

Environment, Transportation and Climate Change Scrutiny Committee



Committee Room 2 (FHM05.002), 5th Floor, Fife House, North Street, Glenrothes – Blended Meeting

Tuesday, 20 June, 2023 - 10.00 a.m.

AGENDA

Page Nos.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

In terms of Section 5 of the Code of Conduct, members are asked to declare an interest in particular items on the agenda and the nature of the interest(s) at this stage.

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|--|--|---------|
| 3. MINUTE | – Minute of meeting of Environment, Transportation & Climate Change Scrutiny Committee of 18 April 2023. | 3 - 5 |
| 4. DOMESTIC WASTE AND STREET CLEANSING SERVICE BULKY UPLIFTS – FREE OF CHARGE SERVICE | – Report by the Head of Environment & Building Services | 6 - 9 |
| 5. ROAD MAINTENANCE PERFORMANCE REPORT 2023 | – Report by the Head of Roads & Transportation Services | 10 - 39 |
| 6. GULLEY EMPTYING AND ROAD DRAINAGE | – Report by the Head of Roads & Transportation Services | 40 - 53 |
| 7. OPTIONS FOR TACKLING THE UNLICENSED BREEDING OF DOGS FOR SALE (UPDATE) | – Report by the Head of Protective Services | 54 - 58 |
| 8. ENVIRONMENT, TRANSPORTATION & CLIMATE CHANGE SCRUTINY COMMITTEE FORWARD WORK PROGRAMME | – Report by the Executive Director, Finance & Corporate Services. | 59 - 62 |

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

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Head of Legal and Democratic Services
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13 June, 2023

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www.fife.gov.uk/committees

BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

**THE FIFE COUNCIL - ENVIRONMENT, TRANSPORTATION AND CLIMATE CHANGE
SCRUTINY COMMITTEE – BLENDED MEETING**

Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes

18 April 2023

10.00 a.m. – 11.40 a.m.

PRESENT: Councillors Jane Ann Liston (Convener), Tom Adams, Naz Anis-Miah, Aude Boubaker-Calder, Rod Cavanagh, Al Clark, Graeme Downie, Gavin Ellis, David Graham, Sam Steel (substituting for Councillor Jean Hall-Muir), Stefan Hoggan-Radu, Andy Jackson, Derek Noble, Nicola Patrick, Darren Watt and Daniel Wilson.

ATTENDING: Ken Gourlay, Executive Director, Enterprise and Environment; Lisa McCann, Service Manager, Lorna Starkey, Lead Officer, Environmental Health (Food and Workplace Safety); John Mitchell, Head of Roads & Transportation Services, Susan Keenlyside, Service Manager, Sustainable Transport & Parking, Steven Sellars, Lead Consultant, Road Safety & Travel Planning, Matthew Roberts, Lead Consultant - Local Transport Strategy, Transport Networks, Roads & Transportation Services; Barry Collie, Accountant, Business Partnering; Helena Couperwhite, Service Manager and Michelle Hyslop, Committee Officer, Committee Services, Legal & Democratic Services.

34. DECLARATIONS OF INTEREST

No declarations of interest were submitted in terms of Standing Order No. 7.1.

35. MINUTE

The Committee considered the minute of meeting of the Environment, Transportation and Climate Change Scrutiny Committee of 31 January 2023.

Councillor Hoggan-Radu asked if more detail could be included in minutes of future meetings. Helena Couperwhite acknowledged the concerns raised by Councillor Hoggan-Radu and confirmed that Committee minutes were not intended to be descriptive and should only contain the detailed decisions. Members were reminded that a copy of the live stream is available on Fife Council's website for 180 days following the Committee.

Decision

The Committee:-

- (1) agreed to approve the minute; and
- (2) noted Helena Couperwhite's response detailed above - that a copy of the live stream was available on the Council's website should members require further detail in addition to the formal minute.

36. 2022/23 REVENUE MONITORING PROJECTED OUTTURN

The Committee considered a joint report by the Executive Director, Finance and Corporate Services and the Executive Director, Enterprise and Environment providing an update on the projected outturn financial position for the 2022/23 financial year as at December 2022, for the areas in scope of the Environment, Transportation and Climate Change Scrutiny Committee.

Decision

The Committee noted the current financial performance and activity as detailed in the report.

37. 2022/23 CAPITAL MONITORING PROJECTED OUTTURN

The Committee considered a joint report by the Executive Director, Finance and Corporate Services and the Executive Director, Enterprise and Environment providing an update on the Capital Investment Plan and advising on the projected financial position for the 2022/23 financial year as at December 2022, for the areas in scope of the Environment, Transportation and Climate Change Scrutiny Committee.

Decision

The Committee noted the current financial performance and activity as detailed in the report.

38. ENVIRONMENTAL HEALTH (FOOD AND WORKPLACE SAFETY) SERVICE DELIVERY PLAN 2023-24

The Committee considered a report by the Head of Protective Services detailing the statutory requirements of:

- (1) The National Local Authority Enforcement Code England, Scotland & Wales and the Health and Safety at Work Etc. Act 1974, along with the Statement of commitment between Local Authority and HSE Regulatory Services; and
- (2) The Food Law Code of Practices (Scotland) and retained Regulation (EC) No 2017/625.

The report also provided information on the primary areas of regulatory activity undertaken and pressures faced by the Environmental Health (Food and Workplace Safety) Team.

Decision

The Committee noted the content of the report.

39./

39. DRAFT LOCAL TRANSPORT STRATEGY FOR FIFE

The Committee considered a report by the Head of Roads and Transportation Services, presenting the draft Local Transport Strategy for Fife 2023-2033 for review.

Decision

The Committee:-

- (1) noted the contents of the draft Local Transport Strategy for Fife 2023-2033, which had been developed based on extensive formal consultation with the community, Elected Members, stakeholders, Council Services, and the Fife Partnership; and
- (2) agreed that members would provide final comments on the draft strategy in writing, to Matthew Roberts (matthew.roberts@fife.gov.uk) by Tuesday, 25 April, 2023.

Councillor Tom Adams left during consideration of the above item.

40. FIFE ROAD CASUALTY STATISTICS 2022

The Committee considered a report by the Head of Roads and Transportation Services, advising on the numbers and severity of casualties on Fife's roads in 2022 and the performance against the Scottish Government Road Safety Casualty Reduction targets.

Decision

The Committee noted:-

- (1) the 2022 road casualty statistics detailed in the report; and
- (2) the ongoing work of road safety partners aimed at reducing casualties and meeting the Scottish Government casualty reduction targets for 2030.

41. ENVIRONMENT, TRANSPORTATION & CLIMATE CHANGE SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

The Committee considered a report by the Executive Director, Finance and Corporate Services, attaching the draft workplan for future meetings of the Committee.

Decision

The Committee:-

- (1) noted the draft workplan; and
- (2) agreed that a report on the progress of the new bulky uplifts scheme would be brought for consideration at the next meeting on 20 June 2023.

20 June 2023

Agenda Item No. 4

Domestic Waste and Street Cleansing Service Bulky Uplifts – Free of Charge Service

Paper by: John Rodigan, Head of Environment and Building Services

Purpose

To update committee on the performance of the bulky uplift service since charges were removed in April 2023.

Recommendation

To acknowledge the unforeseen technology challenges in the project implementation phase and note the stable and reliable service now being provided.

Resource Implications

Allocated resources are meeting the bulk of the current demand, with support from three vans and 6 staff working overtime on Saturdays.

Legal and Risk Implications

There are no legal and risk implications.

Consultation

The Safer Communities Team and Fife Resource Solutions have been consulted.

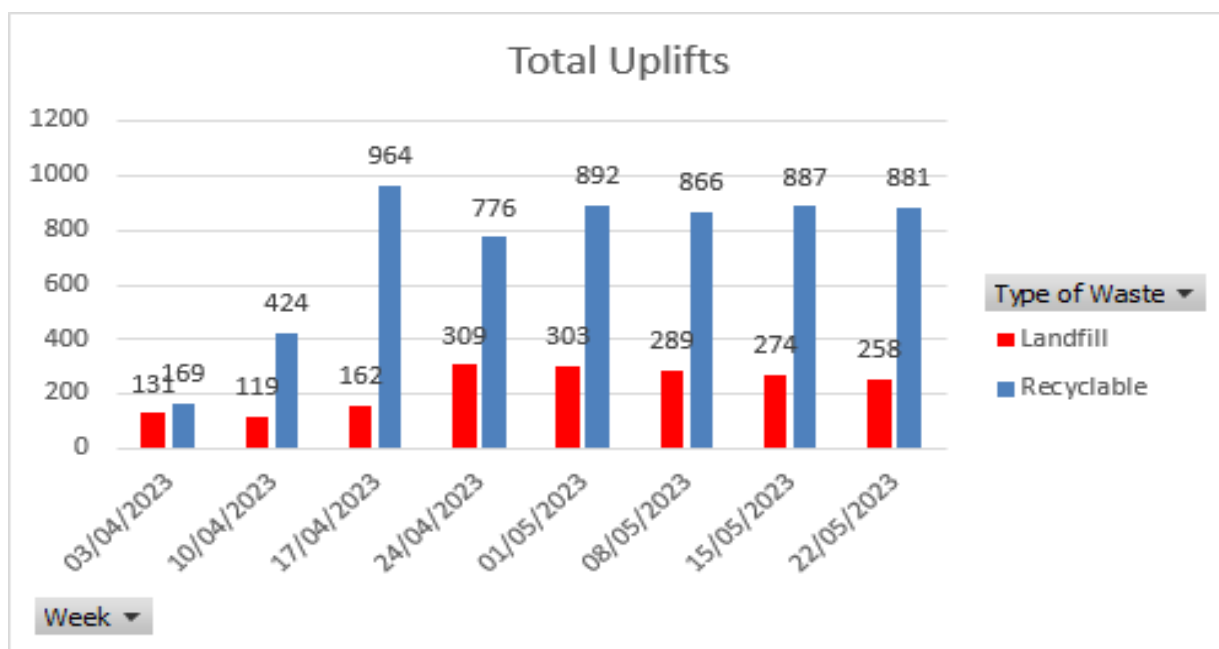
1.0 Implementation

- 1.1 The free of charge bulky uplift service began on 3rd April 2023 and the following information is based on the performance of the service over the first 8 weeks to 26th May.
- 1.2 The first two weeks of the implementation were compromised by technical issues resulting from the sudden and significant rise in application volumes. The Council's I.T. systems were able to cope with the demand, but the external waste management software (Whitespace) failed. This system breakdown was not anticipated and although increased transaction numbers had been considered, the provider believed the software would cope.
- 1.3 While the Whitespace provider worked on system solutions, the Service used manual workarounds to maintain some level of uplift provision. Unfortunately, demand could not be met, and many residents were unable to process their booking. This situation lasted two weeks but did not draw too much negative reaction because of the clear messaging on the customer portal.
- 1.4 Most of the technical glitches were fixed by Monday 17th April and from that point the service operated normally and booking slots were accessible online.

