in delivering more effective and better co-ordinated street works to the benefit of Surrey’s residents.
16. 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.
17. A full list of witnesses interviewed by the Task Group is attached at annexe B.

<b>Consultation:</b>
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18. As the disruption caused by utilities companies’ street works impacts significantly upon residents, the Task Group felt it would be important to consider the views of members of the public in the context of this review. Key to the formation of successful recommendations would be proposals that prioritised the needs of residents.
19. A survey was also sent to Surrey Councillors. Local Members are a valuable source of knowledge in this regard as they are well-placed to present the concerns of their residents.
20. 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. A full analysis of these responses is attached in annexe C, though a summary of key themes and findings is included below.

## **Surrey Councillors:**

21. The majority of local authority representatives surveyed felt that communications from utilities companies in advance of street works taking place and during the works were poor. Respondents called for better local targeting of information about planned street works, including giving direct notice to local households and businesses, and putting notices in local papers. Greater detail, including contact details and accurate timescales for work were requested. There was also strong support for using Councillors, and in particular Parish Councils, as a resource in communicating street works carried out by utilities companies in Surrey.
22. While a significant number of Councillors rated the management of street works, including tidiness and traffic management as poor, this view was less strongly emphasised at the local level. The need for traffic management to be responsive to different traffic flows at different times of day was also highlighted.
23. The quality of reinstatements was broadly regarded as poor. This attitude was less strongly stated at the local level, although it is worth noting that the majority of Parish and Borough/District respondents did not rate reinstatements as good. Councillors highlighted the deterioration of some reinstatements over time and suggested a need for better checks and enforcement.
24. Common issues raised by residents in the form of complaints included the quality of reinstatements, inadequate communication, the time taken for works to complete and the lack of visible progress by contractors.
25. Further comments from local authority representatives highlighted the need to improve co-ordination of works and proposals regarding permit and penalty schemes. Surrey MP respondents also backed the use of permit or penalty schemes to incentivise utility companies to carry out their works quickly and with minimal disruption.

## **Public Responses:**

26. The majority of responses from the public commented on a lack of post-works inspection. Many felt that interim reinstatements were often inadequate and that this led to an increase in road maintenance work by the Council. The view was also expressed that sites were often left untidy, or equipment left behind after works had been completed. Several respondents indicated that they were in favour of closer regulation of utility company repairs by the Council.
27. Other concerns raised by the public included:
  - The number of different works being carried out in the same area within a short period;
  - The increase in commuting time as a result of street works;
  - Works being left unattended for significant amounts of time; and
  - A lack of clear information about who was responsible for work sites.

28. Public responses to the consultation frequently expressed that they were in favour of a review.
29. Overall, a number of central themes emerged with regards to responses from Surrey Councillors and the public. This included improvements to communication, co-ordination and the quality of reinstatements. As a result, these key areas were all subject to significant consideration by the Task Group.

<b>Communication:</b>
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30. Core to any recommendations that seek to improve the quality of work of utilities companies is communication. This is important because it is a valuable resource in the management of public perception and expectation. If for example, residents are made aware of planned works in advance, they have time to consider how the impact on their daily activities can be minimised, such as by planning different routes to work.
31. Communication is also important from an “internal” perspective. To ensure that street works are co-ordinated effectively, both the County Council and utilities companies must engage in active dialogue so that one knows what the other is doing. Both parties have statutory and discretionary responsibilities in this regard; however the Task Group was of the view that there is scope for improvement.

