



Open Report on behalf of Karen Cassar Assistant Director Highways - Place

Report to:	Highways and Transport Scrutiny Committee
Date:	24 April 2023
Subject:	Anglian Water Street Works Performance Improvements

Summary:

This report details the work that Anglian Water carries out on or next to the highway as part of its statutory undertakings. The report also identifies areas of cooperation and concerns regarding Anglian Water's quality of work and traffic management difficulties. Anglian Water are here today to present to Committee, detailing workloads, issues caused by types of work and to take questions from Members.

The report contains background, data, actions and future steps obtained by Lincolnshire County Council's Streetworks and Permitting Team

Anglian Water submit approximately 20,000 permit applications a year, around a third of all permits, making the Utility the largest works promoter in the County. Thus, performance issues can and will affect the flow of traffic on the County's highway network.

Actions Required:

The Highways and Transport Scrutiny Committee is invited to:

- (1)** Review and comment on the contents of this report;
- (2)** Receive a presentation from Anglian Water and make enquiries and recommendations as the Committee sees fit.
- (3)** Requests that a further update report on the proposed action plan is added on the Committee's future work programme.

1. Background

Anglian Water (AW) are the largest works promoter in Lincolnshire, undertaking 31% of the 60,000 permits submitted to the County Council (LCC) each financial year.

AW are heavily targeted by their regulator Ofwat, in respect of keeping customers supplied with water and repairing burst/leaking mains within a swift timeframe. They have faced several challenges in doing this, including the hottest summer on record in 2022, which led to a significant rise in burst mains.

Historically, AW were Lincolnshire's biggest and best performing utility company. In January 2021, AW introduced a new internal system to manage their workflow and on-site teams. Since this introduction, their performance has declined, leading to a significant rise in Fixed Penalty Notices issued, Section 74 overstays (working outside of their agreed permit dates) and ongoing issues with immediate/emergency work, especially road closures.

A meeting was held between LCC and senior managers from across AW in October 2021 to agree an improvement plan. The agreed actions were as follows:

- Increasing the usage of hotboxes in order to reduce the time of delivery of our works. Number of jobs are being monitored regularly
- Planning intelligently. Planners to be focussed on planning teams expected to be available each day, based on average length of job and travel time.
- Review reinstatement resource on a regular basis to ensure correct levels against construction dig teamwork
- Reducing the number of outstanding defects initially prioritising those over 6 months. Action plan/glide path to be produced by 15th October 2021 and shared with Lincolnshire
- Provide up to date contact lists and cascade Lincolnshire contacts within AW
- Microsoft teams meeting and face-to-face sessions between Lincolnshire inspectors and AW front line managers
- Training / upskilling of new DS planners
- Street-works training for new frontline managers

A 'Lincolnshire Street Works Charter' was proposed at this time, setting out a list of joint aspirations for utility companies to achieve and improve. AW did not sign up to the charter in 2021 but LCC is looking to re-instigate this initiative over the coming months.

Quarterly performance meetings have been held since then and issues continue to be identified and discussed.

S.60 of NRSWA 1991 places a legal duty on all statutory undertakers to 'use his best endeavours to co-operate with the street authority and with other undertakers—