2.0 Demand

- 2.1 From the 17th April, demand has been consistent, on a week-to-week basis 1100 to 1200 uplifts have been requested and delivered. A total of 7,704 uplifts have been made in the first 8 weeks.

2.2 Table 1. Total Uplifts



- 2.3 This level of demand represents a four-fold increase in the number of uplifts requested prior to the free of charge service. Only a three-fold increase was forecast but the allocated resources are managing to cope with the additional uplifts, with some overtime support. It remains to be seen if this volume of requests will continue or will tail off in the coming months.
- 2.4 The vast majority of bulky uplift requests are made online, only 15% are being made through the Contact Centre and a very small amount through Local Offices.

3.0 Recycling and Landfill

- 3.1 76% of all uplifts are for recyclable materials, which is 10% better than anticipated by Fife Resource Solutions. Less material than thought is going to landfill, and the environmental objectives of the scheme are being met.
- 3.2 3553 black bags of household and garden waste account for most of the landfill volume and it is hoped that this number drops as residents clear their residual waste over the first few months. If this doesn't happen, the service will need to consider a strategy to reduce black bag uplifts and encourage residents to recycle more of their waste material.
- 3.3 Other items being uplifted in numbers:
 - Couches - 1198
 - Mattresses – 1182
 - Fridges – 572
 - Bed bases - 453
 - Garden Furniture – 434
- 3.4 Fife Resource Solutions are processing bulky uplift materials at landfill sites and recycling centres.

4.0 Flytipping

- 4.1 One of the objectives of the scheme is to reduce flytipping, to evidence this the Street Cleansing Service must accurately record each attendance. This information will be captured by a new digital work scheduling system, which is currently being implemented.
- 4.2 The new system will provide precise information in the coming months, but Street Cleansing Supervisors are anecdotally reporting a reduction in flytipping since the scheme began. Most notably, recycling points appear to be less contaminated.
- 4.3 The Safer Communities Team are reporting a 30% reduction in the number of flytipping calls for the same period in 2022. Last year, there were 703 reports from the public, this year that is down to 492. This is a significant reduction which evidences the positive impact the scheme is having on the environment.

5.0 Resources

- 5.1 Current demand is being met with the deployment of 4 staff and 7 vans allocated to the scheme, with some overtime working. More time is required to establish a sustainable level of demand, but it would be reasonable to assume that requests for service won't increase from this point. A marginal reduction in demand will remove the need for overtime working.
- 5.2 Fife Resource Solutions waste processing charges have yet to be submitted, this information will be provided in a later report.
- 5.3 Early indications are that no additional resources and associated costs will be incurred as the scheme progresses.

6.0 Conclusion

- 6.1 Despite early technical issues with the booking system, the scheme is now operating effectively and is fully accessible to the public. Although demand in the first 8 weeks is greater than the anticipated longer term three-fold increase, the spike was expected and is being managed.
- 6.2 With only 8 weeks of data, it is too early to establish sustainable demand levels or permanent resource requirements. However, it is reassuring that the current resource envelope is absorbing the high demand, with a limited amount of weekend working.
- 6.3 It is very encouraging, to report that 76% of the uplifted material is being recycled, with black bags making up the bulk of the landfill waste. The service will be considering ways of supporting residents to segregate and recycle more of their domestic waste. Greater awareness of environmental impacts will reduce black bag uplift applications.
- 6.4 Although early days, the free of charge bulky uplift service is being well used, the service is meeting demand and environmental objectives are being met.

Contact

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20 June 2023

Agenda Item No. 5

Road Maintenance Performance Report 2023

Report by: John Mitchell, Head of Service, Roads & Transportation Services

Wards Affected: All

Purpose

The purpose of this report is to update Committee on the Road Performance Report for financial year 2022/23.

Recommendation(s)

It is recommended that Committee scrutinise the current performance and activity as detailed in this report.

Resource Implications

There are no additional resource implications as a result of this report, the service is required to work within established staffing levels and budgets.

Legal & Risk Implications

The systematic inspection of road assets to identify defects and commission their repair is essential for the Council to demonstrate that it has met its duties under the Roads (Scotland) Act 1984 and to defend against civil liability claims brought against the Council Impact Assessment.

Impact Assessment

An Equalities Impact Assessment and a Fife Environmental Assessment Tool (FEAT) are not required because the report does not propose a change or revision to existing policies and practices.

Consultation

Liaison with Risk Management has been carried out in the preparation of the report.

1.0 Background

- 1.1 Roads and Transportation Services has adopted a risk-based approach to inspections, and undergone significant changes over the years, which are fully detailed in the report dated 13 April 2021 (2021 EFCSC Agenda Item 8).

2.0 Scrutiny Areas Requested

- 2.1 The following areas of service delivery were requested for update:

- (i) Current Policy
- (ii) Pothole Repairs
- (iii) Staff and Financial Resources
- (iv) Staff Training
- (v) Third Party Claims Due to Potholes
- (vi) Online Access to Information Relating to Claims

2.2 Current Policy

- 2.2.1 Road Asset Condition Inspections – Policy & Standards (RACIPS) was approved by the Economy, Tourism, Strategic Planning & Transportation Committee for implementation from 1 April 2020 (2019 ETSPT 45) (Appendix 1). The policy is currently under review.

2.3 Pothole Repairs

- 2.3.1 The implementation of the risk-based approach to inspections has helped focus resources to the areas of greatest need. Over the last financial year, greater levels of inhouse resources have been used to help address road maintenance repairs.
- 2.3.2 An overview of the level of repairs completed in financial year 2022-23 is shown in Table 1 below. A total of 9385 repairs were completed.

Table 1 – Completed Repairs 2022-23

	No. Of Completed Repairs	No. Completed on time (24hrs)	% on Time (Target 99%)
P1	180	143	79
P2	5021	4325	86
P3	3550	2509	71
P4	634	604	95

- 2.3.3 The current level of outstanding works, as of May 17th, 2023, is shown in Table 2 below. To help address the Priority 3 backlog, defects are being reviewed, and alternative solutions assessed, including using specialist suppliers for velocity patching repairs which can be delivered very quickly and in high volumes on unclassified routes:

Table 2 – Outstanding Repairs

	No. Of Defects Awaiting Repair	No. Of Defects Beyond Target
P1	1	1
P2	108	68
P3	1913	1097
P4	764	32

2.4 Staff and Financial Resources

2.4.1 Current budget allocation for structural patching:

Table 3 – Structural Budget Allocation

Activity	Budget Allocation
Carriageway Patching P3/P4	£4.4m
Carriageway Patching P1/P2	£1.2m
Planned Patching Programmes	£400,000
Velocity Patching	£400,000
Small Planned Patching Programmes	£150,000
Surface Treatments	£110,000
Footway Patching P1-P4	£120,000
Kerbing	£80,000
Footway Patching	£315,000

2.4.2 Matching repairs with available budget is ongoing and budget requirements for patching related to inspections will be available mid-July.

2.5 Staff Training

2.5.1 To ensure a consistent approach to road inspection, Technical Inspectors complete “The Institute of Highway Engineers Training and Certification” and the Society of Chief Officers for Transportation in Scotland (SCOTS)” Risk Based Approach to Inspections.”

2.5.2 In addition to mandatory training, weekly meetings of technical staff consider specific defects, on site issues and collaboration across the Service to ensure successful delivery and a robust system for inspecting quality of repairs.

2.6 Third Party Claims

2.6.1 A robust inspection regime is crucial in reducing risks and claims. The third-party claims, for the past three financial years (2020-23) is provided in Table 4 below. On average, only 7% of claims were upheld.

Table 4 – Third Party Claims Relating to Roads Defects

Financial Year	No. of Third-Party Claims	No. Repudiated
2020-21	440	397
2021-22	325	312
2022-23	323	303

2.7 Online Guidance

2.7.1 Third party claims can be made direct to Fife Council by calling 03451 55 00 11 from Monday to Friday, 8am to 6pm or, in the event of an emergency after 6pm or at the weekend 03451 55 00 99. A claim cannot be made over the phone, but a Third-Party Claim form can be requested.

2.7.2 There are no direct links to reach Risk Management online but, third party claim forms (Appendix 2) may be requested when making a complaint, or reporting a defect here: [Report a road or pavement fault, including grit bins | Fife Council](#)

3.0 Conclusions

- 3.1 Roads & Transportation Services operate a robust inspection regime, and emergency response functions which allows the Council to address liability claims.
- 3.2 Resources within Roads & Transportation Services can fluctuate, increasing the requirement for ongoing training.
- 3.3 The issue of road maintenance performance and road defects is a common theme across the UK road network. Given pressures on available budgets it has been acknowledged across Scotland that a Risk Based Approach to road maintenance is the best use of scarce resources.

List of appendices

Appendix 1 - Road Asset Condition Inspections – Policy & Standards (RACIPS)

Appendix 2 – Third Party Claim Form

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Road Asset Condition Inspections – Policy & Standards



**Approved by the Economy, Tourism, Strategic Planning &
Transportation Committee for Implementation from 1 April 2020**

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1.0 Introduction

The Roads (Scotland) Act 1984 states, “... a local roads authority shall manage and maintain all such roads in their area as are for the time being entered in a list (in this Act referred to as their “list of public roads”) prepared and kept by them ...”

1.1 Background

Fife Council’s Road Asset Condition Inspections – Policy & Standards (RACIPS) has been developed with the aim of providing operational guidance to officers involved in managing road condition inspections. RACIPS promotes a consistent, systematic approach that recommends the frequency of inspections as well as the method of assessing, recording and responding to defects in the road asset. RACIPS is based on a strategy template produced by the Society of Chief Officers for Transportation in Scotland (SCOTS) and is aligned with their ‘*Risk Based Approach*’ guidance.

