




MAINTAINING SCOTTISH ROADS REVIEW / LONG TERM DAMAGE TO ROADS

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THE SCOTTISH
ROAD  WORKS
COMMISSIONER



Aims

- **Background**
- **Roads Maintenance Review Overview**
- **Long Term Damage to Roads Due to Reinstated Trenches**
- **Charge For Occupation of the Road Where Works are Unreasonably Prolonged**



Background (1)

- **Policy Development Group**
- August 2010 - the group discussed a methodology for a general contribution
- February 2011 - agreed that a stronger evidence base was needed to implement certain provisions and Commissioner would scope out a research project brief



Background (2)

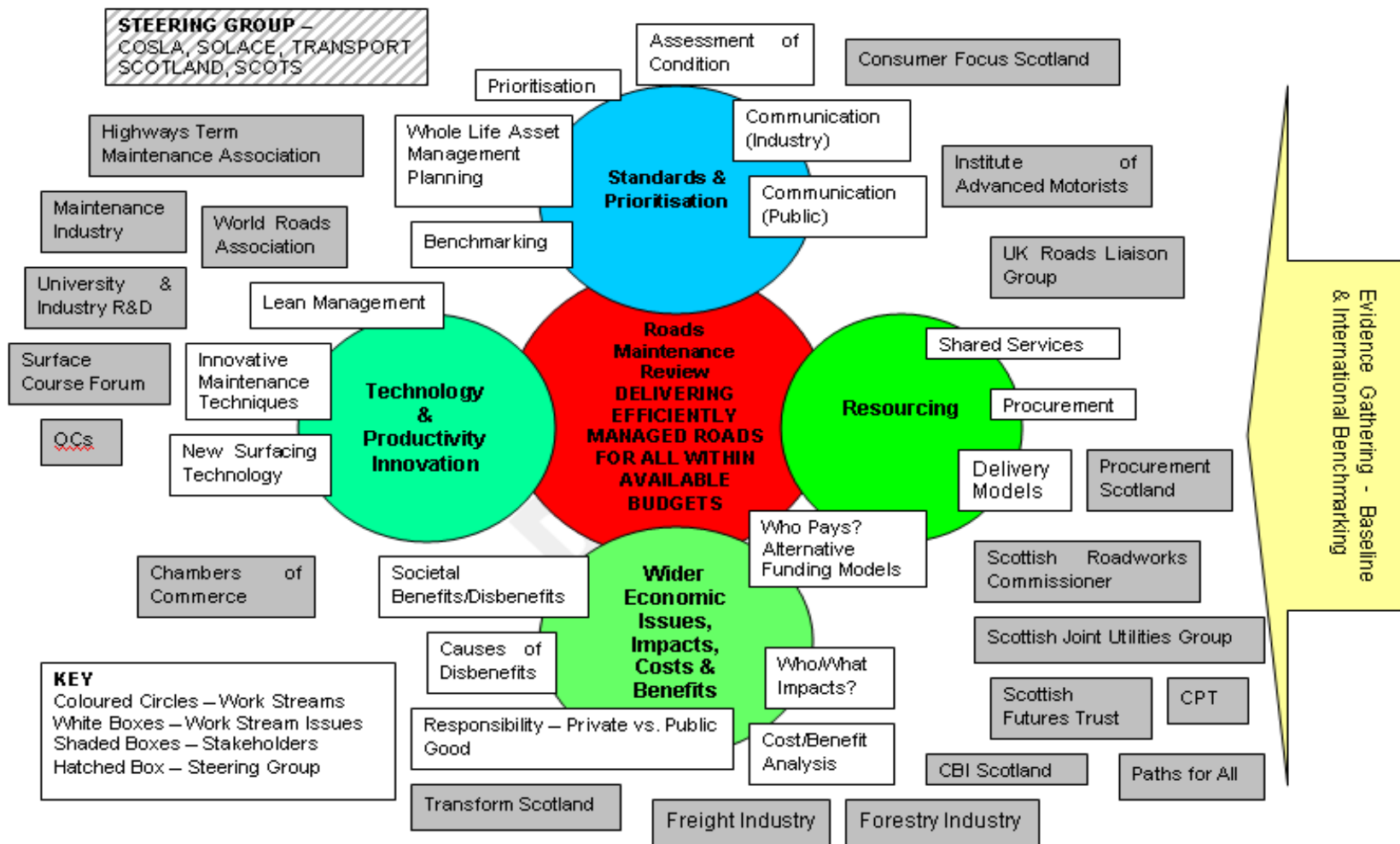
- **Audit Scotland Report** published
Maintaining Scotland's Roads on **16
February 2011**
- **National Maintenance Review**
announced on **25 February 2011**