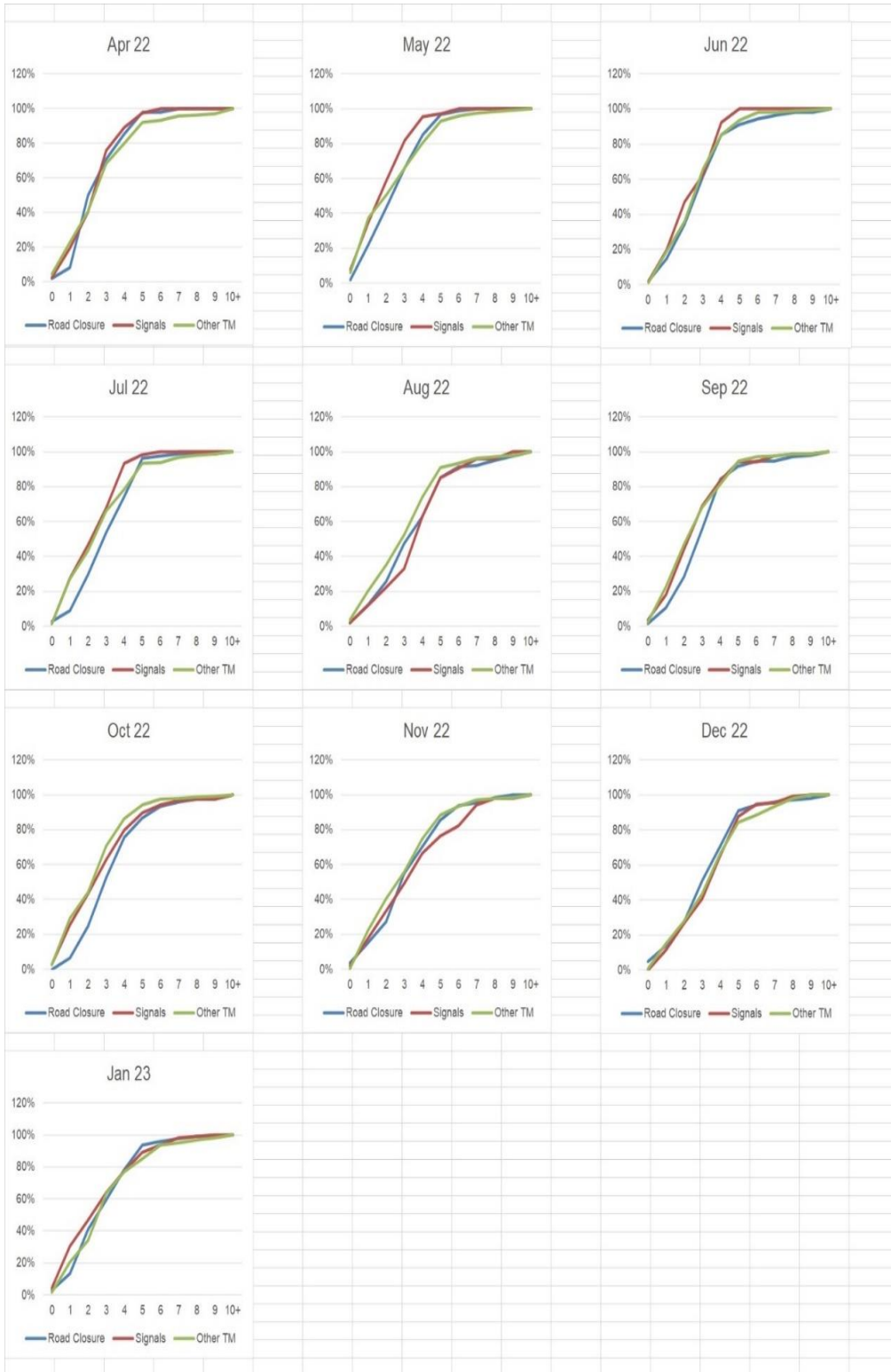
- (a) in the interests of safety,
- (b) to minimise the inconvenience to persons using the street (having regard, in particular, to the needs of people with a disability), and
- (c) to protect the structure of the street and the integrity of apparatus in it.'

In relation to their legal duties under S.60 there are concerns that AW are not fully complying with these duties in relation to the lack of priority for immediate works with positive traffic management.