‘Well-Managed Highway Infrastructure: A Code of Practice’¹ contains recommendations for inspections of all road elements. This national *Code of Practice* states that roads authorities should adopt a *Risk Based Approach* to all aspects of road maintenance. A *Risk Based Approach* is also recommended by the Institute of Highway Engineers in their guidance, ‘Well Managed Highway Liability Risk’².

In this context, RACIPS is specifically for road condition inspections. In accordance with the *Code of Practice*, an effective regime of safety inspections is a crucial component of road maintenance and makes the following reference to consistency:

“To ensure that users’ reasonable expectations for consistency are taken into account, the approach of other local and strategic highway and transport authorities, especially those with integrated or adjoining networks, should be considered when developing highway infrastructure maintenance policies.”

SCOTS seeks to encourage the benefits that will be gained by harmonising safety inspection procedures across Scotland. Fife Council’s RACIPS has therefore been developed in partnership with the Scottish Roads Authorities associated through SCOTS.

Officers across all Scottish Local Authorities recognise that Councils are currently faced with delivering services within an environment of increasing fiscal austerity and are aware

¹ ‘Well-Managed Highway Infrastructure: A Code of Practice’, UKRLG, October 2016

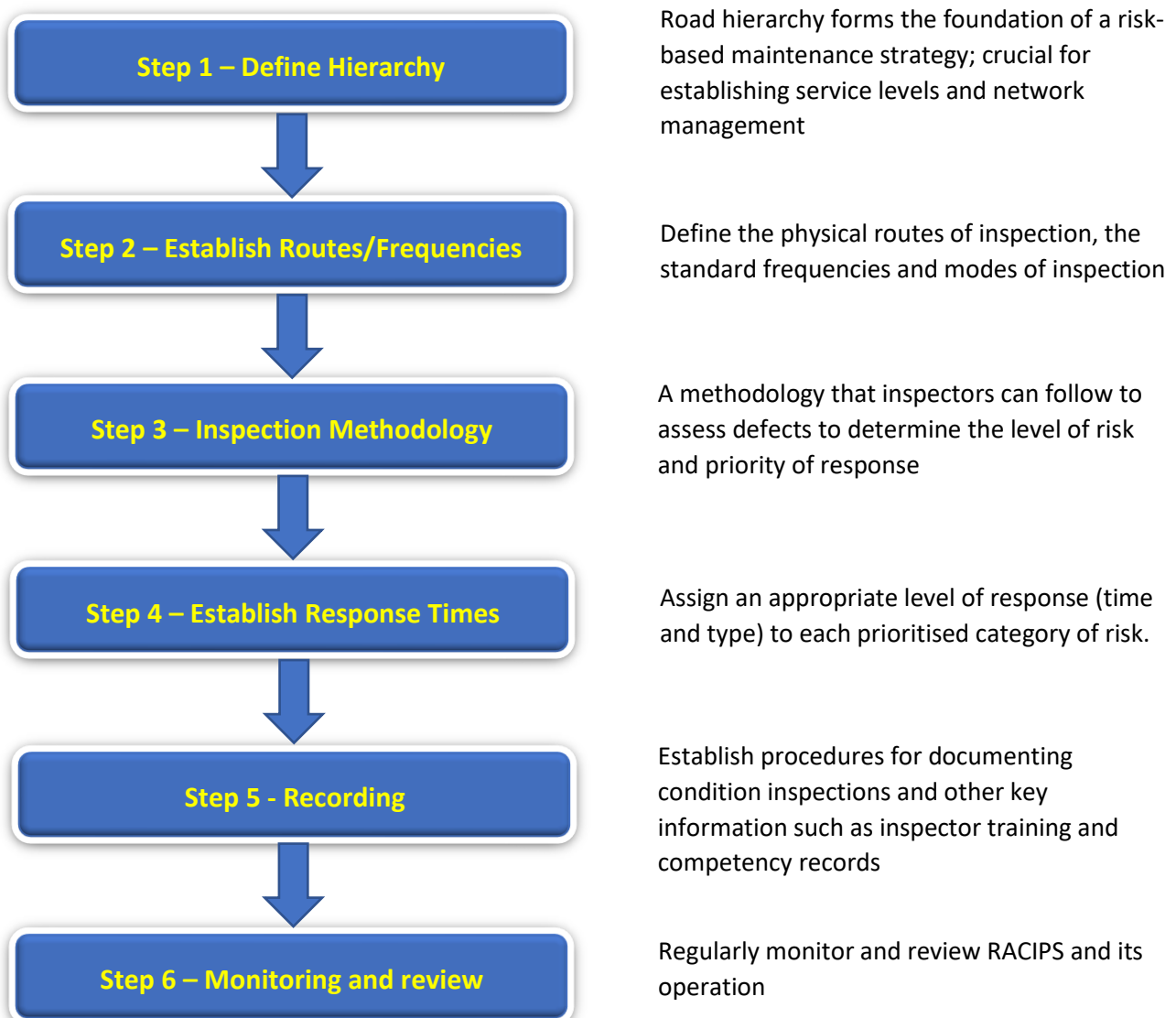
² ‘Well Managed Highway Liability Risk’, IHE, March 2017

of the benefits that can be achieved through a common approach; following the principles of 'Well-Managed Highway Infrastructure'. RACIPS will provide a consistent methodology for the management of the safety of Fife's road asset, while also focusing on delivering a proactive programme of permanent repairs.

The adoption of the *Code of Practice* hierarchy and common SCOTS inspection methodology should, while allowing for management of hierarchies with regard to local circumstances, enable a high degree of continuity of safety and serviceability between neighbouring authorities.

1.2 Process Overview

SCOTS formed a focus group to develop *Risk Based Approach* documentation. The rationale for producing it and the approach taken by Fife Council to develop RACIPS is contained in their 'SCOTS Rationale for Risk Based Approach to RAM Guidance'. RACIPS requires key steps to be followed to ensure alignment with the *Risk Based Approach*:



2.0 Network Hierarchy

The *Code of Practice* indicates that designating a road network hierarchy is the foundation of a risk-based maintenance strategy and is crucial for establishing a commensurate hierarchy of service levels. The hierarchies are based upon those given in the *Code of Practice* and are detailed in the following tables:

2.1 Carriageway Hierarchy

Table 1 – Carriageway Categories

Category	Hierarchy	Description
1	Strategic Route	Routes for fast-moving long-distance traffic with little frontage access or pedestrian traffic. Speed limits generally more than 40mph with few junctions. Parked vehicles are generally not encountered out with urban areas.
2	Main Distributor	Routes between strategic routes and linking urban centres to the strategic network with limited frontage access. In urban areas speed limits are usually 40mph or less.
3	Secondary Distributor	In residential and other built up areas these roads have 20 or 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings. On-street parking is generally unrestricted except for safety reasons. In rural areas these roads link the larger villages, bus routes and LGV generators to the Strategic and Main Distributor Network.
4	Link Road	In urban areas these are residential or industrial interconnecting roads with 20 or 30 mph speed limits, random pedestrian movements and uncontrolled parking. In rural areas these roads link the smaller villages to the distributor roads. They are of varying width and not always capable of carrying two-way traffic.
5	Local Access / Minor Road	In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGVs. In urban areas they are often residential loop roads or cul-de-sacs.

In addition, the following should also be taken into consideration:

- character and volume of traffic;
- current usage and proposed usage;
- routes to important local facilities and to the strategic network;
- designation as a traffic sensitive route;
- accident and other risk assessment;
- potential for use as a diversion route;
- special characteristic of certain assets, e.g. historic structures;
- access to schools, hospitals and medical centres;
- vulnerable users or people with special needs, elderly people's homes etc; and
- ceremonial routes and special events.

2.2 Footway Hierarchy

Table 2 – Footway Categories

Category	Hierarchy	Description
1	Prestige Walking Zones	Very busy areas of town centres with high public space and Street-scene contribution.
2	Primary Walking Routes	Busy urban shopping and business areas and main pedestrian routes, including links to significant public transport locations.
3	Secondary Walking Routes	Medium usage routes through local areas feeding into primary routes, local shopping centres etc.
4	Link Footways / Footpaths	Linking local access footways through urban areas and busy rural footways.
5	Local Access Footways / Footpaths	Footways associated with low usage, short estate roads to the main routes and cul-de-sacs.
6	Minor Footways	Little used footways serving very limited numbers of properties.

In addition, the following should also be taken into consideration:

- pedestrian volume,
- distribution of the population, proximity of establishments attracting high numbers of specific groups of pedestrians,
- current usage and proposed usage,
- accidents and other risk assessments, and
- contribution to the quality of public space and street scene,
- character and traffic use of adjoining carriageway.

2.3 Cycle Route Hierarchy

Table 3 – Cycleway Categories

Category	Description
1	Cycle lane forming part of the carriageway, commonly a strip adjacent to the nearside kerb. Cycle gaps at road closure point (no entry to traffic but allowing cycle access).
2	Cycle track - a designated route for cyclists not contiguous with the public footway or carriageway. Shared cycle/pedestrian paths, either segregated by a white line or other physical segregation, or un-segregated.
3	Cycle trails, leisure routes through open spaces, remote from carriageway or footway / path where on the list of public roads.

2.4 Road Network Assessment

It is important that the road network categorisation also reflects the needs, priorities and actual use of the network and infrastructure assets.

SCOTS recommends that roads authorities use a focus group, whose officers are assessed to be appropriately experienced and competent, to assist with the review of the road network against the hierarchy categories. In Fife, the focus group is chaired by the Service Manager (Roads Network Management).

Built on top of this foundation hierarchy, the focus group considers the National Street Gazetteer (NSG) and related information such as traffic sensitivity, special engineering difficulties, etc. Consideration should also be given to additional information relevant for each asset functional hierarchy; example data that can be utilised is:

- Traffic levels (e.g. vehicles, vehicle types, footfall, cyclists, etc)
- Major shopping areas
- Industrial estates
- Emergency service stations
- Cross boundary links to adjacent networks
- Transportation hubs (e.g. bus/train stations, airports, ports, etc)
- Business parks
- Areas of socio-economic development
- Military bases
- User type (e.g. vulnerable users, tourism)

2.5 Review of Road Categories

Road networks are dynamic, therefore road categories should be regularly reviewed taking account of changes in the network as it evolves to ensure that assigned categories remain relevant.

As recommended in the *Code of Practice*, network hierarchies will be reviewed to reflect changes in network characteristics and functionality.

- An annual review will be undertaken for any major changes, such as a major new development, decommissioning of a site or change to functionality of a location (e.g. Industrial estate that is being redeveloped into residential properties).
- Additionally, a more detailed review of functional hierarchies will be undertaken every 3 years.