**Statutory and Discretionary Responsibilities:**

32. The effective co-ordination of street works is essential to guarantee safety, minimise disruption and protect the structure of the street. The NRSWA gives Street Authorities the duty to co-ordinate works and grants them powers to achieve this, such as the power to give directions as to the timing of street works, the power to give directions as to the placing of apparatus and the duty of statutory undertakers to co-operate with the Street Authority.
33. The NRSWA also states that wherever “reasonably practicable”, Street Authorities should aim to avoid traffic disruption, works on recently surfaced or reconstructed streets and planned works within a short period of earlier works. In cases where works are likely to cause significant traffic disruption, the Council is able to make a request for works to take place during off-peak hours, weekends and for 24 hour periods.
34. Works sponsors have the statutory responsibility to display information boards at every site, giving the name of the organisation carrying out the works and a contact telephone number which can be used in cases of emergencies. Other details, such as why the work is taking place and how long the works are likely to go on for, are discretionary.
35. Utilities companies interviewed by the Task Group also outlined the discretionary efforts they make to minimise the disruption caused by street works. This included letter drops, “drop in centres” on local high streets, meetings with Surrey’s Street Works Team and use of social media to inform residents of upcoming works. Similarly, Surrey’s Street

Works Team also carries out discretionary communications in the form of Member information bulletins, information releases and notices on the Council's website. The Task Group welcomed these approaches and felt that such practice should be encouraged wherever possible.

### **Improving Communication to Residents:**

36. Although the Task Group noted that utilities companies had processes in place for giving residents prior warning of upcoming street works, the survey results analysed in annexe C and comments received from members of the public strongly suggested that communication in relation to street works was poor.
37. A key area for improvement identified by the Task Group was the Surrey County Council website. At present there are information pages in relation to general street works, but none that specifically detail utilities companies' works in Surrey. There is also no "quick link" heading on the Council's "report it online" page with regards to utility works. The introduction of both of these resources would give residents a single, easy to access source of information detailing any upcoming works in their area. This would reduce the need for residents to contact the Council directly for information relating to street works and help keep them better informed.
38. The Task Group also felt that if the Council were to improve its communication procedures in relation to street works, it would be prudent to take advantage of social media. As noted in paragraph 35, utilities companies are already doing this and using applications such as Facebook and Twitter to update residents as to the progress of works would be a cost effective and efficient way of keeping residents informed.
39. A further issue frequently raised by Councillors with regards to communication was that residents often complained that reports submitted to the Council of poor quality street works went unacknowledged. Surrey County Council has a clear Customer Promise that requires customer queries to be acknowledged and responded to within a reasonable timescale, and the Task Group felt that in the context of street works reporting, this commitment should be adhered to wherever possible.

### **Improving Internal Communication:**

40. To assist in the running of its street works functions, the Council's Street Works Team uses Symology, a system that holds the register of all street works in Surrey. It also includes a mapping system to assist in the co-ordination of works. This system has the potential to show conflicts where works with overlapping dates occur in the same street and within the vicinity of other works.
41. Symology is a key resource that gives officers general information about street works in Surrey. However, the Task Group noted a key weakness in the system in that it is not currently linked to the Surrey County Council Contact Centre. This is usually the first point of contact for members of

the public who have queries in relation to street works. Because staff at the Contact Centre do not have direct access to the information contained within Symology, most public queries in relation to street works either have to be passed on to the highways department or responded to at a later date. To make this process more efficient and customer focused, the Task Group was of the view that Symology should be linked to the Contact Centre, subject to the cost of purchasing the required additional user licenses.

42. A further resource used by the County Council is Elgin, a web-based information service which publishes current and planned street works and is available to view by the public. To enable Councillors to better communicate upcoming works to residents, it is also suggested that automatic “areas of interest” alerts be set-up on Elgin, that inform Members of significant works in their area.
43. As stated in paragraph 36, improvements to communication around street works is of key concern to both residents and Councillors. Therefore, the Task Group proposed that a clear and accessible street works communications policy be developed by the County Council, incorporating the suggestions above.

#### **Reporting and Monitoring of Reinstatements:**

44. Key to the management of street works is the monitoring of reinstatements. As part of its work the Task Group felt that it would be essential to analyse the powers that the County Council has with regards to incentivising utilities companies to carry out high-quality road repairs upon the completion of works.
45. As illustrated by results from the Task Group’s survey, and the first-hand experience of Surrey Councillors, a key concern of both Members and residents is that reinstatements carried out by utilities companies are of a poor standard and often require revisiting for repair and remedial works, causing further disruption to those who use the highway. The Task Group was therefore keen to consider this issue fully to ensure that any recommendations aimed at improving the situation would have a clear customer focus.

