



Bracknell Forest Council

Highway Network Management

Street and Road Works Performance Report

1. Introduction

This report shows the performance of the Statutory Undertakers (Undertakers) and Bracknell Forest Council's contractors during the financial year 2013/2014 who have undertaken works to the highway. There are key aspects of the New Roads and Street Works Act 1991 (NRSWA) (as amended by the Traffic Management Act 2004) that all work promoters are measured against. We compare the data from all organisations to assist in developing strategies and instigating improvements in our co-ordination of highway network activities.

2. Performance results

The report focuses on the undertakers who complete the most work in the area and the Council's own term contractor. This is the second year that Bracknell has reported on street work performance. The results have been compiled using the Department for Transport's new Traffic Management Act (TMA) Performance Indicators (TPI's). Bracknell Forest Council has regular quarterly performance and co-ordination meetings with all external and internal stakeholders.

2.1 Quality of works notification

Background / Observations

All work promoters are obliged to submit notices to the street authority stating their intention to complete works on the highway.

Failure to serve the appropriate information on a notice is dealt with via a Fixed Penalty Notice. All notices received via the Electronic Transfer of Notices (EToN) ICT protocol are checked by the Highway Network Coordinators.

If the notice fails to comply with the NRSWA Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters (Co-ordination CoP) then a Fixed Penalty Notice is served.

Fixed Penalty Notices discharge any liability for a criminal offence on payment of a fee of £120, or discounted to £80 if paid within 28 days.

Table 1 Quality of works notification

PROMOTER	TOTAL NUMBER OF NOTICES 2013/14	TOTAL ACTUAL FPN'S 2013/14	% OF ACTUAL FPN'S 2013/14	% OF ACTUAL FPN'S 2012/2013
<i>Affinity Water</i>	365	1	0%	1%
<i>Bracknell Forest Council</i>	5989	684	11%	13%
<i>BT Openreach</i>	2026	47	2%	1%
<i>National Grid Gas</i>	725	19	3%	2%
<i>South East Water</i>	10176	6	0%	0%
<i>Southern Electric</i>	1498	34	2%	0%
<i>Southern Gas Networks</i>	216	11	5%	1%
<i>Thames Water</i>	469	37	8%	5%
<i>Virgin</i>	1831	35	2%	1%
TOTALS	23295	874	4%	4%

Notes:

- Bracknell Forest Councils term contractor is Ringway
- Notable areas of deterioration are in red
- The worst three works promoters for quality of noticing are highlighted in red.

Comments

The FPN's for the Promoters range from 0% to 11% of their total notices submitted. The majority of notices are compliant however, the worst performing works promoters are:

- Thames Water 8%
- Southern Gas Network 5%

- Bracknell Forest Council 11%

There will always be a small failure rate due to unavoidable mistakes/ human error.

This year Bracknell Forest Councils FPN rate has improved this can be mainly attributed to working closely with the Council's contractor to improve noticing.

2.2 Works Overrun

Background / Observation

All works have a reasonable period which is the promoters estimated duration unless challenged by the street authority. Facilities exist for reasonable periods to be extended where a revised duration is requested for unforeseeable engineering difficulties. Where revised durations are requested they will not be unreasonably refused. Therefore over running works often show a lack of adequate management of the project. There is often a failure to communicate with the Street Authority. This could include a failure to ask for revised durations in a timely manner or engage with the Highway Authority when experiencing engineering difficulties.

An over run impacts on the Highway Authorities ability to co-ordinate other works on the highway effectively. The table below only includes works that have over run without agreement. Section 74 of NRSWA allows an Authority to charge a fee to a work promoter that over runs agreed timescales without good reason.

There are a number of ways that the Authority can gather information on works that over run:

- The information can be provided via the works Promoters Notice.
- The inspector may find works ongoing that should have been completed

Any works not found via these methods will not be recorded as they were never discovered.

The Council imposes charges on all section 74 over runs but may enter into negotiation on the level of charge depending on the impact to traffic, residents and past performance.