Review of the road network against the hierarchy categories is undertaken by appropriately experienced and competent officers from Roads & Transportation Services.

3.0 Condition Inspections

Condition inspections should be carried out following routes designed to ensure inspection intervals address the varied levels of risk throughout the entire network.

3.1 Definition of Terms

- Frequency of Inspection – **Monthly** indicates that twelve regular spaced inspections will be carried out per year.
- Frequency of Inspection – **Quarterly** indicates that four regular spaced inspections will be carried out per year.
- Frequency of Inspection – **Six-Monthly** indicates that two regular spaced inspections will be carried out per year.
- Frequency of Inspection – **Annual** indicates that one regular spaced inspection will be carried out per year.
- **Due Date** is the programmed date of an inspection

3.2 Frequencies

Fife Council is adopting the following frequencies for condition inspections based upon the reasonable distribution of resources to address level of risk:

Table 4 Frequency of Inspection – Carriageways

Category	Hierarchy Description	Frequency
1	Strategic Route	Monthly
2	Main Distributor	
3	Secondary Distributor	
4	Link Road	Quarterly
5	Local Access / Minor Road	Annually

Table 5 Frequency of Inspection – Footways & Footpaths

Category	Category Name	Frequency
1	Prestige Walking Zones	Monthly
2	Primary Walking Routes	
3	Secondary Walking Routes	
4	Link Footways / Footpaths	Annually
5	Local Access Footways / Footpaths	
6	Minor Footways	

Table 6 Frequency of Inspections – Cycleways

Category	Frequency
1	As for adjacent road
2	Six Monthly or per Table 5, whichever is more frequent
3	Annually

The frequency of inspections contained within Tables 4 to 6 above represents a starting point that is based on hierarchy alone. In accordance with the *Code of Practice*, and subject to risk assessment, individual sections of the road network may be inspected at a different frequency taking account of local influences. The following considerations may be among those contemplated when considering such changes:

- Type of asset
- Prevalence of safety-critical assets
- Consequences of failure
- Use, characteristics and trends
- Incident and inspection history
- Characteristics of adjoining network elements
- The approach of adjoining Roads Authorities
- Wider policy and operational considerations

All road condition inspections will be carried out to the recommended frequencies detailed within Tables 4 to 6 and should be completed within the tolerances shown in Table 7.

Table 7 – Inspection Tolerances

Frequency of Inspection	Inspection Tolerances
Monthly	± 5 working days of the Due Date
Quarterly	± 10 working days of the Due Date
Six Monthly	± 15 working days of the Due Date
Annual	± 20 working days of the Due Date

3.3 Routes

Inspection routes are determined either manually, by using an optimisation tool, or a through a combination of both. For example, routes may be formulated initially by using an appropriate optimisation tool and then manually sense-checked to take account of local constraints and needs. Ideally, routes that can be shared with other functions that are linked to hierarchy should be considered e.g. winter maintenance routes.

3.4 Contingencies and Alterations to the Inspection Programme

Due to the nature of the weather in Scotland it is probable that the road surface will be wet with some elements of standing or running water whilst an inspection is in progress. However, if the quantity of water is excessive then the inspection should be cancelled and the circumstances and justification documented.

If an inspection Due Date falls during an extended period of absence e.g. inspector holiday or illness, then the inspection should be allocated to another suitably experienced member of staff who has the capacity to undertake the inspection.

If and for reasons beyond the control of Fife Council (e.g. substantial snow fall), any inspection cannot be carried out in compliance with Table 7, the viability of the inspection being undertaken, taking into account the availability of staff and the prevailing weather conditions, shall be decided upon and the decision documented.

As soon as reasonably practicable following the above events, a deferred programmed inspection should be carried out on the affected length of road.

- Where a monthly inspection is more than 2 weeks late due then the programmed inspection will be missed, and the cycle resumed at the next due inspection date.
- Where substantial unavoidable delays are incurred to other inspection frequencies the manager may assess the impact and adjust the programme.
- A record must be kept of change decisions and reasons for them.

3.5 Inspection Methodology

Road condition inspections are designed to identify defects likely to cause a hazard or serious inconvenience to users of the network or the wider community. Such defects include those that require urgent attention as well as those where the locations and sizes are such that longer periods of response are appropriate.

The inspection regime forms a key aspect of Fife Council's strategy for managing liability and risk. Planned, cyclic inspections are carried out to identify defects which are hazardous (to any road user including drivers, pedestrians, equestrians and cyclists) so that an effective repair can be carried out within a predetermined response time.

The specified frequency of these inspections is dependent upon the **hierarchy category** of each section of road and the overall level of risk associated with each category.

During inspections, observed defects that present a foreseeable risk to users will be recorded and processed for repair as appropriate following the methodology detailed in the 'Risk Management Process' section of this document. Assessing the degree of risk is crucial in determining the nature and speed of response and judgement will always need to take account of circumstances. For example, the degree of risk from a surface defect depends upon not only its depth but also its surface area, its location in relation to traffic and the usage of the road or footway.

The objectives of road condition inspections:

- Minimise the risk of injury and disruption to road users as far as is reasonably practicable,
- Deliver a consistent, commensurate response to identified defects, taking account of available resources,
- Maintain accurate and comprehensive records of inspections and response, and
- Provide a clear, accurate and comprehensive response to claims.

3.6 Items for Inspection

The following are examples of types of defect which, when identified, should be risk-assessed to determine if a repair is required.

Carriageways

- Surface defects
- Abrupt level differences in running surface
- Edge deterioration of the running surface

- Excessive standing water, water discharging onto and / or flowing across the road
- Blocked gullies and obstructed drainage channels or grips which could lead to ponding or flooding
- Debris and/or spillages likely to be a hazard
- Missing road studs
- Badly worn Stop, Give Way, double continuous white line or markings associated with traffic regulation orders
- Missing or significantly damaged ironwork

Footways, Footpaths and Cycleways

- Surface defects
- Excessive standing water and water discharging onto and or flowing across the foot/cycleway
- Dangerous rocking paving slabs
- Large cracks or gaps between paving slabs
- Missing or significantly damaged ironwork
- Debris and / or spillages likely to be a hazard
- Damaged kerbs

Road Furniture

- Damaged vehicle restraint systems, parapets, handrails or guardrails
- Damaged boundary fence where animals or children could gain access
- Damaged or missing signs, such as Give Way, Stop, Speed Limit, Directional

Road Lighting

- Damaged column, cabinet, control pillar, wall mounting, lantern
- Exposed, live electrical equipment

Others

- Overhead wires in dangerous condition
- Sight-lines obstructed by trees and other vegetation,
- Trees in a dangerous condition
- Earth-slips where debris has encroached or is likely to encroach the road or causing the road to fall away
- Rocks or rock faces constituting a hazard to road users
- Damaged road structures

3.7 Statutory Undertakers' Defective Apparatus

Defects may be due to the activities of utility companies, which are governed by the requirements of NRSWA³. Where defective apparatus is identified, the defect must be recorded, and the utility contacted. In the case of urgent attention being required, the processes for '*defects causing danger*' identified in the NRSWA Code of Practice for Inspections should be followed.

3.8 Defects that are the Responsibility of Third Parties

Where the defect is the responsibility of another party who is not a Statutory Undertaker, e.g. an adjacent landowner, the defect should be recorded, and the landowner contacted with a request to carry out the necessary remedial works within an appropriate time.

Several scenarios may arise from an inspection, which are covered by provisions contained within the Roads (Scotland) Act 1984, for which it may be appropriate to inform the party responsible of their responsibilities under the Act. Some examples of this are;

- Prevention of danger to road users from nearby vegetation and fences etc. or from retaining walls being inadequate (Section 91)
- Deposit of mud from vehicles on road (Section 95)
- Control of flow of water etc. onto roads (Section 99)

A number of these provisions within the Act allow the roads authority to carry out remedial works to address the defect/hazard either immediately or after a suitable period of notice and gives powers to recover any expenses reasonably incurred in doing so.

Any decision to undertake such remedial work should not be done without the agreement of a suitably responsible person, and in the first instance constructive discussion with the responsible party, in order to resolve the issue, is the preferred option.

3.9 Inspection Records and Recording

Routine Inspection instructions and records arising from inspections are held electronically, allowing records to be used for reference at later dates.

All information obtained from condition inspections, together with the response outcomes shall be recorded consistently. The data obtained shall be able to be reviewed independently and in conjunction with other survey information.

³ New Roads and Street Works Act 1991

4.0 Risk Management Process

Inspectors undertaking inspections or responding to reported incidents require to use judgement in determining likelihood of, and degree of, consequences of observed or reported defects. This approach is consistent with the 'Well-Managed Highway Infrastructure: A *Code of Practice*' recommendation that roads authorities adopt a system of defect risk assessment for determining level of response. This represents a step change in the way that defects are assessed. Taking a *Risk Based Approach*, means that there are **NO** prescriptive investigation or intervention levels to apply. The rationale for removing these is that the same defect will represent a different level of risk in a different context. In the past this has led to inappropriate and often unnecessary, costly, temporary repairs. Instead, by using a *Risk Based Approach*, roads authorities can reduce such blanket reactive interventions and target more of their scarce resources towards programmed work, which in the longer term will lead to an overall improvement of road condition.

While not providing any minimum or default standards, the *Code of Practice* does support the development of local levels of service in accordance with local needs, priorities and affordability. Operational guidance for reference and training to support Fife Council's inspectors will be subject to regular review and update.

4.1 Establishing Context

Establishing context requires the inspector to utilise experience and knowledge during the inspections to assess the road characteristics, such as giving consideration to environment (speed limit, width, rural / urban, road hierarchy, visibility, bend, gradient, road camber, etc.); road user types (pedestrians, cyclists, horse riders, cars, LGV's, PSV's, etc.), traffic volumes; maintenance history; historical incidents / claims / complaints (e.g. experience / knowledge of similar hazards being a contributory factor to incidents / claims within the authority or a neighbouring authority); demographics and key local amenities (proximity to doctor's surgery, hospitals, shopping areas, schools, etc.).

Taking all the context into consideration, the risk assessment process follows these steps:

- i) **Hazard Identification** – The inspector identifies a defect associated to a road asset that may pose a hazard to road users.
- ii) **Risk Assessment** – Risk is evaluated by assessing the **likelihood** of encountering the hazard and the **most probable** (not worst possible) **consequence** should this occur.

