

Review of Utilities in Tameside



Technical, Economic and Environmental
Services Scrutiny Panel

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Introduction by the Chair

I am very pleased to present this report of a review undertaken by the Technical, Economic and Environmental Services Scrutiny Panel into utilities work in Tameside.

Sub standard roads and footways can be a significant issue for residents. The detrimental impacts are the associated costs in remedial work, disruption resulting in loss of business, and potential legal claims brought against the Council.

Effective strategies and tools for improving utilities standards of work and its impact on the borough are crucial and the utility partnering relationship must be used effectively to minimise sub standard work.

There appears to be a national problem across councils with substandard reinstatements. It was encouraging to hear that AGMA are implementing a collaborative Coring Programme aimed to change utilities behaviour to raise standards of reinstatements.

It was encouraging to hear from Tameside Technical Services Team that good relationships are in place with utility companies in an attempt to minimise the road disruption caused to both residents and businesses in Tameside.

There are many Utility Companies in the Northwest and each have a crucial role to play to ensure the required standards of roads are being met. We hope that this review will provide a strong foundation for future work to improve the standard of utilities reinstatements in Tameside.

On behalf of the Technical, Economic and Environmental Services Scrutiny Panel, I would like to thank all those who have participated in this review.



Councillor Alan Whitehead
Chair of the Technical, Economic and Environmental Services Scrutiny Panel



2. Summary

There are over 8,000 openings on Tameside's roads each year. This can result in increased congestion and disruption to road users. A reinstatement finished even to the correct standards can result in up to a 30% reduction in the life of a road.

The statutory undertaker shall ensure that the reinstatement conforms to the prescribed statutory standards. If, at any time during a guarantee period, the reinstatement fails the undertaker should carry out remedial action to restore the reinstatement to a compliant condition.

Tameside employs two members of staff to undertake inspections of reinstatements in Tameside. Legislation (NRASWA) allows local authorities to sample and charge for the inspection of 30% of utility openings. This limits the Council's ability to inspect all 8,000 openings each year.

AGMA Network Management Group has developed the AGMA Coring scheme to test the reinstatement of roads by utilities companies across Greater Manchester. All costs of failed core samples are borne by the utilities company. There is no time limit on when a coring may be undertaken after a repair.

Core sampling appears to be a good system; it would give Tameside Council a sound basis to improve standards and to progress defect reinstatements.

This review focuses on the strategies and tools used to monitor and improve remedial work and reinstatements. It considers the role of the local authority and relevant representatives i.e. regulators and utilities role in ensuring good quality highways. It appears that continuing with a partnership approach would be valuable in developing earlier notification of roadworks to businesses and residents in Tameside. This is reflected in the conclusions and recommendations of this report.

3. Membership of the Scrutiny Panel

Councillors A Whitehead (Chair), Councillor C Patrick (Deputy Chair).

Councillors D Cartwright, J Cooper, P Dowthwaite, M Fowler, A Holland, D McNally, S Parker-Perry, G Roberts, M Whitley, R Ambler.

Mr A Moss (co-opted Member).

4. Terms of Reference

Aim of the Review:

To understand the impact of utilities companies work on Tameside's roads and footways.

Objectives:

1. To understand the type of work being undertaken on Tameside's roads and footways.
2. To understand the role of the local authority and relevant representatives i.e. regulators and utilities role in ensuring good quality highways.
3. To examine the impact of sub standard roads and footways.
4. To examine the strategies and tools used to monitor and improve remedial work and reinstatements.
5. To explore the opportunity to understand best practice from other local authorities.
6. To produce workable recommendations for the Council and partners to ensure road and footways are to the best possible condition.

Value for Money/use of Resources:

Sub standard roads and footways can be a significant issue for residents. The detrimental impact of sub standard roads and footways are the associated costs in remedial work, disruption resulting in loss of business, and potential legal claims brought against the Council. Effective strategies and tools for improving utilities standards of work and its impact on the borough are crucial and the utility partnering relationship must be used effectively to minimise sub standard work.

Equalities issues:

Utilities work can impact on all sections of Tameside's communities. The review will consider strategies employed by relevant authorities to ensure roads and footways are maintained to the best possible standards and are accessible by all groups and individuals.

Tameside Area Agreements:

The following targets from the new Tameside Area Agreement relate to the utilities Review.

Key Quality of Life Measures	
Healthy Tameside	- Physical Activity/ Exercise
Attractive Tameside	- Obesity
	- CO ₂ emissions
Supporting Measures	
Prosperous Tameside	- Enterprises/ new businesses

5. Methodology

- 5.1 The Scrutiny Panel met with Robin Monk, Assistant Executive Director, Technical & Property Services and Paul Jennings, Head of Technical Services, Tameside MBC.
- 5.2 The Panel met with the following participants in the review:
 - Representatives from AGMA Coring project team, to discuss Salford Councils Coring programme.
 - Representatives from Tameside Chamber of Commerce, to obtain a local business perspective on utilities work in Tameside.
 - Representatives from Gas Alliance, Operations Manager and Construction Operations Engineer, to discuss the impact of utilities work in Tameside.
- 5.3 The Panel attended a tour to observe reinstatement sites relating to the review.
- 5.4 The Panel was provided with current data on utilities in Tameside from the Technical Services team.

6. Background of the Review

Statutory Background

- 6.1 This review focuses on utilities work specific to utilities reinstatements. It is the duty of the undertaker by whom street works are executed to reinstate the street following any excavation of land. The Statutory legislation relevant to this review is the 'New Roads and Street Works Act 1991' specification (NRSWA) and the traffic Management Act 2004 (TMA). Statutory undertakers are subject to this agreed code of practice and standard of working.
- 6.2 The Definition of a Statutory Undertaker as defined in the Act is:

'The person in whom a statutory right to execute works is vested or the holder of a street works licence.'