#### **Setting the Scene - Current Legal Powers and Obligations:**

46. Section 72 of the NRSWA empowers the County Council, as the Street Authority, to carry out investigatory works to check whether the company responsible (“statutory undertaker”) has complied with the duties placed on it in respect of reinstatement of the street.
47. Section 75 of the NRSWA requires the statutory undertaker to pay the Street Authority a prescribed fee in respect of each inspection of works carried out by the authority. A large proportion of these inspections consist of a random sample at specified stages of works. The number of sample inspections undertaken per utility company is based on 30% of the average number of works carried out over the preceding three years.

48. The determining criteria for defects are dependent upon the type of inspection undertaken. If it concerns the signing, lighting and guarding at a site then the Department for Transport (DfT) document Safety at Street Works and Road Works specifies that layout, traffic management, signage and protective equipment must be considered. If it concerns the reinstatement at a site the DfT document Specification for Reinstatement Openings in the Highway (SRoH) specifies that type of material, depth of material, compaction requirements, surface profile and verge reinstatement requirements are the key measurables.
49. The NRSWA states that a fee of £50 to recover costs can be charged to utility companies for all sample inspections undertaken by a Street Authority. If an inspection is undertaken following a third party report and a defect found, a fee of £68 may be charged to the Works Promoter. If defective reinstatements are identified during any inspection, a £47.50 fee is raised to cover officer time for each officer visit made to the site to check the defect has been rectified. Timescales for such inspections are laid out in the Code of Practice for Inspections 2002 (CoP).
50. The Street Authority also has power under section 72(1) of the NRSWA to carry out investigatory works such as core sampling, measurement of texture depth and material sampling. If these works confirm a defect then a charge of £122.75 may be imposed on the Works Promoter.
51. Where inspections show that a statutory undertaker is consistently underperforming, the Street Authority is able to issue an Improvement Notice, which requires the undertaker to improve the quality of its works and records the Authority's dissatisfaction with the undertaker's performance.

#### **Incentivising High Quality Reinstatements:**

52. The Task Group felt that the current fees charged to Works Promoters for defects found upon inspection were too low and did not incentivise utilities companies enough to carry out high quality reinstatements. Members held the view that in particular, the £50 fee charged for sample inspections was barely sufficient to cover the cost of the Council carrying out the inspection in the first place.
53. However, it was noted that an increase to this fee would require legislative changes which the current political climate may not support, and that the fee had only recently been raised from £25 in 2009. The Task Group therefore felt that a request for another increase so soon after this would be unlikely to succeed.

#### **More Effective Reporting:**

54. Although the NRSWA grants the County Council the right to inspect utility company street works, the Task Group felt that the application of this power was inflexible. The 30% sample inspection figure often had to be split on a 10/10/10 basis between inspections during the works, immediately upon completion of works and at the end of the period when the utility company's guarantee of the works expires (usually two years).



This does not allow a targeted approach that would provide more effective reporting and monitoring. Specifically, if it was known that a utility company frequently left a street work site in poor condition upon the completion of works, the NRSWA wouldn't allow the Street Authority to apply the majority of its 30% inspections at the completion phase in order to target its resources at what it regarded to be the key issue. The Task Group was therefore of the view that provision should be made for a more flexible application of inspections.

55. It was also felt that utilities companies were too reliant upon the Street Authority to inform them of defects. At present there is no requirement for these companies to carry out inspections of their own works. It is frequently the case that a defect will not be noticed and dealt with by a utility company until the Street Works Team reports it to them. To promote greater accountability and responsibility for their actions, the Task Group felt that utilities companies should be encouraged to carry-out in-house inspections of their own works.
56. The Task Group was also of the view that the quality of reinstatements could be improved through the setting of strict timescales for the repair of works deemed to be defective following inspection. At present works sponsors are only required to repair defects within a "reasonable" timescale. This is open to interpretation and again, does not provide proper incentive for utilities companies to carry out repairs at the earliest opportunity.