The procedure is designed to mitigate 'worst case scenario' thinking and ensure an objective assessment is carried out to determine the appropriate level of risk and corresponding priority response.

4.2 Likelihood

The likelihood of encountering a hazard, within the established context it exists, will be quantified on a scale of 'Remote' to 'Almost Certain' as follows:

Table 8 – Likelihood

Likelihood	Description	One Might Expect to Encounter for example ...?
Highly Likely	Will undoubtedly happen	In any one day
Likely	Will probably happen, but not a persistent issue	Monthly
Possible	May happen occasionally	Annually
Unlikely	Not expected to happen, but it is possible	Once in 10 years
Remote	Improbable	Once in 20 years

4.3 Consequence

Consequence is assessed by considering the most probable (**NOT** always the worst possible) outcome should the hazard be encountered and will be quantified on a scale of Negligible to Catastrophic as follows:

Table 9 – Consequence (Impact / Severity) Categories

Consequence	Description of Impact / Severity			
	Service	Financial	People	Reputation
Severe	Unable to function, inability to fulfil obligations	Severe financial loss	Death	Highly damaging, sever loss of public confidence
Major	Significant impact on services provision	Major financial loss	Extensive injury, major permanent harm	Major adverse publicity, major loss of confidence
Moderate	Service objectives partially achievable	Significant financial loss	Medical treatment required, semi-permanent harm up to 1 year	Some adverse publicity, legal implications
Minor	Minor impact on service objectives	Moderate financial loss	First aid treatment, non-permanent harm up to 1 month	Some public embarrassment, no damage to reputation
Negligible	Minimal impact, no service disruption	Minimal financial loss	No obvious harm/injury	No interest to the press, internal only

4.4 Risk Assessment

The risk factor for a defect is the product of 'likelihood' and 'consequence'. It is this factor that identifies the overall seriousness of the risk and consequently therefore the appropriateness of response to remedy the defect. Accordingly, the priority of response for dealing with a defect can be determined by direct correlation with the risk factor as shown in the risk matrix, table 10:

Table 10 Risk Matrix

Consequence	Negligible	Minor	Moderate	Major	Severe
Likelihood					
Remote	Negligible	Negligible	Negligible	Negligible	Medium
Unlikely	Negligible	Negligible	Low	Low	Medium
Possible	Negligible	Low	Low	Medium	High
Likely	Negligible	Low	Medium	High	Critical
Highly Likely	Negligible	Medium	High	Critical	Critical

4.5 Intersections and Multiple Road-user Types

Inspectors should consider the different impacts and consequences for each road user type (e.g. pedestrians, cyclists, vehicle drivers, etc.) and at intersections, consider the hierarchy of each route. Inspectors must therefore assess the likelihood and consequence for each road user type and/or route hierarchy. The priority of the response is based on the highest risk determined from the risk matrix (Table 10).

5.0 Risk Response

RACIPS methodology allows Fife Council to demonstrate that legal responsibilities regarding the inspection and maintenance of adopted roads are fulfilled.

The appropriate control of a risk is in the form of risk response. Maximum response times to each risk category have been developed following guidance by SCOTS and the recommendations of the *Code of Practice*. This provides consistency with neighbouring Authorities if they are also compliant with the *Code of Practice*.

5.1 Priority Response Levels

Having established the risk factor, the appropriate response is identified (Table 11).

Table 11 Response Types

Risk	Priority	Response Type	Repair Target (from date of risk assessment)
Critical	1	Immediate	Within 24 hours (Make safe)
High	2	Rapid	Within 5 Working Days
Medium	3	Include in Cyclic Works Programme	Within 3 Months
Low	4	Include in Area or Route Works Programme	Within a Rolling 12 Months
Negligible	5	Routine Monitoring	Per Inspection Frequency

5.2 Response Types Defined

Priority 1: Immediate

Where there is a critical risk to road users the defect should be corrected or made safe at the time of inspection, if reasonably practicable. In this context, making safe may constitute displaying warning signs and / or coning off to protect the public from the defect. Where reasonably practicable, defects of this Priority should not be left unattended until made safe or, a temporary or permanent repair has been carried out.

Once a P1 defect has been made safe, the risk should be reassessed, and the appropriate response type assigned.

Priority 2: Rapid

This allows a more proactive approach to be adopted, enabling the complete repair of defects that represent a high risk to road users or because there is a risk of short-term structural deterioration (i.e. before next scheduled inspection).

Priority 3: Include in Cyclic Works Programme

While P3 defects require attention, they represent a risk assessed to be at a level that allows a more efficient programmed approach to be taken.

Priority 4: Include in Area or Route Works Programme

The defect is not classed as unsafe but needs to be included in a local works programme e.g. programmed patching or via the Area Roads Programme.

Priority 5: Routine Monitoring

The defect is considered to be of negligible risk, no intervention is required and monitoring will continue as per the routine inspections regime.

5.3 Meeting Target Response Times

It may not be possible, particularly at certain times of year, to meet target response times, due to pressure on resources. This could, but not exclusively, be due to the high number of defects that can arise in a short period of time after periods of adverse weather, such as prolonged spells of heavy rain or snow, or freeze / thaw conditions. Prolonged periods of adverse weather may also prevent remedial measures being carried out. In such circumstances normal response times will resume as soon as is reasonably practicable.

5.4 Service Requests

Fife Council receives reports of road asset defects from several sources, such as the police, general public, public utilities and other agencies. These Service Requests are recorded within Fife Council's Customer service system to ensure that they are investigated, resolved within defined service standards and that the outcome is communicated to the customers. Screening questions shall be asked to identify a provisional level of risk to classify the urgency of ad-hoc inspection.

6.0 Compliance

Compliance with RACIPS can be assured by i) documenting key information to provide evidence (section 3.9 refers), ii) measuring and reporting performance, and iii) maintaining competencies through an appropriate training and development framework.

6.1 Monitoring

Compliance monitoring shall be carried out as follows:

- Inspection Scheduling Audit – An annual programme of condition inspections is produced prior to the start of each financial year. A monthly audit will be carried out to determine if inspections are completed within timescale tolerances.
- Inspection Quality Audit – A quarterly audit will take place to evaluate the degree of consistency in application of the Risk Based Approach. One route per inspector will be chosen at random, one day after the initial inspection, and checked for consistency by the Lead Consultant, Network Condition or delegated officer.
- Repair Response Time Audit – A monthly check to evaluate delivery response time performance with relation to defects. An audit will be carried out by the Lead Consultant, Network Condition or delegated officer to determine if repairs were completed within prescribed timescales.
- Repair Quality Audit – A minimum sample of 5 defects will be checked by an inspector weekly, to determine compliance with repair specifications.

RACIPS compliance monitoring reports shall be used for continuous improvement.

6.2 Inspector Competency

For RACIPS, the term ‘inspector’ is defined as a person who the roads authority has assessed and certified as competent to identify and undertake a risk assessment of a road asset defect and determine the response type. Therefore, within RACIPS, ‘inspector’ is not utilised exclusively for a person who mainly completes the routine road condition inspections, but can include technicians, engineers or other staff within Fife Council who have been assessed as having achieved the required level of competency by the Service Manager (Roads Network Management).

6.3 Training

Appropriate experience and/or training is needed to ensure that personnel responsible for managing and carrying out road asset condition inspections understand the reasons for

and importance of these inspections. These reasons include i) protecting public safety, ii) safeguarding Fife Council's capability to defend liability claims, and iii) fulfilment of the Council's essential responsibility for maintaining the condition of the road asset for the continuing benefit of the Fife economy.

Inspectors will be provided in-house training on the application of RACIPS and will be required to achieve a 'pass' grade on the course assessment to demonstrate competency. Training will be delivered utilising the SCOTS training toolkit supplemented by Fife Council's operational guidance. The person delivering the training will be required to have been assessed as competent by the Service Manager (Roads Network Management).

6.4 Training Plans

Where an inspector has not yet met the required standard of competency, the Lead Consultant, Network Condition, shall work with the inspector to develop, document and implement a Training Plan. The Training Plan is evidence that Fife Council is supporting the inspector, assisting them to achieve the level of competency required and thereby ensuring consistency.

Training Plans are simple, containing but not limited to information such as:

- Training type (e.g. undertake a course, shadowing another inspector, audit of inspections by colleague, etc.)
- (Expected) completion date
- Review date
- Review comments

Upon completion of the plan, it is signed and dated as complete by a competent person. Review of inspector training plans are conducted at regular intervals (minimum annually) to ensure the plan is progressing as anticipated, to sign off key areas completed and to amend the plan, if required.

6.5 Training & Competency Records.

Records of the training plan reviews, actions and outcomes are documented within each inspector's "Training & Competency Record". These records shall be used to evidence the competency of each individual inspector at any time and are reviewed annually to ensure that they continue to meet the minimum competency requirements.

Issued By (Team)	Risk Management
Date	28/06/18



THIRD PARTY CLAIM FORM

If you wish to claim for an incident which has caused a financial loss, loss or damage to your property, and/or personal injury, you should complete and return this form.

Please return the form to Fife Council, Risk Management Section, Fife House, North Street, Glenrothes, Fife, KY7 5LT or by e-mail to **risk.management@fife.gov.uk**

If you would like this information in large print, in Braille, on audio tape or in another language or you require a British Sign Language interpreter, please contact us on 03451 55 00 00 to discuss your requirements.

Completion of this form should not be construed as an admission of liability on the part of Fife Council, or that you will automatically receive compensation.

Please use capital letters and complete all relevant sections. Incomplete forms delay the processing of your claim.

1. Your Details

Title	Please circle: Mr / Mrs / Miss / Ms / Dr / Other (Please state :)			
First Name				
Surname				
Address				
Postcode				
Telephone No.				
Email Address		Would you like us to contact you by e-mail?	Yes	
			No	
Date of Birth				
Are you a Council Tenant?	Yes / No			

Representatives - If you would prefer us to write to your representative, please provide their details.