They include all utilities: electricity; gas; water; and telecommunication companies.
- 6.3 The Definition of a Street as defined in the Act is:

'The whole of part of the following, irrespective of whether it is a throughfare:

 - a) *Any highway, road, lane, footway, alley or passage;*
 - b) *Any square or court;*
 - c) *Any land laid out as a way whether it is for the time being formed as a way or not; and for the avoidance of doubt includes land on the verge of a street or between two carriageways. Where a street passes over a bridge through a tunnel, references to the street include that bridge or tunnel (NRSWA Section 48).'*
- 6.4 The primary objectives of this specification are to ensure that all undertakers' reinstatements, within highways, are completed to a permanent standard, as soon as is practicable and to a consistent high quality.

#

- 6.5 Specifically under section 71 of the NRSWA an undertaker executing street works must comply with specifications for materials and standards of workmanship. The undertaker must also ensure that the reinstatement conforms to prescribed performance standards:
- In the case of an interim reinstatement, until a permanent reinstatement is effected.
 - In the case of a permanent reinstatement, for the prescribed period after completion of the reinstatement.
- 6.6 Works must be carried out in accordance to the Health and Safety at Work Act 1974, and other legislation and codes of practice covering public and staff wellbeing.

Specification and Reinstatements

- 6.7 A road and footways structure includes the surface course, binder course, base and sub-base. There are two main types of reinstatements.

Temporary Reinstatement: means the orderly placement and proper compaction of reinstatement layers to finished surface level, including any temporary materials.

Permanent Reinstatement: means work comprising the orderly replacement of excavated material, reasonably compacted and finished at surface level, usually with a cold-lay surface.

- 6.8 An interim reinstatement shall normally be made permanent within six months.
- 6.9 The undertaker shall ensure that the interim reinstatement conforms to the prescribed standards until the permanent reinstatement is completed, and that the permanent reinstatement conforms to the prescribed standards throughout the guarantee period.
- 6.10 Reinstatement of any surface shall be completed so that it is as flat and flush as possible with the surrounding adjacent surfaces. There should be no significant depression or crowning in the surface. Construction tolerances at the edges of the reinstatement shall not exceed $\pm 6\text{mm}$.
- 6.11 The shape and line of larger trenches and their reinstatement should have regard wherever possible to the aesthetic appearance of the reinstatement and its impact on the street scene.

Guarantee Period

- 6.12 The guarantee period shall begin on completion of the permanent reinstatement and shall run for two years, or three years in the case of deep openings. It should be noted that actual completion is the event that triggers the start of the guarantee period. Failure to give this information to the Council is an offence under Section 70(6) of the Act.
- 6.13 If, at any time during a guarantee period, the reinstatement fails the undertaker shall carry out remedial action to restore the reinstatement to a compliant condition. An interim reinstatement shall normally be made permanent within six months.

Road Categories

- 6.14 Roads are categorised by this specification into five types (0-5), based on the number of millions of standard axles (msa) carried by the road over a 20-year period (see table one). Reinstatements are designed on this basis. Each authority shall categorise its road network on this basis and the Undertaker shall use the most current information available from the authority.

6.15 Table one shows the different road categories and numbers in Tameside.

ROAD CATEGORY	TRAFFIC CAPACITY	TOTAL NUMBER IN TAMESIDE
0	Roads carrying over 30 to 125 msa	0 (motorways)
1	Roads carrying over 10 to 30 msa	48
2	Roads carrying over 2.5 to 10 msa	64
3	Roads carrying over 0.5 to 2.5 msa	71
4	Roads carrying up to 0.5 msa	3048

Table 1: Road categories and numbers in Tameside

Utilities and Regulators

6.16 The Highway Authorities and Utilities Committee (HAUC(UK)) was established in 1986 by the constituent bodies of the local Highway Authorities and the utilities to assist the Secretary of State in arriving at proposals for new street works legislation. HAUC(UK) played a significant role in the drawing up of the New Roads and Street Works Act 1991 (NRASWA), its subsidiary legislation and associated Codes of Practice.

6.17 The main aims of HAUC(UK) are:

- To advise the Secretary of State on issues relating to street works legislation
- To provide guidance to practitioners
- To provide a forum for matters of mutual interest in relation to street works

Two groups make up HAUC; the local authority side - the Joint Authorities Group (JAG); and the utilities side - National Joint Utilities Group (NJUG).

6.18 Tameside Council has representation on the Greater Manchester Street Works Group, which then feeds up to North West JAG, North JAG meets with North West JUG and constitutes part of North West HAUC. North West HAUC reports to HAUC(UK).

6.19 Whilst statutory undertakers often employ sub contractors, that is purely a contractual arrangement with regards to their own business model, the statutory undertaker remains the responsible organisation.

6.20 There are several national regulators for utility companies

OfWAT = Water

OfGEM = Gas

OfGEM = Electricity

OfCOM = Telecoms

These, in the main, are focused on the protection of the consumer e.g. pricing, repair times, safety, competition etc.

National Perspective – the importance of this review

6.21 Roadworks in the UK are estimated to cost taxpayers in England and Wales £70m a year¹. Councils are being left with the bill after contractors for utility companies fail to properly repair road surfaces they have dug up. Workers dug two million holes in 2010. The LGA estimates that last year about 360,000 roadworks were not completed to the agreed specification, with work either over-running or roads not being restored to their original state.

¹ BBC News, 20 April 2011

Conclusions

1. The unsatisfactory condition of some highways is a national problem and public perception indicates conditions could be worsening.
2. Utility Companies should pay their fair share towards fixing any damage they cause to our roads.

7. Review Findings

Tameside Overview

- 7.1. The Panel met with Robin Monk, Assistant Executive Director, Technical & Property Services and Paul Jennings, Head of Technical Services, Tameside MBC, who presented an overview of the current work of utilities companies in Tameside.
- 7.2. There are over 8,000 openings on Tameside's roads each year. This can result in increased congestion and disruption to road users. A reinstatement finished even to the correct standards can result in up to a 30% reduction in the life of a road. This has an impact on the Sustainable Community Strategy aim to work towards an Attractive Tameside and Prosperous Tameside.
- 7.3. There are approximately 120 utility companies operating in the Northwest, however only 8 – 10 of these are very active in Tameside. Co-ordination meetings are held quarterly with utility companies to discuss work programmes and local onsite meetings take place on a regular basis. Tameside Council, as highways authority, chairs the meetings. The main statutory undertakers and representatives from the Highways Agency attend. If there are particular issues then transport operators such as Transport for Greater Manchester and the emergency services, might also attend.
- 7.4. Tameside Council and the statutory undertakers submit details of major work that they have planned for the following quarter. Tameside have developed good working relationships with the utility companies and have seen improvements in the lines of communication in recent times. Currently, there are no utilities companies who belong to the Tameside Strategic Partnership.
- 7.5. Tameside Council's Highways are worth over £1bn and are Tamesides biggest asset. The Council currently has a budget that enables a road to be resurfaced every 100 years, however a roads life cycle is approximately 40 years. This suggests insufficient funding is available to pay for many of the remedial works required.
- 7.6. Utilities companies are required to provide a minimum notice period for future works. Currently, utility companies have statutory rights to dig up streets – over 90% with less than 10 days notice. Table two below shows the advance notice periods.