Table 2 Works Over Run

PROMOTER	Total number of works 2013/2014	No of works that overran 2013/2014	% of works that overran 2013/2014	No of days over run 2013/2014	% of works that overran 2012/2013	No of days over run 2012/2013
<i>Affinity Water</i>	178	3	2%	3	0%	0
<i>Bracknell Forest Council</i>	3282	45	1%	73	2%	75
<i>BT Openreach</i>	1143	16	1%	27	4%	86
<i>National Grid Gas</i>	295	6	2%	20	2%	37
<i>South East Water</i>	2761	2	0%	2	0%	0
<i>Southern Electric</i>	600	0	0%	0	0%	0
<i>Southern Gas Networks</i>	108	1	1%	1	5%	97
<i>Thames Water</i>	173	0	0%	0	0%	0
<i>Virgin</i>	814	1	0%	1	0%	1
TOTALS	9354	74	1%	127	1%	296

Notes:

- Bracknell Forest Councils term contractor is Ringway
- Notable areas of deterioration are in red
- The worst three works promoters for over runs are highlighted in red.

Comments

The vast majority of works are completed within the agreed timescales. The worst three works promoters are:-

- Ringway 73
- BT Openreach 27
- National Grid Gas 20

The Council's term contractors have improved for the second year running. The total days that they over ran in 2011/12 was 148, this reduced to just 74 days in 2013/14 this year. Between 2012/13 and 2013/14 the duration of over runs has decreased.

Engagement with the Council is paramount to ensure that works are completed in a timely manner.

Affinity water, Thames Water and Southern Electric have all had no over runs in 2012/13 or 2013/14. The water companies tend to plan their works more effectively. However, there works do tend to be minor works which are less likely to over run.

2.3 Surface quality of reinstatements and signing and guarding

Background /Observation

Undertakers reinstatement of the highway is monitored by the Highway Network Management team (HNM) for which they pay approximately 45K a year to undertake random visual inspections. The HNM team also undertake Inspections of works in progress (Cat A) to monitor the correct use of signing, lighting and guarding at works. The standards to be achieved are specified in the Safety of Street Works and Road Works Code of Practice (Safety Code). If a site fails a Category A inspection, the utility is notified and must rectify within 2 or 4 hours depending on severity of the failure.

The Highway Authority randomly samples an agreed proportion of works per Works Promoter visually.

An annual compliance testing programme is in place whereby cores are taken from reinstatement to measure the thickness of material layers and identification of air voids. The Council identifies sites

where work has taken place and takes a sample number of cores. The utility is invited to attend the coring taking place. The cores are sent to a laboratory for testing of layer depth, materials and air voids. If a utility has a high proportion of failures they may be put on an improvement plan. The utility is closely monitored to ensure their performance improves.

Table 3 Surface quality of reinstatements and Signing/Guarding

PROMOTER	SIGNING AND GUARDING				SURFACE REINSTATEMENT			
	TOTAL 2013/2014	FAIL 2013/2014	% FAIL 2013/2014	% FAIL 2012/2013	TOTAL 2013/2014	FAIL 2013/2014	% FAIL 2013/2014	% FAIL 2012/2013
AFFINITY WATER	29	0	0%	0%	76	0	0%	1%
BRITISH TELECOM	75	6	8%	24%	279	10	4%	17%
NATIONAL GRID GAS	33	4	12%	15%	112	2	2%	1%
SOUTH EAST WATER	389	0	0%	8%	508	21	4%	4%
SOUTHERN GAS NETWORKS	7	0	0%	0%	8	2	25%	33%
SOUTHERN ELECTRIC	74	8	11%	12%	238	3	1%	6%
THAMES WATER	8	0	0%	0%	6	0	0%	29%
VIRGIN	86	0	0%	4%	62	2	3%	5%
OTHER SMALL UTILITIES/LICENSES	28	0	0%	25%	0	0	0%	43%
BRACKNELL FOREST COUNCIL (RINGWAY)	142	6	4%	13%	0	0	0%	0%
TOTALS	871	24	3%	14%	1289	40	3%	5%

Notes:

- Bracknell Forest Councils data for reinstatement is not available as they do not reinstate to the HAUC specification
- The works promoters highlighted in red are the worst performers in either reinstatement or signing/guarding

Comments

The undertakers that have the highest percentage failure is :

- National Grid Gas
- Southern Gas Networks
- Scottish and Southern Energy

The Councils own contractors are monitored on signing, lighting and guarding. The proportion of failures has decreased.

The Council work with all Works Promoters to monitor performance.

Poor reinstatements may reduce the life of the highway and impact on road users through disruption caused by remedial works. The Council is proactive in working with the promoters to ensure that reinstatements are of good quality.