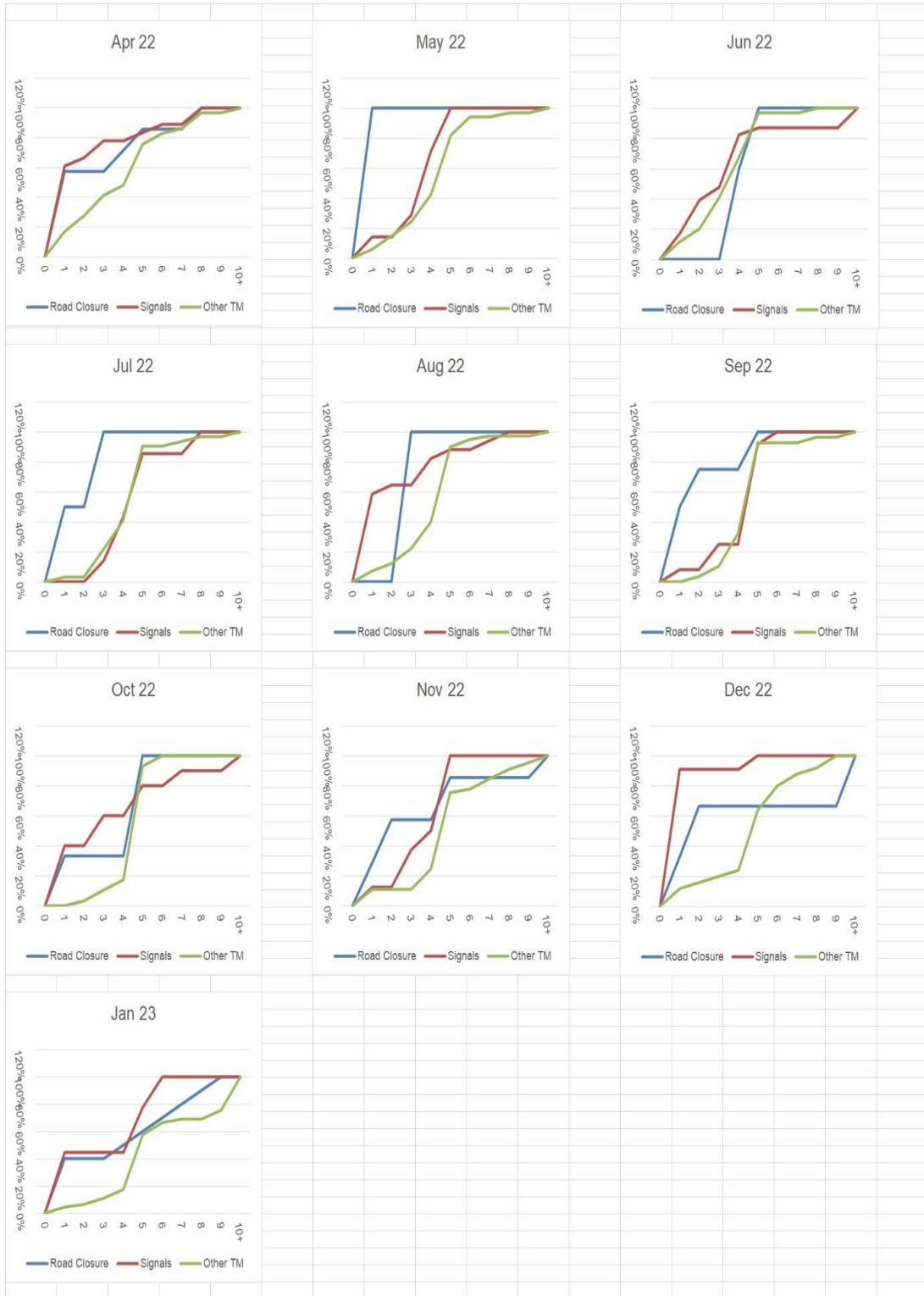
A statutory utility company has a right to carry out immediate urgent/emergency work in the highway without approval from the County Council but must submit a permit within 2 hours of starting on site (or by 10am the following working day if out of hours).