Work Category	Advance Notice	Notice of Start	Notice of Emergency
Programmed	3 months	10 days	n/a
Major	3 months	10 days	n/a
Standard	n/a	10 days	n/a
Minor	n/a	3 days	n/a
Immediate-	n/a	2 hours after	n/a

Urgent			
Immediate-Emergency	n/a	n/a	2 hours after

Table 2: Advance Notice Periods for utilities works

Inspection Regime

- 7.7 Tameside employs two members of staff to undertake inspections. The computer generates sites to inspect through a random sampling process. Legislation (NRASWA) allows local authorities to sample and charge for the inspection of 30% of utility openings. Tameside Council carries out 30% inspections: 10% during works; 10% within six months; and 10% before the end of the 2-year guarantee period. This limits the Council's ability to inspect the total 8,000 openings in Tameside each year.

Durations of Restrictions

- 7.8 There are restrictions in place to prevent roads from being dug up regularly. Major works such as reconstruction of roads may only take place every 5 years, resurfacing works may only take place every 3 years. Table three below shows the restrictions.

Maximum durations of restrictions		
Works type	Category of carriageway in street	
	Traffic - sensitive or reinstatement road category 0, 1 or 2	Reinstatement road category 3 or 4
1:Reconstructed	5 years	5 years
2:Resurfaced with or without level change	3 years	3 years
3:Other substantial road or street works	1 year	6 months
Combination of 1 or 2 plus 3	Higher of figures	Higher of figures
Customer connections	20 days	

Table 3: Maximum durations of restrictions

Major Utilities Work in Tameside during the past 12 months

- 7.9 North West Gas Alliance has been undertaking major gas pipe replacement schemes in Hyde, Ashton and Dukinfield over the last 12 months. This instruction was to replace all old metallic mains with modern polythene pipes to ensure long-term safety and continuity of supply.
- 7.10 Untied Utilities, in their commitment to clean up the borough's water courses have been undertaking schemes in the Stalybridge area. This has involved the construction of large underground storm overflow chambers with modern screen equipment to prevent the discharge of visible pollutants.
- 7.11 A national programme is in place to replace cast iron gas pipes, and this has resulted in a large volume of work on the borough's roads.

Conclusions

3. A reinstatement finished even to the correct standards can result in up to a 30% reduction in the life of a road.
4. There are clear specifications and guarantee periods relating to reinstatements.
5. There are several regulators of utilities companies.

6. Legislation (NRASWA) allows local authorities to sample and charge for the inspection of 30% of utility openings.
7. Tameside Council is proactive in maintaining good relationships with the utility companies.
8. Significant resources are required to maintain existing highways to meet national recommended standards.

Recommendations

1. That the Executive Member gives consideration to realigning existing budgets and resources towards the highway network, as a vital council asset, to maintain legislative standards. Resources for this area will be allocated in line with the budget envelope.
2. That within existing budgets, consideration is given to redirecting resources to increasing the inspection of the quality of utilities work, as it is understood that the Council can generate additional income from this and consequently it could be viewed as being an 'invest to save measure'.
3. To encourage utilities companies to produce a forward programme of planned Tameside works where possible on a regular basis.
4. To continue developing good lines of communication between the Council and utility companies.

AGMA CORING PROGRAMME

- 7.12 The process of coring involves taking a sample from a previously uncovered road to ascertain the quality of the repair. If the repair is not up to the required standard, the utilities company must redo the work. If a core fails then the costs are borne by the utilities company (including inspection and testing). There is no time limit on when a coring may be undertaken after a repair (even after the guarantee period ends).

Salford Council Greater Manchester Coring Project lead:

- 7.13 AGMA Network Management Group has developed the AGMA Coring scheme as the reinstatement of roads by utilities companies across Greater Manchester is often not up to the required standard. It is estimated that 60%-80% of reinstatements fail against the basic standard.
- 7.14 Salford City Council is leading the project for the Greater Manchester Coring Programme, being delivered through the Urban Vision Partnership. This is a joint venture between Salford City Council, Capita Symonds and Morrison Highway Maintenance. Salford City Council does not have the capacity to deliver the project by itself, partners pick up a significant volume of the work.
- 7.15 It is projected that around 30% of all reinstatements in Greater Manchester will be tested each year as part of the coring scheme. This will total 25,000 cores. Visual defects do not need to be cored.
- 7.16 Under the scheme, Tameside will employ 2 to 3 additional inspectors to support the identification of coring sites. The Council will incur no capital expenditure on coring equipment as this is undertaken by the testing laboratory. The Coring Programme is to be implemented at Tameside Council early 2012.

- 7.17 The Joint Authorities Group UK (JAG UK)², which represents authorities and organisations responsible for the UK road network, estimates that coring imposes a 7.5% extra cost on highways budgets. However, this cost is recovered by charging utilities companies for the testing. It is estimated that each authority will receive £250,000 income from the scheme, which will cover the cost. A national coring group has also been established by JAG UK.
- 7.18 Once a failure has been discovered through coring, the utilities company in question will incur a charge every 10 days until the remedial work is complete. The initial intention is to prioritise roads over 6 months in age. However, roads can be tested at any point in time after reinstatement. If the coring test reveals that the road was not appropriately repaired, any warranty cannot be said to have started.
- 7.19 Evidence from other areas is that the number of failures is not decreasing.