Title	Please circle: Mr / Mrs / Miss / Ms / Dr / Other (Please state :)			
First Name				
Surname				
Address				
Postcode				
Telephone No.				
Email Address		Would you like us to contact you by e-mail?	Yes	
			No	

2. Particulars of the incident

Date of Incident (this must be provided)			
Time of Incident			

Location of Incident (please be as exact as you can, include any relevant road number, street names, shop or house numbers, and any notable landmarks or features)			

Visibility Conditions				Weather Conditions			
Good		Poor		Dry		Snow	
Daylight (Good)		Daylight (Poor)		Wet		Ice	
Dark – Street Lights Lit		Dark – Street Lights Unlit		Fog			

Describe what has happened to cause the damage or injury

Please explain why you think that Fife Council is responsible for causing the damage/injury

Were you aware of the defect or problem before the incident occurred?	Yes		Please tick
	No		
If yes, did you report the defect or problem to Fife Council?	Yes		Please tick
	No		
If yes, please provide details of when and where you reported the defect or problem.			
Date Reported	Where / Who Reported to		Reference or Complaint Number

Defect Measurement	How Measured	Date of Measurement

Have you enclosed any photographs of the defect or problem?	Yes		Please tick
	No		

If the incident occurred because of work being carried out by a contractor, please give the name of the contractor (if known).

3. Witnesses

Did anybody witness the incident?		Yes	Please tick
		No	
If yes, please provide their details as we may need to approach them for a statement.			
Name	Address	Relationship to Claimant	

4. Damage/Loss Details

Where possible please enclose original purchase receipts and/or estimates.

Description of item being claimed for	Date Bought	Where Bought	Cost when bought	Cost of repair or cleaning	Cost to replace

Damage to Decoration

Area damaged (e.g kitchen)	When the damaged area was last decorated?	Cost	Who carried out previous decoration?	Cost to redecorate

Please provide details of any financial loss

--

5. Insurance

Do you have house contents insurance or vehicle insurance which would cover this claim?		Yes	
		No	
If yes, have you made a claim to your insurers?		Yes	
		No	
Insurer's Name	Address	Claim or Policy Number	

6. Injury

If you are claiming for an injury that has resulted from this incident, please provide details below. Please note that we are required to advise the Department of Work & Pensions (Compensation Recovery Unit) that you are claiming compensation for an accident related injury.

Are you claiming for an injury related to this incident?	No	If no, please go to section 9.		
	Yes	If yes, please provide your National Insurance No:		
Description of your injury.				

7. Medical, Hospital Doctor and Employer Details

Please include addresses of all private/public hospitals attended, with record/patient numbers and the Consultant/doctor

Hospital(s) Attended	Address	Consultant / Doctor Name	Date Attended	Patient /Record No.

General Practitioner	Address	Doctor's Name	Date Attended	Patient /Record No.

8. Employer's Details

Employer(s) Name	Address	Contact Name	Employee Number	Dates of absence as a result of injury

9. Declaration

I understand that if I intentionally give information that is incorrect or is incomplete, action may be taken against me. I declare that the information given on this form is correct and complete.

Your signature: _____

Date: ____/____/____

Fife Council uses the information provided by you within your claim form to process and assess your claim. It is in the public interest for Fife Council to maintain a claims process in order to establish, exercise or defend legal claims.

The personal information that we gather and use includes name, contact details, date of birth and national insurance number. We may also gather medical information. We share your information with our legal representatives, contractors or outside bodies who may be involved with the handling of the claim. By completing this claim form, we gather information about you and any third parties relevant to your claim e.g. witnesses. We receive information about you from other Council Services and Subsidiary organisations e.g. Trusts and Limited Companies.

Further information about how your information is used and why can be found on our website; www.fifedirect.org.uk/privacy . The Council's Data Protection Officer can be contacted on: dataprotection@fife.gov.uk.

20 June 2023

Agenda Item No. 6

Gulley Emptying and Road Drainage

Report by: John Mitchell, Head of Roads and Transportation Services

Wards Affected: All

Purpose

The purpose of this report is to update committee on the current practices and programmes to deliver road drainage maintenance services.

Recommendation(s)

It is recommended that the Committee:

- (i) Scrutinise the current and proposed gulley emptying and road drainage services and the operation of a risk-based assessment process.

Resource Implications

The road drainage budget identified for financial year 2023/24 is £1.7m, which covers a range of measures including Gulley emptying, Ditching, Drainage investigations, Minor improvements and flooding.

This budget has benefitted from an increased funding support of approximately £0.5m over recent years.

Legal & Risk Implications

The incidents of flooding and levels of costs associated with maintenance of the road drainage network, as with most other areas of the construction industry, have increased over recent years. To help combat these financial pressures and risks a digital management software (Alloy) is being introduced to best direct resources to areas of greatest need and risk.

Impact Assessment

An EqlA and FEAT checklist are not required since there are no key changes to the existing Policy Statement at this stage. Any amendments to service delivery for 2023/24 onwards are limited to operational changes designed to improve service efficiency, responsiveness and resilience whilst ensuring the service delivered remains in accordance with the standards expected.

Consultation

There has been consultation with Financial and Legal Services in developing this report.

1.0 Background

Fife Council's drainage standards are contained in the Road Asset Condition Inspections – Policy & Standards document (RACIPS), developed in line with the recommendations and best practice contained in "Well-Managed Highway Infrastructure – A Code of Practice", published in 2016. The Policy & Standards document was approved by the Economy, Tourism, Strategic Planning & Transportation Committee on 24th October 2019 – Agenda item 4.

The Code of Practice contains national recommendations for the provision of maintenance services. Whilst this document is not statutory, it comprises a framework of guidance and standards and promotes the development of maintenance services in line with asset management principles.

1.1 Inspections

Inspections are carried out on the adopted road and footpath network at frequencies as recommended in the Code of Practice. This summarised in Table 1.

Hierarchy		Description	Inspection Frequency
Carriageways			
1	Strategic Routes	Some A Class Roads	Monthly
2	Main Distributor	Other A Class and Some B Class Roads	Monthly
3	Secondary Distributor	Other B Class Roads and Bus Routes	Monthly
4	Link Road	Rural roads linking smaller villages	Quarterly
5	Local Access Road	All other roads	Annually
Footways, Footpaths & Cycletracks			
1	Prestige Walking Zones	Very busy areas with high specification materials	Monthly
2	Primary Walking Routes	Busy shopping and business areas, main pedestrian routes and links to public transport locations	Monthly
3	Secondary Walking Routes	Medium usage routes	Monthly
4	Link Footways/Footpaths	Local urban link footways and busy rural footways	Annually
5	Local Access Footways/Footpaths	Low usage short estate roads and cul-de-sacs	Annually
6	Minor Footways	Little used routes serving a limited number of properties	Annually

Table 1 Inspection Frequencies

1.2 Drainage Works

Drainage work on the road network generally comprises of:

- Gulley emptying
- Ditch /Offlet Cleaning
- Drainage Investigations / and Cleaning
- Drainage Improvements
- Repair of Ironwork
- Inspection of Drainage Grids, Screens and maintenance of Flood Pods
- Active response to predicted weather events / Flood Events

1.3 Service Standards

The Service Standards adopted for road drainage maintenance are detailed in Table 2 below:

Item	Type	Frequency
Gullies	Programmed	All gullies cleaned at least once every two years
	Ad hoc/reactive cleans	Cleaned within 24hr if causing a danger Cleaned within 20 working days if not causing a danger
Ditches	Programmed	Cleaned on a 3 yearly cycle.
	Ad hoc/reactive	Additional cleans for locations with known problems within 20 working days of programmed inspection
Offlets	Programmed	All offlets cleared one per year
Drainage Grills	Severely restricted and causing a danger.	Cleared within 24hrs.
	Significantly restricted but not causing a danger.	Cleaned within 5 working days.
	Partially restricted.	Cleared within 20 working days

Table 2 Road Drainage Service Standards

*As a result of flooding events, all grills are inspected monthly. Further inspections are undertaken on notification of weather warnings.

1.4 Assets

The drainage assets currently managed and maintained within the road network include:

Asset Type	Quantity	Actions
Gullies	80,300 approx.	Work is on-going to firm up on approximate asset numbers.
Ditches	260km approx.	
Offlets	21,000 approx.	
Grills / Screens	100 approx.	
Flood pods	44	
Manholes & Catchpits	To be confirmed	Around 4000 Record drawings exist for drainage systems across parts of Fife. Work has started to add relevant information to a mapping system to support the inspection and maintenance process.
Drainage pipelines	To be confirmed	
SUDS assets	To be confirmed	

Table 3 - Road Drainage Assets

1.4.1 Gullies

The efficient maintenance of road gullies is essential to enable the removal of surface water, thereby safeguarding the road network and mitigating potential flooding of properties. Most gullies (circa 90%) are in urban areas.

There are currently four council owned gulley tankers operating across Fife. Whilst this number is deemed sufficient to meet the programmed service standards, they have had considerable maintenance issues because of their age. There is also an issue recruiting HGV mechanics to service the vehicles. As a result, at times, private sub-contractors have been engaged to assist.

The availability of qualified licence holders to drive gulley tankers is also an emerging issue.

Example of a roadside gulley



1.4.2 Ditches and Offlets

Most ditches and offlets in Fife (circa 80%) are in the rural parts of the North East Fife committee area. As with gullies they are fundamental to the safe functioning of the road network and surrounding infrastructure.

The current specification requires all ditches to be cleared in a 3-year cycle, i.e 90km annually. The specification for offlets is for an annual clear but numbers cleared suggest this could also move to a 3-year cycle.

Example of a roadside offlet



1.4.3 Grills/Screens

In order to safeguard culverts from blockages due to debris, grills and screens are installed at the upstream entrances. Culverts tend to be located within the adopted road network or within Public Park, which Fife Council Parks Streets and Open Spaces maintain.

Example of a culvert grill



Example of a watercourse grill



1.4.4 Flood Pods

Flood Pods are used to help residents protect their property at known flood locations. The locations of existing Flood Pods in Fife are shown in Appendix 1

- Access to the secure Flood Pods is through a combination padlock, the number for which is shared with local residents.
- The Flood Pods are filled with lightweight, flexible bags of different shapes (“snakes” and “sacks”) which allow easy handling by residents and avoid the weight of conventional sandbags. On exposure to water the bags expand to create a protective structure.

The following documentation is available on the Councils website and includes details on how to request a restock of the Flood Pod if the stock inside is depleted.

https://www.fife.gov.uk/data/assets/pdf_file/0032/148487/Flooding-Using-Your-Flood-Pod.pdf

- Fife Council will visit Flood Pods after flood events to restock the contents.

1.4.5 Manholes, Catchpits, Pipelines and SUDS

Currently, issues with these assets are dealt with as ad-hoc works. Once inventories are further developed, consideration will be given to the need for programmed inspections.

1.5 Maintenance Activities

1.5.1 Drainage investigations

During gully cleaning operations, some locations will be identified as requiring further investigation work due to blockages. In financial year 2022-23, some 340 locations required further investigation work.