2.4 Direction and Coordination of works

Background/Observation

The Authority under NRSWA has the power to manage and direct the timing of works to minimise disruption to Highway Network and residents. The HNM team meets with utilities to discuss the impact of works wherever necessary. There is the facility if needed to send a formal direction which is logged on the notice. Contractors are encouraged to work collaboratively but this often proves difficult due to the nature of the works.

The number of directions/duration challenges does not reflect the time spent coordinating works via email or during meetings. It merely shows the days saved through the need for formal direction or duration challenge. It does not show any time saved through extended working hours or shared road space.

Table 4 Direct Management and Coordination of works

<i>PROMOTER</i>	<i>DIRECTIONS ISSUED 2012/2013</i>	<i>DAYS SAVED 2012/2013</i>	<i>DIRECTIONS ISSUED 2013/2014</i>	<i>DAYS SAVED 2013/2014</i>
<i>AFFINITY WATER</i>	8	516	19	249
<i>BRITISH TELECOM</i>	98		58	
<i>NATIONAL GRID GAS</i>	10		2	
<i>SOUTH EAST WATER</i>	2		1	
<i>SOUTHER GAS NETWORKS</i>	0		1	
<i>SOUTHERN ELECTRIC</i>	10		6	
<i>THAMES WATER</i>	4		6	
<i>VIRGIN</i>	100		84	
<i>OTHER SMALL UTILITIES/LICENSES</i>	1		2	
<i>BRACKNELL FOREST COUNCIL (RINGWAY)</i>	2		9	
TOTALS	235		188	

Notes

- Days saved refers to the number of days saved through challenging the duration and sending directions on the notice.

Comments

Virgin continues to receive the most directions/ duration challenges. This is because most of their works are submitted with duration of 3 days regardless of the works description. The coordinators review the works description and challenge the duration.

This data is the only measurable data that the Borough can capture. There is coordination work that takes place at the initiation of a project before the notice is created. The needs of the network are considered, and adjustments are made to the plans where possible especially in the case of major works where works can take place out of hours or at weekends.

The days saved above should be treated as a minimum of the number actually achieved.

2.5 Urgent Emergency and Minor works

This shows whether a works promoters business is mainly reactive or planned.

Table 5 Urgent, Emergency and Minor works

PROMOTER	TOTAL WORKS 2013/14	URGENT 2013/14	EMERGENCY 2013/14	MINOR 2013/14	% 2013/14	% 2012/2013
AFFINITY WATER	178	31	1	71	100%	75%
BRITISH TELECOM	1143	155	13	362	46%	75%
NATIONAL GRID GAS	295	7	42	15	22%	66%
SOUTH EAST WATER	2761	862	0	1407	82%	89%
SOUTHER GAS NETWORKS	108	5	18	6	27%	47%
SOUTHERN ELECTRIC	600	146	0	100	41%	52%
THAMES WATER	173	130	11	28	98%	88%
VIRGIN	814	7	0	416	52%	90%
OTHER SMALL UTILITIES/LICENSES	133	2	2	47	38%	39%
BRACKNELL FOREST COUNCIL (RINGWAY)	3282	15	0	1592	49%	81%
TOTALS	9487	1360	87	4044	58%	78%

Notes

- The Councils works do not include Street lighting figures.
- The percentage shown is a percentage of the Urgent, Emergency and Minor works as a proportion of all works undertaken

Comments

The authority only received a maximum of three days notice for Urgent, Emergency and Minor works. These works are usually for reactive repairs needed to restore a customer supply. Coordination on standard and major works is easier to coordinate as the works promoters must give more notice(3 months or 10 days). However the disruption to road users is far greater. Each year there are a number of major schemes that take place in the Borough. Meetings take place as early as possible to discuss impacts on road users and mitigation. Information is disseminated via social media and press releases.

2.6 Revised Durations

Background / Observation

Sometimes a works promoter may experience difficulties completing their works to the original time frame. When this happens the works promoter may request a revised duration to their notice. The authority will only usually grant the extensions of time when the works promoter has been in regular communication and that it is unavoidable. If a works promoter regularly requests an extension, it may indicate poor planning.

Table 6 Number of works extended with agreement beyond the original duration.