Defects and Subcontractors

- 7.20 Utilities companies are ultimately responsible for the condition of the reinstatement and as such are held accountable for substandard work by subcontractors, even if the subcontractor is no longer in business. Up to five layers of contractors can exist at any one time. JAG UK is currently lobbying utilities companies and Parliament to ensure greater supervision of subcontractors.
- 7.21 JAG UK are lobbying to force supervision across the utilities companies to ensure that contractors are meeting the standard requirements. Currently, there is no regulation on supervision.
- 7.22 The Council has no way to protect against utilities bouncing fines back to the consumer. However, it is expected that the cost to the public will be lessened by coring over the long-term.

Coring Summary

- 7.23 Coring has clear benefits including giving the authority a sound basis to improve standards and to progress reinstatements after the end of the 2/3 year guarantee. Despite this, issues have been raised about the level of disruption to the public if reinstatements are found not to have fully followed the specification e.g. reinstatements at the back of footways.

Cumbria Council

- 7.24 The work of the Cumbria Street Works team has been recognised nationally through the UK Highways Authority & Utility Committee (HAUC). Cumbria is regarded as a role model on whom many other authorities are now basing coring works.

Conclusions

9. AGMA will deliver a consistent Greater Manchester wide Coring Strategy collating performance data as part of a national campaign against poor standards of utility work.
10. AGMA as a whole has a greater degree of influence than if the individual authorities were attempting to administer their own coring schemes.
11. Core sampling appears to be a good system; it would give Tameside Council a sound basis to improve standards.
12. Coring across GM is expected to increase to 25,000 per year.

² Joint Authorities Group UK (JAG UK)

13. The intention of coring is that the costs associated with failure encourage utilities companies to improve the quality of their repairs.

Recommendations:

5. That Tameside Council supports the GM Coring Programme and uses this as another tool to improve utilities' performance.
6. That the tendering process for the implementation of the Coring Programme is well managed with regular reviews to determine success.
7. That Tameside Council supports JAG UK in lobbying utilities companies and Parliament to ensure greater supervision of subcontractors.
8. Those potential / known poor subcontractors are targeted through the coring process.
9. That visual defects not requiring coring are prioritised and are raised with the relevant utility company.
10. That Tameside support JAG in protecting against utility bill increases borne out of the costs of coring.

TECHNICAL SERVICES UTILITIES RECORDING SYSTEMS

Coordination of Work in Tameside

- 7.25 To minimise disruption caused through utilities work in Tameside the Council coordinate current and future highways work using a software system called 'Symology'. The system is constantly updated throughout the day as and when notices are entered. The following map is taken from the system.