#### **Encouraging Change through a Joined-up Approach:**

57. The above issues are not unique to Surrey and are also likely to impact upon other local authorities. In order to bring about change the Task Group felt that rather than being "a single voice", the County Council should lobby utility company regulators with the support of others. This would ideally be done via the South East Seven (SE7) initiative and the Highway Authorities and Utilities Committee (HAUC). The former would be an effective driver for change as the Council already has an established relationship with the SE7. The initiative is also becoming well established through its work on other projects and would therefore be a high profile body whose views would very much be listened to. HAUC would also be an effective body to work with as it has been lobbying government and regulators for a number of years to bring about improvements to utility company works on the highway.
58. A key goal which lobbying via the SE7 and HAUC could achieve would be consideration of utilities companies' street works performance when regulators set prices. As highlighted in paragraph 52, current inspection fees do not adequately encourage utilities companies to consistently implement high quality reinstatements. However, if the regulators took inspection results into account when they set prices, this would be highly likely to financially incentivise utilities companies to improve their performance.
59. The Task Group was also of the opinion that a similar concept could be pursued at a more 'local' level in Surrey. Specifically, that the award of

future contracts for works on the County's highways takes utilities companies' performance into account. If for example, a company statistically proven to have experienced high rates of reinstatement inspection failure were to bid for a contract, the assessment of their bid would seriously consider their poor track record in this regard. Again, this would financially incentivise utilities companies to carry out high quality street works, as poor performance would result in them potentially losing future contracts.

60. The collation of data that would inform these decisions would also be of importance, and the Task Group was informed of current efforts by the Council's Street Works Team to embrace smarter working methods, including the use of handheld technology. This allows officers to report issues on site and helps to make the monitoring of street works sites more efficient. On this basis the Task Group supported the Street Works Team's efforts to employ smarter working practices.

### **The Local Perspective:**

61. As reflected in the results of the Task Group's Councillor survey, a positive rate of response was received from representatives of local community organisations, including Parish and Town Councils. This level of interest was borne out of the fact that poor quality reinstatements have a significant impact on towns and villages.
62. The Task Group was made aware of a willingness on the part of Districts and Boroughs, Parish and Town Councils, and known community organisations, to assist in the inspection and reporting of reinstatements. The Task Group was therefore of the view that these groups could be utilised as a valuable resource in this regard. Because they are at the "grass roots" level and represent those who experience the problems associated with poor quality reinstatements first hand, they will be motivated to report defects as soon as they arise and will have the local knowledge to monitor key areas.
63. By having these additional "eyes and ears" on the ground to report reinstatement defects, there is potential for the Street Authority's time and manpower to be redistributed elsewhere for additional support on other priorities. It is important to note however, that these groups would very much be used as an additional third party reporting resource as opposed to a replacement for Street Authority inspections.
64. For such a system to work successfully the County Council would need to ensure that there are adequate resources available at the local level. Therefore, the Task Group proposed that officers further explore the viability of implementing a process whereby Boroughs and Districts, Parish and Town Councils, and known local community organisations, can report and monitor the quality of reinstatements in their local areas to the Street Authority.

## **Viability of a Permit Scheme:**

65. In February 2013 Surrey County Council's Cabinet will decide whether Surrey adopts a permit scheme in conjunction with East Sussex County Council to apply to all works on the Council's highway. This scheme is relevant to the work of the Task Group and as a result, the Group was asked to consider its merits and shortcomings.

### **Overview:**

66. Part 3 of the TMA includes provision for Street Authorities to apply to the DfT to become a Permitting Authority. This would enable the Authority to operate a permitting system for the management of its street works. Under such a system, all works promoters, including Surrey Highways, would be required to apply for a permit to carry out works on the highway, specifying a particular timescale in which these works are to be completed. The cost of a permit would depend on where and when the works are due to be carried out. For example, a permit for works on a main road during peak hours would come at a greater charge than a permit for works on a B road outside of peak hours. These charges could be used to cover the cost of operation of the scheme but could not be profit making.