Background (3)

- **4 key areas:**
- Standards and priorities
- How work is resourced, including sharing services
- Opportunities for technology and innovation
- Wider costs and benefits issues

Roads Maintenance Review





Timescales

- **Report of Initial Findings/Stakeholder Event** – 23 June 2011
- **Final Report** – July/September 2011
- **Consultation and Comments** - September/early October 2011
- **Roads Summit** - late October 2011

■ Transport, Infrastructure and Climate Change Committee met on 8 March 2011



“Engineers will tell you that, whenever a road is excavated, it is weakened. The point is to try to drive more efficiency from the money that we currently spend. I will meet with the Scottish Road Works Commissioner shortly to discuss that issue. Some of the roads attrition is due to public utilities excavating a road for a particular service. They rightly pay to restore an excavation, but it will have weakened the entire road. It is worth examining whether we should try to ensure that what we get from public utilities is enough to cover the eventual resurfacing of a road to restore its original integrity”

Keith Brown MSP



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- February 2011 - agreed that a stronger evidence base was needed to implement certain provisions and Commissioner would scope out a research project brief
 - **Long Term Damage Research agreed with Transport Scotland on 21 March 2011**



New Roads and Street Works Act 1991

CHAPTER 22

LONDON: HMSO

£14.00 net

Contributions to costs of making good long-term damage.

137.—(1) The Secretary of State may make provision by regulations requiring an undertaker executing road works to contribute to the costs incurred or likely to be incurred by a road works authority in works of reconstruction or re-surfacing of the road.

(2) The regulations may provide—

- (a) for a contribution to the cost of particular remedial works, or
- (b) for a general contribution calculated in such manner as may be prescribed.

S137 Long Term Damage to Roads Due to Reinstated Trenches (S78 England)

- Aims to gather evidence on the impact of utility trenches on the pavement life span and proposed/adopted charging schemes in TRL Reports
- Further literature review drawing on global experience and research
- Consultation with stakeholders to identify any further supporting documentation

Questions (1)

- **Even when reinstatements are undertaken fully to the required specification, do reinstated trenches reduce the service life of a road?**
- If yes, how does this reduction in service manifest itself? What are the short and longer term implications?
- Can you provide a robust figure for the reduction in service life which would be defensible? This would need to be robust enough to be used as part of a 'future charging scheme against utility companies and therefore defensible under parliamentary scrutiny.

Questions (2)

- Potholes are currently a significant issue in Scotland. Is there any published evidence linking reinstated trenches to increased levels of potholes?
- Reinstatement joints are often seen as a potential area of weakness. What is the practice in other countries? Is there a greater use of stepped joints rather than vertical joints? Are there any other jointing practices we should be considering?

Questions (3)

- Whilst access to roads by utility companies is free at the point of use, they have claimed that they pay for access through other forms of taxation. Are there any tax regimes in the UK which could be claimed to fall within this heading?
- TRL Report PPR386 - "A Charge Structure for Trenching in the Highway" sets out a charging methodology. Could this methodology be used in Scotland using the Scottish Road Works Register as the management tool? Does this methodology seem practical? Are there other simpler methodologies which might be more appropriate?



Timescales

- Produce the Interim Report for submission
17 June 2011
- Stakeholder Consultation
- Produce Final report for end of August
2011

Charge for occupation of the road where works unreasonably prolonged.

Charges, fees and contributions payable by undertakers

133.—(1) The Secretary of State may make provision by regulations requiring an undertaker executing road works in a public road to pay a charge to the roads authority where—

- (a) the duration of the works exceeds such period as may be prescribed, and
- (b) the works are not completed within a reasonable period.

(2) For this purpose “a reasonable period” means such period as is agreed by the authority and the undertaker to be reasonable or, in default of such agreement, is determined by arbitration to be reasonable, for completion of the works in question.



S133 Charge For Occupation of the Road Where Works are Unreasonably Prolonged (S74 England)

- Undertakers pay a charge when works exceed a period and take longer than previously agreed
- Paper with option for Maintenance Review/Political will?
- Legal view to be taken by Scottish Government