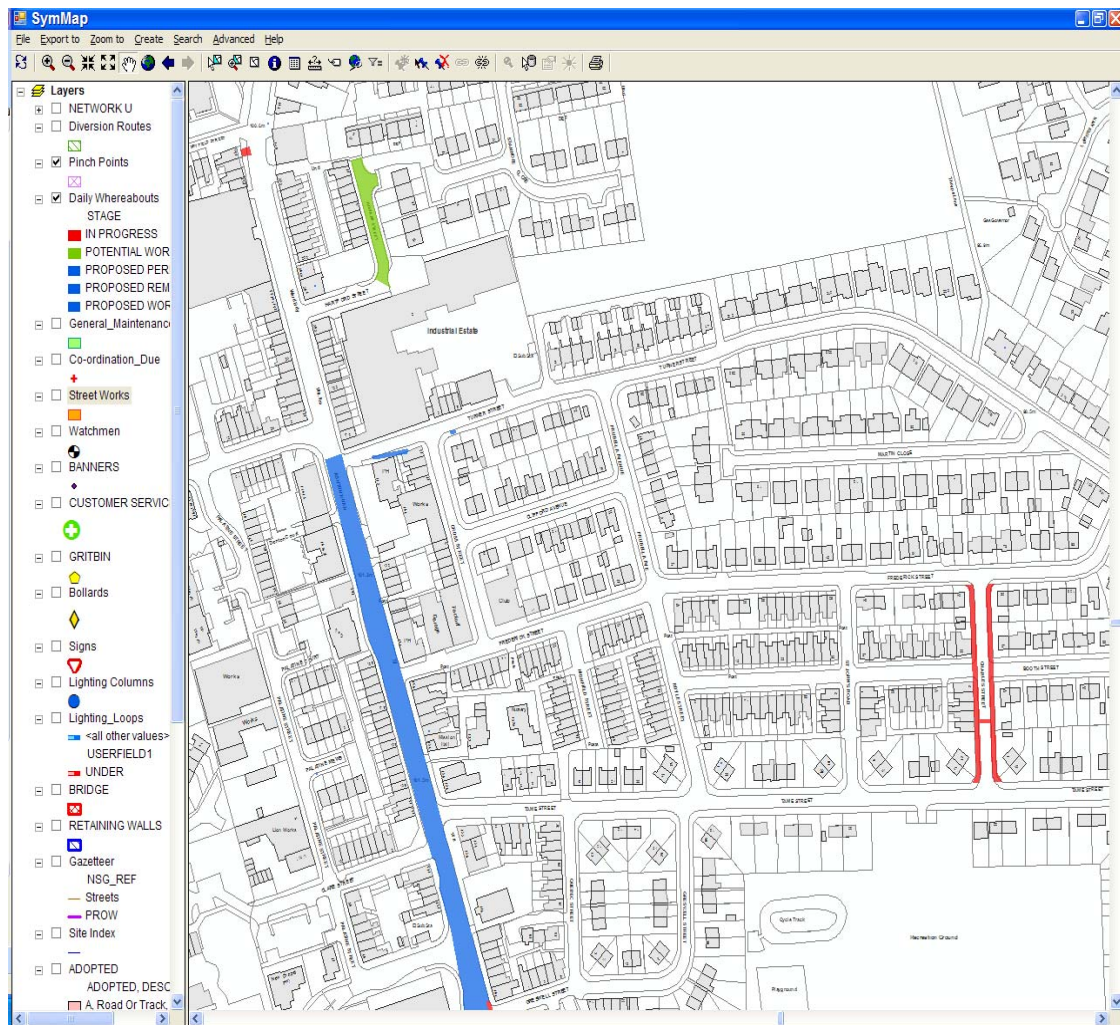


Figure 1: Snapshot of Symology

Section 58 (England and Wales) - Notice of Substantial Road Works

- 7.26 “Section 58 of the New Roads and Street Works Act 1991 allows a local authority to protect parts of the highway which have been subject to substantial road works (e.g. reconstruction or resurfacing of the running surface) for a specified period of time.
- 7.27 The Council provides advance notice of these restrictions so that any utility, developer or private contractor can arrange to conduct their works in advance of the restriction coming into force. However, some necessary works such as leaks, or loss of power or service, are exempt from the restriction and the local authority cannot unreasonably withhold consent.
- 7.28 Section 58 notices are entered into the Symology system at the same time as the proposed works in order to forewarn that works are scheduled to take place. Tameside Highways have submitted approximately 60 S58 notices in the last 12 months for carriageway resurfacing completions.

Public roadwork notification and Defect Report Tool in Tameside

- 7.29 Residents can use a search tool at www.tameside.gov.uk/roadworks to receive an update on current and upcoming roadworks in the borough.
- 7.30 Residents can also report any defects on the website. Tameside Council is currently working with their IT department to review the current system to streamline the current online process to make this more user friendly. In the proposed new system residents will place a dot on a map to represent the location of the defect rather than filling in lines of

information. This will be a much more fast track system. Residents can also contact the call centre to report defects.

- 7.31 Tameside relies on the vigilance of residents, employees and Councillors to report defects as we only have resources to inspect 30% of utility reinstatements.

Invoicing System in Tameside

- 7.32 Defect/ sample invoices are raised and issued on a quarterly basis for each utility company. This information includes:

1. The date of inspection
2. The name of the utility company
3. The works reference number
4. The location of the works
5. The defect type

- 7.33 Tameside Council's normal debt recovery process is followed through the debtor's section. A utility company that works beyond the agreed timescales would have a Section 74 overstay issued in the same way. The charges for such overstays vary according to the type of road they are on and if there are mitigating circumstances. Lower category roads have higher priced invoices.

Debt collection Process in Tameside

- 7.34 Once an invoice is raised it is placed on the appropriate recovery route according to the type of debt. For such debts, 15 days after the invoice is raised, a reminder will be produced, if payment has not been received. 10 days after the reminder notice is sent, a telephone call will be made to the company requesting payment.

- 7.35 If then no payment is received, a formal court letter will be sent, usually 10 days after the court notice. If still no response or payment, a county court claim form may be issued by the legal section within the income department. Any court costs incurred by the Authority as a result of this action are added to the debt and under the County Court Act we are entitled to claim interest in addition to the balance and any costs.

- 7.36 Reports are produced at two stages of the recovery process, when a telephone call is due and when the court notice has been sent. The invoicing system we use automatically advances the recovery stages.

- 7.37 Every attempt is made to collect outstanding debt and legal action is a last resort. The recovery team will make every effort to collect payment before court action is taken by making phone calls, sending emails, recovery letters etc.

Recording System for Substandard Reinstatements

- 7.38 Tameside produces a quarterly report to show details of inspections carried out. This report is also submitted to NWAUC who collect regional data. Table four shows 2011 quarter one data.

Row Labels	BC005	G4	HZ015	HZ019	HZ101	JG040	W40	Grand Total
D/1	14	18	1	7	6	1	28	75
FAIL-LOW RISK	14	17	1	7	6	1	27	73
PASSED		1					1	2
D/2	3	4			2			9
FAIL-LOW RISK	3	2			2			7
PASSED		2						2
D/3	7	15	3	1	12	3	2	43

PASSED	7	15	3	1	12	3	2	43
RTN	10	13	1	3	14	3		44
FAIL-HIGH RISK	3	1		1	2	1		8
FAIL-LOW RISK	7	12	1	2	12	2		36
S/A	21	71	10	3	141	13		259
FAIL-HIGH RISK		3			3	2		8
PASSED	21	68	10	3	138	11		251
S/B	7	12	11		3	4		37
PASSED	7	12	11		3	4		37
S/C	26	40	33			8	55	162
FAIL-LOW RISK	1	2					1	4
PASSED	25	38	33			8	54	158
TPR		2				1	1	4
FAIL-HIGH RISK		1				1	1	3
FAIL-LOW RISK		1						1
Grand Total	88	175	59	14	178	33	86	633

Key:

D/1	Defect complaint received from a member of the public
D/2	Once a defect is identified then meet with contractor and agree remedial action
D/3	At the end of remedial action a final inspection takes place
RTN	Routine Inspection – complaint received by TMBC member of staff
S/A	Inspection work carried out
S/B	Inspection within 6 months
S/C	Inspection just before 2/ 3 year anniversary
TPR	3 rd Party report e.g. Gas might report defect with electricity board work
BC005	British Telecom
G4	National Grid Plc
HZ015	United Utilities PLC H2O Water Services
HZ019	United Utilities PLC H2O Water Connections
HZ101	United Utilities PLC - Enterprise Clean Water Minor
JG040	Electricity North West - Electric Faults South
W40	UU PLC MorganEST - Clean Water Minor

Table 4: Tameside Quarter 1 report of road reinstatement inspections

Recording System for Accident and Trip Claims

- 7.39 Utilities claims are dealt with separately to Highways claims. If a trip or accident occurs within a 'guarantee period' following utility work this claim would automatically relate to the Utility Company. An accident or trip which occurs outside of a guarantee period relates to the Highways. In April 2011 the highways claims process i.e. those outside of the guarantee period, were brought in house. Previously, these claims were outsourced.
- 7.40 Tameside uses Symology to record registered claims. The following table shows the number of claims referred on to utilities. The figures are recorded by the year of accident. The table sets out the number of claims in relation to reinstatement work and also utility iron work e.g. manhole covers.

	Reinstatements	Utility Iron works
2006	5	32
2007	6	17
2008	1	33
2009	3	15
2010	7	12

Table 5: Table of Tameside Registered claims

- 7.41 The above figures may increase in 2008 – 2011 as any claim has a 3 year cut off. Utility iron works have a higher number of claims because the courts allow the utility companies to rely on council safety inspections. These claims are not always successful in court. The Risk Management Team at Tameside carries out the safety inspections in accordance with the Highways Act 1980 and our code of practice is based on the document 'Well Maintained Highways'.