It is expected that sites with positive traffic management (i.e., road closures and traffic signals) should be given a higher priority for completion, over sites without traffic management, to reduce disruption to road users. It is apparent when reviewing data (shown below) from AW's submissions that they do not have a mechanism to do this.

*AW immediate works performance is shown below **(on the next page)**– it should be expected that the blue line (road closures) and red line (traffic signals) are completed in a quicker timescale than the green line (Other Traffic).*



Other utility (excluding AW) immediate works performance shown below – this clearly shows other utility companies are giving a higher priority to completing and removing sites with road closures and traffic signals:



Actions:

- LCC have shared data with AW and asked that they look to prioritise sites with traffic management for completion in a quicker timeframe.
- LCC will aim to inspect all immediate road closures within 48hrs to assess the works and traffic management.

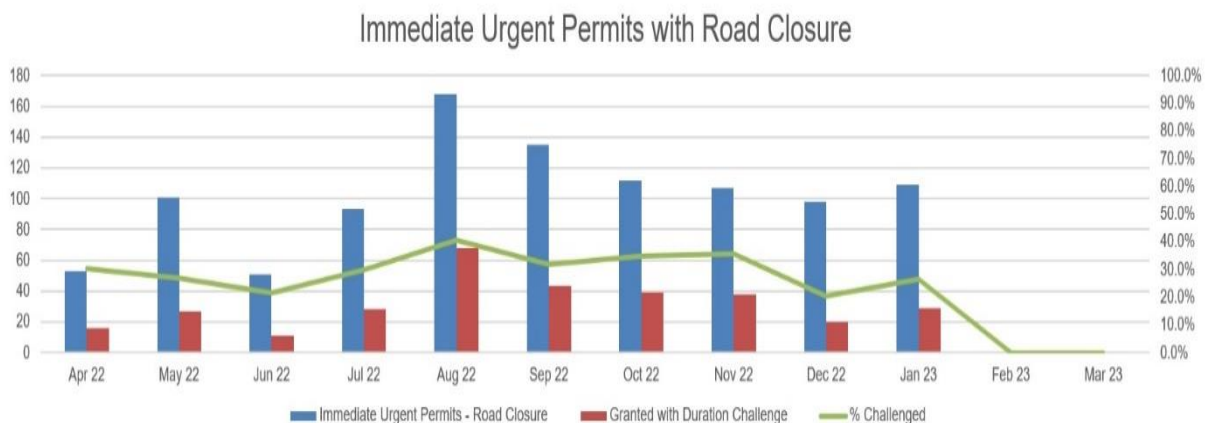
Unnecessary Road Closures / Works Durations

Road closures left up for long periods where works take place outside of the carriageway and nobody is seen working causes unnecessary disruption and gives a poor public perception of road works. Typically, this happens in rural areas because there is a gap between repair works being undertaken and the reinstatement being complete.

The nature of leaving roads closed unnecessarily also creates a potential hazard for operatives when they are working, as road users are more likely to attempt driving through a closure point believing they can travel through.

Permit durations for AW immediate works are 5 days, 30% of submissions are challenged to a lesser period (generally 3 days) by LCC. In most cases, we believe AW should be able to complete immediate works within 3 days, although this needs to be considered on a case-by-case basis (for example large/complicated burst, large reinstatements, reinstatements in specialist material areas will take longer). Focus does need to be given on ensuring works are completed 'right first time' to avoid the need for return visits and defects which have an impact on the integrity of the highway.

Anglian Water immediate road closures shown below in blue. Number granted with a challenge to the duration in red, average of 30%.



An agreement was made between LCC and AW that their teams would drop road closure signs when they were not needed/teams were not on site. However, this is not done consistently.

Due to the issues AW road closures have caused previously, it was also agreed that their planning team would contact LCC for agreement prior to implementing an immediate road

closure. This is helpful, especially where works are on traffic sensitive streets and bus routes. This has not happened consistently, and many immediate closures are set up without prior notification.