Specialist, high pressure jetting vehicles are hired in at times to help address such issues. In the event that this proves unsuccessful, full excavation works are undertaken to repair the defect.

1.5.2 Drainage Improvements

In financial year 2022 / 23, 71 minor drainage improvements schemes were completed across Fife.

Notable locations were:

A915 St Andrews Rd, Largoward; C34 Airport Rd, Glenrothes; C32 Star to Kennoway

These schemes tend to be small in nature e.g., an additional gully and associated pipework. Larger improvement works requiring several gullies and associated pipework would be undertaken as named capital funded schemes.

1.5.3 Repair of Ironwork

Defective ironwork is normally reported by the gully tanker crew or by routine inspections. There are usually two types of works stream generated:

- Defective ironwork - damaged lid or frame
- Gully choked due to debris.

1.6 Flooding Events

In recent years, there has been an increase in the number of severe weather events. And, in the past 3 years, there have been eleven major flood events in Fife. In general terms each event has required utilisation of significant resources which has impacted on programmed work:

Aug 2020 – Dec 2020 2 events

Jan 2021 – Dec 2021 4 events

Jan 2022 – Dec 2022 5 events

Roads & Transportation Services operate a 24/7 service to cover flood events. Flooding locations identified during periods of heavy rainfall are recorded for onward use in strategic flood mitigation work.

It is expected that severe weather events will increase due to the effects of Climate Change.

The following website includes information on who to contact during flood events:
<https://www.fife.gov.uk/kb/docs/articles/readyfife/flooding-advice>

1.7 Road Drainage Work Programme

1.7.1 Current Issues

In the recent past, it has proven difficult with available resources and competing work pressures to always achieve the standards set out in Table 2 above. The increase of labour, vehicle and disposal costs have contributed to budget pressures. Since 2018/19, including the period of the pandemic, the programmed cleans for gullies, ditches and offlets has not been achieved.

The number of reported drainage issues has increased partly due to the improved on-line reporting. Consequently, there is an ever-increasing number of ad hoc/reactive requests to clear individual gullies.

1.7.2 2023-24 Aims

- (i) All gullies on carriageway hierarchies 1, 2 & 3 detailed in Table 1 will be cleaned every year. This will also include locations where a flood risk has been identified.
- (ii) The remaining gulley assets will be cleaned on a 2-year cycle.
- (iii) Work will be undertaken to develop a 3-yearly ditch and offlet cleaning programme.
- (iv) Work will continue to gather and improve inventory information to support maintenance programmes.
- (v) Reported issues will continue to be addressed on an ad-hoc basis.

The gulley cleaning programme for this current financial year is shown on Appendix 2.

1.7.3 Digital recording

Through digitally recording all maintenance works, the location and frequency of drainage operations can be determined from the data collected and held within the new software system. This new approach is focussed on making best use of resources, identifying known hot spots and ensuring that the frequency of maintenance works is appropriate to risk.

2.0 Service Delivery – Risk Based Approach.

Using this Risk Based approach, establishes the criteria for all issues noted during inspections and relates the need and timescale for undertaking works. It is intended that this approach to drainage will provide a more efficient level of service based on the risk associated with each identified defect, taking into consideration the available budget.

Going forward, the development of the Risk Based approach procedure is being integrated with the implementation of the digital solution which allows programming of asset inspections and maintenance works. This will identify hot spots and ensure repeat issues are targeted and locations of greatest need/risk addressed.

3.0 Conclusions

- 3.1 Section 1.1 outlines the work streams associated with the maintenance of the road drainage network.
- 3.2 Maintenance of the road drainage network is essential to mitigate against effects of flooding on both road safety and property damage. It will also help against the effects of climate change.
- 3.3 Gulley and ditch clearance are targeted based on inspections and reports of blockages to allow more targeted service response. This risk-based approach to drainage issues will target resources to locations which require regular maintenance.
- 3.4 The long-term performance of the current fleet of gulley tankers is dependent on future capital investment and upgraded.
- 3.5 The Fife Council Flood Register will continue to be populated and mitigation measures progressed to help address problem locations.

List of Appendices:

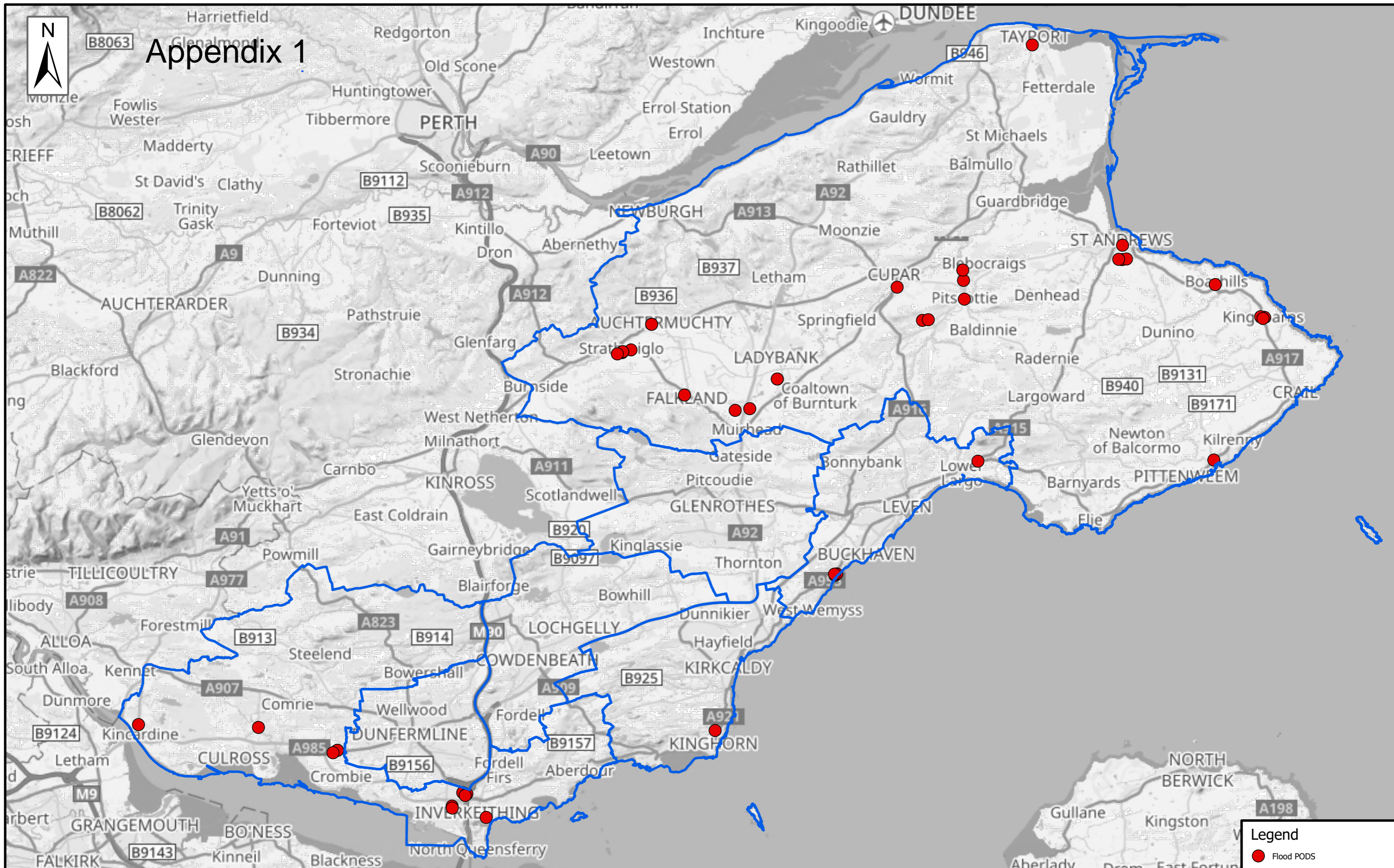
Appendix 1 – Flood Pod Locations.

Appendix 2 - Gulley emptying programme 23/24

Report Contact:

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Appendix 1



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 Aerial Photography © copyright Getmapping.

Scale:1:490

Flood Pod Location

Prepared By: smccarroll-95

Service: Assets, Transportation & Environment

Printing Date: 22 May 2023



Ken Gourlay
Head of Service

PROGRAMMED GULLY CLEANING - NORTH AREA - YEAR 1

Tanker 1: Glenrothes / Cupar North

Ward	Town	Location	No of gullies	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
ALL GULLIES															
	Glenrothes area	All areas													
		Leslie													
		Thornton													
		Kinglassie													
		Markinch / Star													
		Milton / Coaltown Balgonie													
	Kingskettle														
	Ceres	Incl Craigrothie, Pitlessie, Strathkinness													
	Cupar	All areas													
		Springfield / Cupar Muir													
	Ladybank														
	Freuchie														
	Falkland														
	Auchtermuchty														
	Strathmiglo														
	Rural routes	Inc main routes through towns													
		Additional Ad hoc Cleans													

Tanker 2: Levenmouth / St Andrews South

Ward	Town	Location	No of gullies	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
MAIN ROUTES ONLY															
	Wemyss	West, Coaltown, East													
	Methil														
	Buckhaven														
	Leven														
	Kennoway	Incl Windygates													
	Lundin Link	Incl Lower / Upper Largo													
	Elie	Incl Colinsburgh, Kinconquhar													
	Pittenweem														
	St Monans														
	Anstruther	Incl Cellardyke													
	Crail														
	Kingsbarns	Incl Boarhills													
	St Andrews														
	Leuchars	Incl Guardbridge, Dairsie, Balmullo													
	Tayport														
	Newport	Incl Wormit													
	Gauldry	Incl Balmerino													
	Newburgh														
		Additional Ad hoc Cleans													
		TOTAL	0												