Conclusions

14. The Symology system is used to coordinate utilities work in Tameside to minimise disruption to residents.
15. The number of claims is higher regarding utilities iron works than other reinstatements.
16. Tameside has developed a debt control system that is helping the Council to recover outstanding debt.
17. Tameside will try their utmost to recover debt and will only pursue legal action as a very last resort.
18. Tameside relies on the vigilance of residents, employees and Councillors to report defects.

Recommendations

11. That all stakeholders look at improving the state of Tameside's utility iron works, given a higher number of claims are recorded in relation to these.
12. That Tameside should encourage reporting of road and footpath defects by members of the public wherever possible.
13. That a system is considered to track and log utility openings and reinstatements to flag up 3 months before their 2 year anniversary dates.
14. That increased publicity takes place to raise awareness of the Council's Roadworks website.
15. That performance relating to reinstatements is available for local residents.
16. That a clawing back of money from utilities companies takes place even if outside of the guarantee period.

Residents Consultation

- 7.42 Results from the Citizens Panel Survey in Spring 2011 show that 14% of residents perceive the condition of Tameside's LOCAL roads and pavements to have remained the same during the last three years. 17% of residents perceive Tameside's MAIN roads and pavements to have remained about the same during the last three years.
- 7.43 39% of residents perceive the condition of Tameside's LOCAL roads and pavements to be the same condition as neighbouring authorities. 42% of residents perceive the condition of Tameside's MAIN roads and pavements to be the same condition as neighbouring authorities.

- 7.44 Comparing survey findings from Spring 2011 to Spring 2009, resident perceptions have decreased. It is likely that these changes, in respect of the condition of main and local roads are due to the recent hard winter and subsequent damage to the highways (appearance of pot holes, etc.).
- 7.45 As part of a strategic approach to road and footway maintenance it has been identified that the west side of the borough is in need of more attention than other areas and plans have been developed to address this issue. All avenues for increasing revenue and capital spend on roads maintenance are being explored.
- 7.46 For major schemes, the utilities companies carry out letter drops in the affected area e.g. recent sewer works in Stalybridge. They also display contact details on all their works.
- 7.47 In recent times, the only specific engagement events have been held by Transport for Greater Manchester with regards to the East Manchester Metrolink line.

Conclusions

19. The Citizens Panel questionnaire reveals that a significant proportion of residents do not necessarily agree that road conditions are improving.
20. The Citizens Panel questionnaire reveals that a significant proportion of residents feel that the condition of Tameside roads are comparable to neighbouring areas.

Recommendations

17. That highway issues are consulted on, on a regular basis to monitor trends in public perception.

Greater Manchester Road Activities Permit Scheme

- 7.48 The Panel was given an overview of the Greater Manchester Road Activities Permit Scheme (GMRAPS), a new scheme that operates within the framework of the Traffic Management Act 2004. Under this scheme all utility companies have to apply for a permit for each intended works project, giving a start and end date. In an emergency situation a utility company can come in without a permit.
- 7.49 The permit scheme will require companies to coordinate more effectively and give local authorities more ability to schedule work to minimise disruption.
- 7.50 A penalty charge can be levied if utilities Companies give inaccurate information. Tameside has recently signed up to the scheme, which now covers all 10 Greater Manchester authorities. It requires the approval of the Secretary of State. It is expected that the scheme will be launched summer 2012.
- 7.51 Permits will require contractors to properly plan and coordinate their works with others and display notices explaining what they are doing and when they will be finished.
- 7.52 Early estimates suggest that Tameside will have 11,809 permits a year, yielding £452,776 of income. This will vary year on year depending on the work being undertaken in Tameside. This income covers the cost of administering the scheme, inspection of works and staffing. However, these estimates are overestimated as a result of the major yet temporary Metrolink works in the borough.

Conclusions

21. Tameside Council will join GMRAPS which will launch Summer 2012.
22. GMRAPS will require all utilities companies to apply for a permit for each intended works project, giving a start and end date.
23. GMRAPS will enable local authorities to have more ability to schedule work to minimise disruption to Tameside residents and businesses.
24. In an emergency situation a utility company can come in without a permit.

Recommendations

18. That Tameside support GMRAPS and monitors performance data to establish how the implementation of permits impacts standards of utilities work.
19. That Tameside encourage utility companies to notify the authority as early as possible on pre notification of street openings.
20. That Tameside continue to develop lines of communications with residents and notify them of works as soon as permit applications are received.

Tour of Tameside

- 7.53 The Panel visited sites in Tameside to observe examples of reinstatements and to ask further questions arising from the review. The Panel noted visual defects throughout the borough.
- 7.54 Factors that can affect the quality of reinstatements include the weather and general temperature tolerance of the road lay materials. When the temperature is too low the road material can be difficult to lay. When too hot it can be over flexible. Winter months can be particularly problematic.
- 7.55 Road surfaces must be allowed time to dry before being re opened for public use. Failing to do so can result in damage to the road surface. The following pictures demonstrate different reinstatements.





- 7.56 New development sites were of concern to the Panel. Various trench openings and patches of reinstatements were found in close proximity of each other possibly as a result of inadequate planning by various utilities. This is aesthetically unappealing to the borough of Tameside and could have a damaging affect to the adjacent road surfaces.
- 7.57 Reinstatement patches could be aesthetically unappealing. Gaps around reinstatement edges were of concern to the Panel. The specification states that vertical bituminous faces of the existing highway that has been excavated must be coated with an approved sealant. When the excavation is reinstated, the new, hot bituminous material fuses with this sealant and forms a watertight bond. The specification does not state that the top horizontal surfaces should be coated. If there is a visible gap between the existing road surface and the reinstatement, then this does potentially allow water ingress and would be considered for further investigation by taking a core sample from the interface of old and new materials.

Conclusions

25. Inadequate planning for the installation of services at new developments can cause major disruptions to the site and surrounding areas.
26. There are numerous visual defects in reinstatements within Tameside.
27. Reinstatement patches can be aesthetically unappealing to Tameside borough.