67. Surrey currently operates a noticing system whereby works promoters advise the Street Authority of their intention to carry out works. These notices are divided in to four basic types:

- Immediate notices - for emergency works. Notice is required within two hours of work commencing;
- Major works - for works taking place over a period in excess of 11 days. Three months notice is required;
- Standard works – for works taking place for a period between four and ten days. Ten days notice is required; and
- Minor works – for works taking place for a period of up to three days. Three days notice is required.

### **The View of Witnesses:**

68. To help establish the advantages and disadvantages of permit schemes, the Task Group interviewed Street Works officers from Kent and Hampshire County Councils, who operated a permit scheme and noticing system respectively.

69. The Task Group was informed that Kent had experienced a number of benefits in the management of its street works following the implementation of a permit scheme. This included better control and knowledge of activity and performance on the highway, excellent data to monitor performance, spot trends and take early remedial action, and better engagement with works promoters. Furthermore, in its first year of operation the scheme resulted in a 26% reduction in street works-related complaints and an additional 15% reduction in the second year, despite

an increase of 15% in work volume. There was also an increase from 75% to 80% of first time reinstatements.

70. The Task Group was also informed of the benefits of a robust noticing system. Hampshire County Council's Street Works Team expressed the view that if co-ordinated effectively, such a system could achieve the same results as a permit scheme. A Street Authority's use of the "duty to co-operate" power under the NRSWA is a key element in the monitoring of street works, and ultimately allows local authorities to refuse noticed works if they are dissatisfied with the proposals. The Task Group also noted that Hampshire's noticing system currently saw similar levels of over runs to permit schemes and that customer satisfaction in relation to street works management in Hampshire was in the top ten nationally.
71. The utilities companies interviewed by the Task Group were all broadly opposed to the introduction of a permit scheme in Surrey. They shared the view that an effective noticing system could achieve the same results as a permit scheme, and felt that their own internal monitoring processes were robust enough to help ensure that works were completed on time and to a high quality.

#### **The View of the Task Group:**

72. Although the Task Group recognised that there were benefits to both permit schemes and noticing systems, Members were of the view that the introduction of a permit scheme would be the most effective way to bring about improvements to the management of street works in Surrey.
73. One of the main advantages of a permit scheme would be that conditions could be attached to permits, placing clear constraints on the dates and times of activities and the way in which work is carried out. The Task Group was of the view that the use of such conditions was a key benefit in operating a permit scheme, giving utility companies clear instruction as to Surrey's expectations of their works.
74. Overrunning works were highlighted as a key concern for residents in the Task Group's survey, and as a result it was felt that this would be an important issue to tackle. Two senior Surrey MPs also contacted the Task Group, suggesting that Members investigate how the Council could impose fines on companies responsible for overrunning works more effectively, and how the Council could go about implementing a lane rental scheme. Although DfT guidance states that a Local Authority cannot implement a lane rental scheme without first adopting a permit scheme, the Task Group supported the idea of a lane rental scheme in principle, and considered this factor when deciding to approve the adoption of a permit scheme for Surrey's highways.
75. To make the operation of issuing permits or licenses as efficient as possible, the Task Group also suggested that the possibility of creating one single point for the issue of street work licenses be explored.
76. The Task Group was of the view that a permit scheme would bring about a number of improvements to the management of Surrey's street works,

in particular to co-ordination. The use of attached conditions could also enhance the concept of joint working, with works promoters being encouraged to carry out works at the same time through reduced permit costs. These were all key concerns raised by residents and Councillors, and the Task Group felt that a permit scheme would be the most effective way to address such issues.

#### **Areas with Special Conditions:**

77. A key topic of interest for the Task Group was the impact that street works and reinstatements have upon the street scene in areas with “special conditions”, such as Conservation Areas. 4,291 roads in Surrey are designated Conservation Areas, a figure which represents 22% of the Council’s total highway network. With such a high proportion of the County’s roads deemed as such, the management of street works in these areas was regarded as a priority by the Task Group.