An alternative would be AW agreeing to complete these types of works within 3 days and requesting extensions only where necessary.

Another issue is traffic management being set up before it is confirmed a team is available to attend site. LCC have asked AW to ensure a team is available before setting up traffic management.

Actions:

- LCC to continue to 'Duration Challenge' works to 3 days where appropriate. LCC have asked AW to consider if immediate road closure sites can be completed within 3 days as standard, rather than current 5 days.
- LCC will aim to inspect all immediate road closures with 48hrs to assess.
- LCC will introduce an 'Authority Imposed Variation' to condition the removal of road closure signs between phases of works where possible. A Fixed Penalty Notice will be issued if this isn't adhered to.

Temporary Traffic Regulation Orders (TTRO) not applied for

Out of 1892 AW road closures (1 April 2022 to 31 January 2023), AW failed to apply for a TTRO for 427 (23%). Whilst a valid permit was in place for these works, a TTRO is required to legalise a road closure.

AW also failed to provide LCC with diversion information for emergency road closures, meaning we were unable to publish accurate diversion routes via One.Network for members of the public to use.

Actions:

- LCC to continue to gather data in this area and re-charge the costs to AW. Costs recovered so far since April 2023 circa. £220,000

Defects

Around 250 defects are outstanding, which are greater than 6 months old (the timeframe for which they should be completed). Part of the previous agreed action plan was to reduce these. However, this has not happened. AW are targeted to achieve 90% passes across sample inspections – current data is shown below:

Cat A – live site inspection during works

Cat B – visual reinstatement inspection within 6 months of works completion

Cat C – within 3 months preceding the expiration of the guarantee period (2yrs)

Sample Inspections (Percentages) Q3 1 October - 31 December 2022- by Inspection Category

	Acceptable			Unacceptable		
	Cat A	Cat B	Cat C	Cat A	Cat B	Cat C
Anglian Water	81%	73%	90%	19%	27%	10%

Actions:

- LCC to re-escalate outstanding defects to AW senior management.
- LCC to undertake longstanding defect work using LCC’s maintenance contractor Balfour Beatty and recharge.
- Recent poor-quality reinstatements of stop-taps by trailer gangs identified. LCC have targeted reinstatement inspections to focus on these and have asked AW to re-brief/train teams to seek improvement.

Next steps:

- Teams meeting held with AW senior management on 6th March to discuss issues. Data shared with AW regarding the issues on 10th March.
- Face-to-face meeting schedule w/c 27th March to outline areas for improvement and agree a new action plan.
- Increase the frequency of performance meetings from one per quarter to one per month so regular issues can be highlighted and addressed more frequently.
- Traffic Management Awareness Training – LCC have previously offered to provide this training to AW technicians/operatives assessing works and traffic management requirements. LCC believe that this would further AW understanding of different types of traffic management available and reduce the number of road closures. LCC have re-offered to deliver this.
- Re-visit the Lincolnshire Street Works Charter proposal with AW – following previous discussions, an agreement could not be reached. LCC will look at re-wording the charter with AW.

2. Conclusion

The extension of works periods and the late removal of traffic management measures has a detrimental effect on the expeditious flow of traffic upon our highway network. Continued collaboration and cooperation with Anglian Water will help to improve traffic flows and reduce congestion. Increased compliance will reduce the number of fines and penalties Anglian Water incur and adds a beneficial incentive to further collaboration with Lincolnshire County Council.

The Street-works and Permitting Team Manager will re-examine the draft charter to ensure it does not place an overly onerous burden upon either party and better expresses the aspirations that both parties wish to achieve.

3. Consultation

a) Risks and Impact Analysis

Failure to encourage a commitment to further collaboration and cooperation could cause a delay to improving traffic flows, as required by the Lincolnshire Permit Scheme for road and utility works.

4. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Mick Phoenix, Traffic Manager-Place, who can be contacted on 07787 284797 or at mick.phoenix@lincolnshire.gov.uk.

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