Recommendations

21. That Tameside should consider a planning condition to be introduced to compel developers to restrict their utility connections to a single point of entry.
22. That reinstatements are coated with an approved sealant to prevent water getting into cracks and further breaking up the road surface.

TAMESIDE BUSINESS PERSPECTIVE

Tameside Chamber of Commerce

- 7.58 Tameside has approximately 43,000 workers commuting outside of the borough, the majority to other Greater Manchester (GM) boroughs. 21,000 workers commute into the borough, of which approximately 78% travel by car. Tameside has reasonable rail links into Manchester but residents suggest only loosely connected by rail with stations in Oldham and Stockport, resulting in road transport being the main link between these boroughs.

- 7.59 Tameside Local Economic Assessment highlights how the extension of the Metrolink will allow the borough to attract business as well as provide residents with greater access to a wider pool of jobs across Greater Manchester.
- 7.60 Businesses recognise the long-term benefit of some roadworks i.e. Metrolink works. Tameside wants to attract inward investment to strategic development sites i.e. premier food sites, Ashton Moss, and St Petersfield. Inward investors may perceive short term road disruption, due to infrastructure works, costly.
- 7.61 It is difficult to put a specific amount on the cost to business. Research by The Eddington Transport Study (2006)³ estimated that if left unchecked road congestions could cost the UK economy an extra £22 billion GDP by 2025 (this does not include associated fuel costs or damage to vehicles).
- 7.62 In relation to utilities work, anecdotally, complaints from businesses have included:
- 1) The quality of highways are deteriorating and the quality of reworks are of poorer quality resulting in a quick deterioration of repairs;
 - 2) A lack of notification of roadworks;
 - 3) Lack of co-ordinated planning and poorly timetabled works – i.e. re opening sections of road after only a short time after previous utilities work, and several works taking place in the same area at the same time;
 - 4) Congestion and waiting time in general reducing opportunity costs for motorists and passengers. Congestion potentially reduces regional and local economic health;
 - 5) Late arrivals i.e. employment, meetings, deliveries resulting in lost business, disciplinary action etc;
 - 6) HGVs not being able to avoid trouble spots on main routes and being unable to use side roads resulting in increased loss of business;
 - 7) Inability to forecast travel time accurately leading to drivers allocating more time to travel in the anticipation of delays, and spending less time on productive activity;
 - 8) Wasted fuel consumption caused through stopping and starting, accelerating and decelerating;
 - 9) Damage to vehicles – increased wear and tear through idling in traffic, frequent acceleration and breaking, potholes etc.
- 7.63 The Chamber welcomed the GMRAPS programme which should offer a more joined up approach and an earlier notification of roadworks provided to businesses.
- 7.64 The Chamber support improvements to the rail system outlined in the Northern Hub Scheme aimed to increase the viability of rail travel for commuters and freight delivery across GM. Helping both residents and businesses.

Conclusions

28. There is some disruption to Tameside businesses as a result of utilities work on Tameside roads.
29. The Chamber of Commerce is supportive of work such as GMRAPS as this should minimise disruption and allow businesses to better plan around roadworks.

Recommendations

23. That Tameside Council and the Chamber of Commerce develop lines of communication to provide early notification of roadworks.

³ The Eddington Transport Study (2006).
<http://www.publications.parliament.uk/pa/cm200910/cmselect/cmtran/38/3805.htm>

24. That information is given to businesses in Tameside to raise awareness of the correct reporting procedure for substandard roads (see section 7.5.9).

UTILITIES PERSPECTIVE

North West Gas Alliance

- 7.65 The Panel met with North West Gas Alliance, a partnership between National Grid and Balfour Beatty. Within the Northwest there are approximately 100 teams comprising of direct employees and subcontractors. Works include maintaining the gas asset, preventing gas leakage, reducing waste natural resource and meeting health and safety legislative enforcements. Each team has specialist skills to carry out excavations, the laying of pipes and the reinstatement of roads.
- 7.66 Under the Pipeline Safety Regulation the operator shall ensure that a pipeline is maintained, in efficient working order and in good repair. A national gas mains replacement programme is in place to replace iron pipelines in a timescale agreed with the Health and Safety Executive (HSE). The HSE review and approve the programme annually.
- 7.67 In Tameside, major gas works are taking place in Ashton under Lyne Dukinfield, Hyde and Stalybridge. Work programmes are scheduled six months ahead and quarterly coordination meetings take place with Tameside Council to discuss the works. Tameside Council coordinate the work to minimise disruption to businesses and residents in Tameside. It is important for NW Gas Alliance to finish work on time so they do not incur charges for work which over runs.
- 7.68 NW Gas Alliance Customer Liasion Officers consult with businesses and residents prior to major gas works in an attempt to minimise disruption. At any site health and safety and traffic management are a priority. All sites should display a sign to show the main contractor, the subcontractor, the duration of work and a contact telephone number. There were some concerns raised by the Panel related to the traffic management signage of recent works in Tameside.
- 7.69 NW Gas Alliance ensures all members of staff and subcontractors have the relevant qualification and are on the national registration of operatives. An induction process is in place. An audit team monitors the quality of works and for any new team high level audits take place to grow confidence amongst workers. Direct supervision exists on all work sites. Rigorous controls are in place to ensure sourced materials from quarries are of good standards.
- 7.70 Quality teams take core samples immediately following completion of works. If a core is substandard NW Gas Alliance will work with the individual to reach the required standards.
- 7.71 NW Gas Alliance, at the current time, is not a formal strategic partner with Tameside. However, regular meetings with Tameside Technical Services team do take place to coordinate works within Tameside.
- 7.72 Joint working between utilities has proven difficult to implement e.g. digging one trench for all utilities at a new development. This is due to planning restrictions and developers commencing different utilities works as and when they have the money available.

Conclusions

30. NW Gas Alliance Customer Liaison Officers consult with businesses and residents prior to major gas works in an attempt to minimise disruption.
31. Joint working between utilities has proven difficult in the past.