#### **Reinstatements:**

78. Reinstatements of excavations undertaken by utilities companies are addressed by the SRoH. However, this document makes no specific reference to works in areas with special conditions. Provision is made for reinstatements in general, advising that existing materials (“modules”) should be lifted carefully and stored for re-use, and that a limited stock of modules should be retained by Local Authorities to be used by utilities companies as required.

79. Members expressed concern at instances seen first-hand, and complaints received from residents, that despite the provisions of the SRoH, materials used in reinstatements by utilities companies in areas with special conditions were often “inappropriate” and did not match existing surfacing. Again, the SRoH advises that coloured surfacing shall be permanently reinstated with like materials, though Members felt that this provision had not proved sufficient to date in incentivising utilities companies to regularly carry out reinstatements using “like for like” materials.

80. Representatives from the utilities companies interviewed by the Task Group presented the challenges they faced in using appropriate materials for reinstatements in areas with special conditions. Although these companies made significant efforts to, wherever possible, replace materials “like for like”, in some cases this was very difficult from both a financial and practical perspective. For example, finding replacement Setts or cobbles for roads that were originally laid in the 1800s, or reinstating roads for which the Local Authority has used expensive materials from abroad, often made sourcing suitable replacements very difficult.

81. The Task Group took this view into account and agreed that when the Council surfaces roads using specialist materials, consideration should be given to the ability of utilities companies to replace these materials at a reasonable cost when they carry out reinstatements. However, Members also felt that in some cases utilities companies did not make reasonable

attempts to use acceptable alternatives to existing materials, with tarmac as opposed to modern Setts being used on cobbled roads in some cases. To help resolve this issue the Task Group felt that the County Council should follow the advice given by the SROH and explore the potential for collating a limited central store of specialist surfacing materials for use in areas with special conditions that could be made available to utilities companies on a cost basis. This would seek to enable swifter and more appropriate reinstatements in Conservation Areas.

82. Although the use of appropriate materials for reinstatements was not just a concern isolated to Conservation Areas, Members felt that this issue was sometimes caused in part by the numerous tiers of subcontractors used by utilities companies. It was accepted by Members and officers that the “lower down the chain” the work got, the slimmer the margins were for profit. This had the inevitable effect of not necessarily encouraging the completion of high quality works. Officers advised that current legislation allowed for utilities companies to be accountable to the County Council for the work and actions of their contractors. This requires utilities companies to very carefully consider the merits and shortcomings of the use of subcontractors prior to the commissioning of works.
83. Further concerns raised to the Task Group were issues surrounding interim reinstatements in areas with special conditions. Although the utilities companies interviewed by the Task Group stated that significant time and resource was put in to implementing reinstatements first time, the SROH allows for temporary surface replacement and states that:
- “An interim reinstatement can be carried out that conforms to the prescribed standards until the permanent reinstatement is completed, which should be within six months”.*
84. Interim reinstatements are a particular problem in Conservation Areas because they will most likely not match the surrounding pavement by their very nature. The Task Group also noted that the Council had experienced a number of instances whereby utilities companies had failed to return to sites within the prescribed six month period to carry out the necessary permanent works. It was therefore felt that the Council should take steps to encourage the use of first time reinstatements in areas with special conditions.
85. The Task Group was also informed of a “rent a jointer” scheme. This would encourage companies to plan and complete works in a timely fashion, by requiring them to pay for the use of jointers when installing and maintaining electrical cabling. The introduction of such a scheme would be particularly timely in the context of a current national incentive to install high speed broadband across the country and the associated electrical connections to cabinets required. Given the broad scale of this project, it is likely that there will potentially be high levels of disruption to Surrey’s highways, and the Task Group was therefore of the view that a “rent a jointer” scheme should be supported in order to encourage the swift completion of such works.