PROMOTER	Number of Works 2013/14	% of works extended 2013/14	% of works extended 2012/2013
AFFINITY WATER	178	0%	2%
BRITISH TELECOM	1143	1%	2%
NATIONAL GRID GAS	295	6%	5%
SOUTH EAST WATER	2761	1%	1%
SOUTHER GAS NETWORKS	108	1%	8%
SOUTHERN ELECTRIC	600	2%	6%
THAMES WATER	173	1%	0%
VIRGIN	814	0%	2%
OTHER SMALL UTILITIES/LICENSES	133	2%	0%
BRACKNELL FOREST COUNCIL (RINGWAY)	3282	0%	0%
TOTALS	9487	1%	1%

Notes

- The percentage of works extended is the number of works divided by the extension requests.

Comments

The table shows that National Grid request the highest proportion of revised durations. This may be due to the fact that they tend to have a high proportion of urgent and emergency works which are reactive and do not allow for planning. Extension requests have reduced overall since 2011/12. This suggests that regular coordination meetings and comprehensive planning meetings give greater control over the duration of works.

2.7 Early Starts

Background / Observations

Sometimes a works promoter may wish to commence works earlier than the statutory notice period allows. The coordinators may also ask the works promoter to amend the start date to avoid conflict with other works. The following table shows the number of early starts that have been requested. Early start requests are not necessarily down to poor planning, it can be efficient use of resources.

Table 7 Number of early starts

PROMOTER	Number of Works 2013/2014	% of early starts 2013/2014	% of early starts 2012/2013
AFFINITY WATER	178	0%	0%
BRITISH TELECOM	1143	1%	6%
NATIONAL GRID GAS	295	5%	5%
SOUTH EAST WATER	2761	1%	1%
SOUTHERN GAS NETWORKS	108	2%	14%
SOUTHERN ELECTRIC	600	3%	8%
THAMES WATER	173	1%	3%

VIRGIN	814	0%	2%
OTHER SMALL UTILITIES/LICENSES	133	13%	2%
BRACKNELL FOREST COUNCIL (RINGWAY)	3282	2%	4%
TOTALS	9487	2%	4%

Comments

The works promoters that request the majority of early starts are National Grid. This could be reflected in the nature of their works. Southern Gas Networks have continued to reduce their requests since 2011/12.

3 Financial Arrangements

Fixed Penalty Notice (FPN) charges, received from noticing errors, amounted to £12,810. The amount generated in 2012/2013 was £11,000. There has been an increase in FPN issues.

Over run charges in 2013/14 amounted to £10,000 compared to 2012/13 which was £8,985.

The street authority has the power to inspect works at various stages for which undertakers are charged for a sample. Any works found to be defective trigger follow up defect inspections charged at the rate set in regulations. The income received for these inspections in 2013/14 was £2,992, and in 2012/13 £1,757.

The Council's own contractor is not currently charged any penalties as the contract does not allow for this. However, potential Fixed Penalty notices are identified as well as Section 74 charges and used for regular performance monitoring. The Council's contractors are inspected in regard to Signing, Lighting and Guarding in the same way as the works promoters.

The funds that the Council receives from works promoters annual inspections are calculated using a framework from the Inspections Code of Practice. The framework is based on the amount of work undertaken in previous years. In 2013/14 the amount received for undertaking these inspections was £48,150.

The charges that are levied on utilities for FPN's, Section 74's and defective works sites are not classed as income. They are imposed to help street works coordination and improvement of utilities performance.

Conclusions

In general, the following summaries can be drawn from this report:

- The quality of noticing is generally acceptable although the information supplied often adds additional burden on the street authority in clarification. The Council's contractor has made significant improvement.
- The number of overruns has significantly decreased, this is due to no major projects over running
- The quality of safety measures at works in progress has generally improved since last year
- The quality of undertaker reinstatements has improved overall
- The Council's co-ordinators are working hard to minimise disruption through good working practices, resulting in significant days of disruption being saved.
- The number of revised durations has not changed significantly

Actions

- i. Performance monitoring is maintained on an annual basis.
- ii. The Permit scheme has been approved by Department for Transport and the Statutory Instrument is being drafted at present.
- iii. The Permit scheme will ensure that the agreed objectives are met through KPI's
- iv. Adequate performance control measures have been built into the 2014 term maintenance contract. The Highway Network Management team continues to work with the term contractor to improve noticing and knowledge prior to moving to permits.