

**Briefing Note on Behalf of
Cabinet Member (City Services)**

Scrutiny Board Review of the New Roads and Street Works Act (NRSWA)

The following information is to be reported to Scrutiny Co-ordination Committee in view of the recommendations from Scrutiny Board.

- i) That officers contact all of the utilities to obtain their coring results where they are carried out in Coventry.**

Severn Trent were the only utility to provide supporting information to indicate that they were auditing their reinstatements. The year to date statistics show 42 cores taken, of which 6 were failures. This equated to a little over 14% failed, which have been rectified.

The utilities do not have a duty to core test and provide results for Local Authorities, hence only Severn Trent have provided the results.

- ii) That inspections continue to be carried out at the minimum level and that the funding shortfall is continued to be made up by the City Council.**

Inspections from January to March totalled 416 of which 19 failed (4.6%).
Inspections from April to June totalled 386 of which 46 failed (11.9%).
Inspections from July to September totalled 508 of which 151 failed (29.7%).

Fourth quarter results to be established in January 2005.

- iii) That the Local Government Association be informed of the Scrutiny Board's concern about the shortfall in income in relation to the inspection fees and be asked to make representations to the Government to increase the fees to cover the full costs of the activity.**

The fee level set nationally has always been a concern. There has been a 5% increase in the fee level since the report and the current fee level is now £21 per inspection unit and £42 per defect unit.

- iv) That overruns should continue to be charged only for actual overstays on the public highway identified by complaints from members of the public or identified by Street Inspectors during their normal work and not for a noticing error by the utility.**

Overstays on the highway are now charged for actual overstays and not via administration errors as has occurred recently. In 2003/04, £102,100 was invoiced but only £70,500 recovered. £21,500 remains in dispute and £10,500 was reduced by agreement.

In 2004/05, figures for the last quarter were £3,680 of which £1,600 has been received so far. In addition to this, defects for the first two quarters in 2004/05 amounts to £5,226.

- v) Officers investigate how requests for extensions could be challenged by the City Council to reduce the time that is taken by utilities to carry out their work bearing in mind the technical, health and safety and traffic management aspects.**

The advent of the Traffic Management Act will refine the process of overstays and the issue around lane rental, therefore requests for extensions of time will diminish. It is however anticipated that as better, more informed co-ordination of all activities on the highway is established, that the bodies booking the road space will try to book maximum time rather than realistic time as an insurance to potential problems. This will require monitoring in depth to ensure that work is "actually" being undertaken at locations where the road space is booked.

Historically, the City Council has never refused an extension if the highway which has already been "excavated". Every extension is monitored closely on renewal to ensure works are being undertaken as quickly as possible.

- vi) The officers investigate the possibility of funding a temporary full time clerk from the section 74 income.**

It is difficult to predict the number of overstays as a forecast as utilities will undoubtedly improve their working methods and manner. An example is the comparison between the year to date figures for 2003/04 and 2004/05. Since the appointment of the two NRSWA Inspectors, there has been an increase in the number of inspections and hence the defects found. The Inspectors are on site more and able to identify problems to improve the situation for highway users.

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