### **Improved Use of Existing Reference Systems:**

86. An additional way that the quality of materials used by utilities companies in areas with special conditions could be improved is greater use of the Surrey County Council Gazetteer. The Gazetteer is a reference system used in the co-ordination of street works. It includes information such as street name and type, ownership, reinstatement categories, special designations, and special restrictions.
87. The Gazetteer does not at present include details of specialist requirements for areas with special conditions. The Task Group felt that subject to cost, the Gazetteer should be updated to include data relating to the specialist surfacing requirements in these areas. Furthermore, if utilities companies were given access to this information in advance of works, they would be better prepared for sourcing specialist materials and have sufficient time to plan for its procurement in their budgets.
88. Overall planning could be further enhanced by improved information-sharing between the County Council and utilities companies. A key issue raised by members of the public was that a road would be disrupted for a period of time by one set of works, and then a matter of days or weeks later the road would be closed again for another, separate set of works. The Task Group appreciated the frustration that this level of disruption and inconvenience causes residents and believed that where possible, utilities companies should be given better sight of the Surrey County Council street works programme at an earlier stage to encourage joint planning and working, with the aim of minimising inconvenience to road users. Encouragingly, the utilities companies interviewed by the Task Group were very supportive of this proposal and of the opinion that this could vastly improve the co-ordination of street works in Surrey.
89. The Task Group was also of the view that information regarding works should be shared with the relevant Local Member. As reflected by responses to the Councillor survey, Local Authority representatives were very much in favour of being used as a resource to communicate this information to residents. Being “on the ground” and in regular contact with local people, Councillors are an effective means of informing residents of upcoming works.

### **Inspections:**

90. A further way the quality of reinstatements in areas with special conditions could be improved would be to retain high numbers of inspections of such works. Current resource levels in Surrey County Council’s Street Works Team are designed to match sample inspection quantities and investigatory (third party report) inspections, both with associated defect inspections, major site monitoring, over-run scrutinising and customer enquiries.
91. At present, Surrey County Council’s Street Works Team has a number of officers on fixed-term contracts. Following their introduction, the number of inspections of utility company street work sites carried out has doubled, resulting in a higher number of overrunning works being challenged and a

significant reduction of outstanding queries on the Highways Service's Maximo system. This additional resource has significantly improved the Council's monitoring of utility company street works.

92. Therefore, it is suggested 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.

### **Improving Street Works in Areas with Special Conditions:**

93. In order to tie together the Task Group's recommendations regarding Street Works in areas with special conditions, it is proposed that a Surrey County Council "Code of Conduct" be drawn up, building on the best practice proposals outlined above. This should specifically include reference to:

- The encouragement of first time reinstatements in areas with special conditions;
- 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; and
- That statutory undertakers engage in greater communication with Local Members when carrying out works in their area.

94. Furthermore, the Task Group suggested that the Surrey County Council Highways Term Contract with regard to works in areas with special conditions be reviewed and adjusted as required, in-line with these recommendations.

<b>Conclusions:</b>
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95. After considering the views of residents, Councillors, utilities companies and officers, the Task Group concluded that there were a number of actions the County Council could undertake to work more effectively with utilities companies and improve the quality of street works in Surrey, with the ultimate goal of minimising the disruption caused to residents and road users. These actions can all be placed in to the following categories:

- Communication
- Monitoring and Reporting
- Adoption of a Permit Scheme
- Improved working in areas with special conditions

96. Recommendations relating to the above and how they can be achieved are set out in further detail below.

### **Financial and value for money implications:**

The recommendations put forward in this report will assist the Council in achieving value for money by improving the co-ordination of, and level of disruption caused by, street works in Surrey. This will reduce the negative



financial impacts poorly-run street works have upon businesses, residents and the highway asset itself.

### **Equalities Implications:**

No negative implications identified, however better planned and delivered utility works would improve any interaction that less able groups may experience at street work sites.

### **Risk Management Implications:**

No negative implications identified. In addition to statutory duty requirements, the public has an expectation on the Council to effectively manage road works which creates a reputational risk. The recommendations put forward in this report will further assist the Council in achieving its statutory duty and managing risks by improving the co-ordination of, and level of disruption caused by, street works in Surrey.