Recommendations

25. That Tameside continue developing good lines of communication with utilities such as NW Gas Alliance
26. That Tameside continue to inspect the standards of work but also the signage and traffic management of sites.
27. That consideration is given for NW Gas Alliance to become a strategic partner with Tameside Council.

8. Conclusions

- 8.1 The unsatisfactory condition of some highways is a national problem and public perception indicates conditions could be worsening.
- 8.2 Utility Companies should pay their fair share towards fixing any damage they cause to our roads.
- 8.3 A reinstatement finished even to the correct standards can result in up to a 30% reduction in the life of a road.
- 8.4 There are clear specifications and guarantee periods relating to reinstatements.
- 8.5 There are several regulators of utilities companies.
- 8.6 Legislation (NRASWA) allows local authorities to sample and charge for the inspection of 30% of utility openings.
- 8.7 Tameside Council is proactive in maintaining good relationships with the utility companies.
- 8.8 Significant resources are required to maintain existing highways to meet national recommended standards.
- 8.9 AGMA will deliver a consistent Greater Manchester wide Coring Strategy collating performance data as part of a national campaign against poor standards of utility work.
- 8.10 AGMA as a whole has a greater degree of influence than if the individual authorities were attempting to administer their own coring schemes.
- 8.11 Core sampling appears to be a good system; it would give Tameside Council a sound basis to improve standards.
- 8.12 Coring across GM is expected to increase to 25,000 per year.

- 8.13 The intention of coring is that the costs associated with failure encourage utilities companies to improve the quality of their repairs.
- 8.14 The Symology system is used to coordinate utilities work in Tameside to minimise disruption to residents.
- 8.15 The number of claims is higher regarding utilities iron works than other reinstatements.
- 8.16 Tameside has developed a debt control system that is helping the Council to recover outstanding debt.
- 8.17 Tameside will try their utmost to recover debt and will only pursue legal action as a very last resort.
- 8.18 Tameside relies on the vigilance of residents, employees and Councillors to report defects.
- 8.19 The Citizens Panel questionnaire reveals that a significant proportion of residents do not necessarily agree that road conditions are improving.
- 8.20 The Citizens Panel questionnaire reveals that a significant proportion of residents feel that the condition of Tameside roads are comparable to neighbouring areas.
- 8.21 Tameside Council will join GMRAPS which will launch Summer 2012.
- 8.22 GMRAPS will require all utilities companies to apply for a permit for each intended works project, giving a start and end date.
- 8.23 GMRAPS will enable local authorities to have more ability to schedule work to minimise disruption to Tameside residents and businesses.
- 8.24 In an emergency situation a utility company can come in without a permit.
- 8.25 Inadequate planning for the installation of services at new developments can cause major disruptions to the site and surrounding areas.
- 8.26 There are numerous visual defects in reinstatements within Tameside.
- 8.27 Reinstatement patches can be aesthetically unappealing to Tameside borough.
- 8.28 There is some disruption to Tameside businesses as a result of utilities work on Tameside roads.
- 8.29 The Chamber of Commerce is supportive of work such as GMRAPS as this should minimise disruption and allow businesses to better plan around roadworks.
- 8.30 NW Gas Alliance Customer Liaison Officers consult with businesses and residents prior to major gas works in an attempt to minimise disruption.
- 8.31 Joint working between utilities has proven difficult in the past.

9. Recommendations

- 9.1 That the Executive Member gives consideration to realigning existing budgets and resources towards the highway network, as a vital council asset, to maintain legislative standards. Resources for this area will be allocated in line with the budget envelope.

- 9.2 That within existing budgets, consideration is given to redirecting resources to increasing the inspection of the quality of utilities work, as it is understood that the Council can generate additional income from this and consequently it could be viewed as being an 'invest to save measure'.
- 9.3 To encourage utilities companies to produce a forward programme of planned Tameside works where possible on a regular basis.
- 9.4 To continue developing good lines of communication between the Council and utility companies.
- 9.5 That Tameside Council supports the GM Coring Programme and uses this as another tool to improve utilities' performance.
- 9.6 That the tendering process for the implementation of the Coring Programme is well managed with regular reviews to determine success.
- 9.7 That Tameside Council supports JAG UK in lobbying utilities companies and Parliament to ensure greater supervision of subcontractors.
- 9.8 Those potential / known poor subcontractors are targeted through the coring process.
- 9.9 That visual defects not requiring coring are prioritised and are raised with the relevant utility company.
- 9.10 Tameside support JAG in protecting against utility bill increases borne out of the costs of coring.
- 9.11 That all stakeholders look at improving the state of Tameside's utility iron works, given a higher number of claims are recorded in relation to these.
- 9.12 That Tameside should encourage reporting of road and footpath defects by members of the public wherever possible.
- 9.13 That a system is considered to track and log utility openings and reinstatements to flag up 3 months before their 2 year anniversary dates.
- 9.14 That increased publicity takes place to raise awareness of the Council's Roadworks website.
- 9.15 That performance relating to reinstatements is available for local residents.
- 9.16 That a clawing back of money from utilities companies takes place even if outside of the guarantee period.
- 9.17 That highway issues are consulted on, on a regular basis to monitor trends in public perception.
- 9.18 That Tameside support GMRAPS and monitors performance data to establish how the implementation of permits impacts standards of utilities work.
- 9.19 That Tameside encourage utility companies to notify the authority as early as possible on pre notification of street openings.
- 9.20 That Tameside continue to develop lines of communications with residents and notify them of works as soon as permit applications are received.

- 9.21 That Tameside should consider a planning condition to be introduced to compel developers to restrict their utility connections to a single point of entry.
- 9.22 That reinstatements are coated with an approved sealant to prevent water getting into cracks and further breaking up the road surface.
- 9.23 That Tameside Council and the Chamber of Commerce develop lines of communication to provide early notification of roadworks.
- 9.24 That information is given to businesses in Tameside to raise awareness of the correct reporting procedure for substandard roads (see section 7.5.9).
- 9.25 That Tameside continue developing good lines of communication with utilities such as NW Gas Alliance.
- 9.26 That Tameside continue to inspect the standards of work but also the signage and traffic management of sites.
- 9.27 That consideration is given for NW Gas Alliance to become a strategic partner with Tameside Council.