### **Implications for the Council's Priorities or Community Strategy:**

As detailed under "financial and value for money implications", the report's recommendations would have a positive impact upon the Council's Corporate Strategy objectives to deliver value and quality to Surrey's residents. The recommendations aim to place stricter controls on works promoters to complete their works on time and to a high standard.

<b>Recommendations:</b>
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**Recommendation 1 - That a clear and accessible internal and external communications policy with regards to the publicising of street works is developed, to include:**

- a) Clearer and easier to access information on the Surrey County Council website in relation to street works, including specific pages detailing utilities works in Surrey.
- b) A Utility Works "quick links" heading on the Council's "report it online" page.
- c) Greater use of social media.
- d) A commitment to adhere to the Council's Customer Promise, with all public reports to be acknowledged and responded to, within a reasonable timescale.
- e) The linkage of Symology to the Surrey County Council Contact Centre to improve the efficiency and speed at which general street works enquiries are dealt with.
- f) Automatic "areas of interest" alerts to be sent the relevant Local Member by the Elgin system, to enable Members to better communicate the commencement of works to residents.

**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 greater incentive for utilities companies to complete their works on time and to a high standard. Specifically:**

- a) That Surrey County Council, in conjunction with South East 7 members and the Highway Authorities and Utilities Committee, lobby utility company regulators and the Department for Transport on the following issues:
- That utility company street works performance be taken into account when setting prices;
  - That Street Authorities be granted greater flexibility in the allocation and use of inspections at various stages of street works;
  - That utility companies be encouraged to carry out in-house inspections of their own works; and
  - That a timeline for the repair of defective works be set, with penalties to be applied in cases of non-compliance.
- b) That the award of future contracts for works on the County's highway takes into account the statistical street works performance of the companies concerned.
- c) That current efforts by Surrey County Council's Street Works Team to embrace new handheld technology and smarter working methods be supported.
- d) That the role of Boroughs, Districts, Parish and Town Councils and other known community organisations in the inspection and reporting of reinstatements be further explored by officers.

**Recommendation 3 – That proposals to introduce a “common” permitting scheme with East Sussex County Council, to co-ordinate all works on the Surrey County Council Highway, be endorsed.**

- a) It is also suggested that the possibility be explored for the creation of one central point in the Highways Service for the issuing of street works licences.

**Recommendation 4 – That the processes 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:**

- a) That a Surrey County Council 'Code of Conduct' for street works be drawn up, building on best practice, with specific reference to the following:
- The encouragement of first time reinstatements in Conservation Areas;
  - 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; and
  - That statutory undertakers engage in greater communication with Local Members when carrying out works in their area.

- b) That where possible, utilities companies be given better sight of the Surrey County Council works programme at an earlier stage, to enhance joint planning and improve the overall co-ordination of works.
- c) That the Surrey County Council Gazetteer be updated to include all details relating to areas with special conditions/surfaces.
- d) 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.
- e) 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 utilities companies to reasonably source suitable replacements for reinstatements.
- f) 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 utilities companies on a cost basis, as required, to enable swifter and more appropriate reinstatements in Conservation Areas.
- g) That the promotion of “rent a jointer” schemes be supported, with particular reference to the forthcoming High Speed Broadband rollout.
- h) That the content of the Surrey County Council Highways Term Contract with regard to highway repairs, particularly including areas with special conditions, be reviewed and adjusted as required, in-line with the recommendations outlined above.

<b>Next steps:</b>
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Following consideration by the Select Committee, the Task Group’s report will be submitted to the Cabinet meeting of 5 February 2013 for approval.

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**Sources/background papers:**

- DfT document: Specification for Reinstatement Openings in the Highway
- New Roads and Street Works Act (1991)
- New Roads and Street Works Act Code of Practice for Inspections, 2<sup>nd</sup> edition (2002)
- Traffic Management Act (2004)

Annexe A – Glossary of terms

Annexe B – List of witnesses/consultees

Annexe C – Survey analysis