Appendix 2 South programme
2023/24

PROGRAMMED GULLY CLEANING - SOUTH AREA - YEAR 1

Tanker 1 : West of M90															
Ward	Town	Location	No of gullies	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
ALL GULLIES															
	Dunfermline	Woodmill													
	Dunfermline	Abbey View													
	Dunfermline	Woodmill (South)/Pitcorthie (North)													
	Dunfermline	Duloch													
	Dunfermline	Dunfermline South													
	Dunfermline	Dunfermline (West) to Rumblingwell													
	Dunfermline	Bellyeoman													
	Dunfermline	Baldridgeburn/Milesmark													
	Dunfermline	Garvock Hill to Touch													
	Dunfermline	Appin Crescent to Queen Margaret (North)													
	Dunfermline	Wellwood/Townhill													
		Halbeath (North) to Kelty													
		Halbeath													
MAIN ROUTES ONLY															
	Dunfermline	Duloch													
	Dunfermline	Duloch													
	Rosyth	Rosyth (East)													
	Rosyth	Rosyth (West)													
	Dunfermline	Dunfermline South (including North													
		Charlestown/Limekilns/Crombie/High & Low													
		Carnock/Blairhall/Kincardine/Fife Border													
		Steelend/Saline/Fife Border													
		Bowershall to Powmill													
		Oakley													
		Crossford/Cairneyhill													
		Additional Ad hoc Cleans													
TOTAL			0												

Tanker 2 : East of M90															
Ward	Town	Location	No of gullies	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
ALL GULLIES															
		Crosshill/Lochore/Ballingry													
		Lochgelly													
		Lochgelly/Dundonald/Cardenden/Bowhill													
		Kelty													
		Cowdenbeath													
		Cowdenbeath													
		Crossgates to Cowdenbeath (South)													
		Inverkeithing													
		Dalgety Bay (South)													
		Dalgety Bay (North East)													
		Aberdour													
		Aberdour (North)													
MAIN ROUTES ONLY															
		Burntisland (South)													
		Burntisland (North)													
		Kirkcaldy (Seafield)/Kinghorn/Burntisland													
		Kirkcaldy (Invertiel Road)													
		Kirkcaldy (Esplanade)													
		Auchtertool to Kirkcaldy													
		Kirkcaldy (Victoria Road to Port Brae)													
		Kirkcaldy/Dysart													
		Templehall to Gallatown													
		Dunnikier													
		Templehall													
		Newliston/Redcraigs													
		Kirkcaldy (Oriel Road to Bennoch Road)													
		Kirkcaldy (Hayfield to Forth Parks)													
		Cardenden/Cluny/Chapel													
		Additional Ad hoc Cleans													
TOTAL			0												

PROGRAMMED GULLY CLEANING - SOUTH AREA - YEAR 2

Tanker 1 : West of M90															
Ward	Town	Location	Number of Gullies	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MAIN ROUTES ONLY															
	Dunfermline	Woodmill													
	Dunfermline	Abbey View													
	Dunfermline	Woodmill (South)/Pitcorthie (North)													
	Dunfermline	Duloch													
	Dunfermline	Dunfermline South													
	Dunfermline	Dunfermline (West) to Rumblingwell													
	Dunfermline	Bellyeoman													
	Dunfermline	Baldridgeburn/Milesmark													
	Dunfermline	Garvock Hill to Touch													
	Dunfermline	Appin Crescent to Queen Margaret (North)													
	Dunfermline	Wellwood/Townhill													
		Halbeath (North) to Kelty													
		Halbeath													
ALL GULLIES															
	Dunfermline	Duloch													
	Dunfermline	Duloch													
	Rosyth	Rosyth (East)													
	Rosyth	Rosyth (West)													
	Dunfermline	Dunfermline South (including North													
		Charlestown/Limekilns/Crombie/High & Low													
		Carnock/Blairhall/Kincardine/Fife Border													
		Steelend/Saline/Fife Border													
		Bowershall to Powmill													
		Oakley													
		Crossford/Cairneyhill													
		Additional Ad hoc Cleans													
		TOTAL	0												

Tanker 2 : East of M90															
Ward	Town	Location	Number of Gullies	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MAIN ROUTES ONLY															
		Crosshill/Lochore/Ballingry													
		Lochgelly													
		Lochgelly/Dundonald/Cardenden/Bowhill													
		Kelty													
		Cowdenbeath													
		Cowdenbeath													
		Crossgates to Cowdenbeath (South)													
		Inverkeithing													
		Dalgety Bay (South)													
		Dalgety Bay (North East)													
		Aberdour													
		Aberdour (North)													
ALL GULLIES															
		Burntisland (South)													
		Burntisland (North)													
		Kirkcaldy (Seafield)/Kinghorn/Burntisland													
		Kirkcaldy (Invertiel Road)													
		Kirkcaldy (Esplanade)													
		Auchtertool to Kirkcaldy													
		Kirkcaldy (Victoria Road to Port Brae)													
		Kirkcaldy/Dysart													
		Templehall to Gallatown													
		Dunnikier													
		Templehall													
		Newliston/Redcraigs													
		Kirkcaldy (Oriel Road to Bennoch Road)													
		Kirkcaldy (Hayfied to Forth Parks)													
		Cardenden/Cluny/Chapel													
		Additional Ad hoc Cleans													
		TOTAL	0												

PROGRAMMED GULLY CLEANING - NORTH AREA - YEAR 2

Tanker 1: Glenrothes / Cupar North

Ward	Town	Location	No of gullies	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
Main Routes only															
	Glenrothes area	All areas													
		Leslie													
		Thornton													
		Kinglassie													
		Markinch / Star													
		Milton / Coaltown Balgonie													
	Kingskettle														
	Ceres	Incl Craigrothie, Pitlessie, Strathkinness													
	Cupar	All areas													
		Springfield / Cupar Muir													
	Ladybank														
	Freuchie														
	Falkland														
	Auchtermuchty														
	Strathmiglo														
		Additional Ad hoc Cleans													

Tanker 2: Levenmouth / St Andrews South

Ward	Town	Location	No of gullies	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
All Gullies															
	Wemyss	West, Coaltown, East													
	Methil														
	Buckhaven														
	Leven														
	Kennoway	Incl Windygates													
	Lundin Link	Incl Lower / Upper Largo													
	Elie	Incl Colinsburgh, Kinconquhar													
	Pittenweem														
	St Monans														
	Anstruther	Incl Cellardyke													
	Crail														
	Kingsbarns	Incl Boarhills													
	St Andrews														
	Leuchars	Incl Guardbridge, Dairsie, Balmullo													
	Tayport														
	Newport	Incl Wormit													
	Gauldry	Incl Balmerino													
	Newburgh														
		Additional Ad hoc Cleans													
		TOTAL	0												

20 June 2023

Agenda Item No. 7

Options for tackling the unlicensed breeding of dogs for sale (update)

Report by: Nigel Kerr, Head of Protective Services

Wards Affected: All

Purpose

This report is to update members on progress since the implementation of The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021.

Recommendation(s)

The Committee is asked to note the contents of this report.

Resource Implications

The introduction of the “The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021” on 1st September 2021 has resulted in an increased workload for existing staff as it brought in additional animal premises into the licensing regime for the first time. i.e. cat and rabbit breeders, animal rehoming and animal welfare premises.

Licences, which were previously issued on an annual basis, will now be issued based on a risk assessment system and can be granted for up to a period of 3 years for those premises which go well beyond the expected standards.

Licences which are issued for 2 or 3 years however will cost the same as one for a single year. Protective Services make every effort to ensure the licensing regime is cost neutral to the Council and provides best value for this small business sector. Moving from annual to 2 or 3 year licenses will result in a drop in income (annual income is currently circa £2,250), however, this will be manageable within service budget.

Legal & Risk Implications

The council has a legal duty to issue licences under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. The council also has a responsibility to investigate any breeders within the scope of the legislation who are operating without such a licence.

Impact Assessment

An Equality Impact Assessment (EqIA) is not necessary as the report does not propose a change to existing policies.

The Fairer Scotland Duty, which came into force on 1 April 2018, requires the Council to consider how it can reduce inequalities of outcomes caused by socioeconomic disadvantage when making strategic decisions. There are no negative impacts identified as part of this review as it will aim to protect and enhance health and wellbeing for all.

Officers of Environmental Health - Public Protection Team (PPT) have been in regular contact with the Scottish Government Animal Health Division over the last couple of years to clarify the requirements of the new regulations. Going forward Fife Council will engage with various partners to agree a collective approach to this issue.

The Head of Finance has also been consulted on the content of this report.

1.0 Background

- 1.1 A report was presented to [Environment & Protective Services subcommittee on 18th November 2021](#) which highlighted the challenges around dog breeding/illegal puppy farming. It also provided a background to the legislative framework covering the breeding of dogs and identified a few potential options for tackling the ongoing issue of unlicensed breeders.
- 1.2 At that committee it was agreed that an update be brought back to the committee within 12 months. Due to a Scotland wide review of animal health and welfare over the last year, the updated report has been delayed until now.
- 1.3 Work has been taking place at a national level to create a Scottish Veterinary Service (SVS), which was a commitment within the Scottish Government's manifesto. The project is ongoing and included within its scope, consideration on whether local authority statutory animal health and welfare enforcement services should transfer to the new SVS.
- 1.4 A Joint Local Authority Coordinating Group (JCG) was established to develop and represent local authority interests in the SVS Project and to represent COSLA view at the Project Board and governance groups; Fife Council was represented on the JCG and 2 of the Scottish Government governance groups. The JCG had carried out a significant amount of work to respond to this challenge, including liaison with SOLACE and COSLA.
- 1.5 A Gateway Review of the SVS project concluded that there were significant resource and time restraints which severely impacted on the ability of the Scottish Government to deliver the project. As a result, the Project Board met on the 25 January 2023 and agreed an action plan to mitigate these risks. One of the key decisions was to remove local authorities from the project scope, and therefore local authority functions will continue to be delivered by Scottish LAs. As a result, local authorities will no longer be represented on the SVS Project Board or other governance groups.
- 1.6 This is positive news and allays the risks and concerns to local authority services and to animal health and welfare staff. However, there remain challenges for local authorities to address in respect of adequately resourcing animal health and welfare enforcement, workforce planning, developing more consistency across local authorities on service delivery and partnership working with the new SVS.

2.0 Issues and Options

- 2.1 Fife Council chairs the local authority Working Group for animal activities licensing, which includes most of the Councils in Scotland and representatives from the Scottish Government (SG). The group was set up following implementation of the new licensing regulations and has formulated application forms and inspection paperwork which PPT now use.

- 2.2 Joint working with other Scottish local authorities and with SG has enabled a better understanding of the new powers and ensured a more consistent approach to regulation, providing a better service to the public and businesses.
- 2.3 Since September 2021 PPT has licensed:
- 12 dog breeders (two of which have not renewed this year)
 - 2 cat breeders
 - 3 Animal Welfare Establishments; and
 - 2 rehoming Establishments (with another inspection pending)
- 2.4 In terms of additional licensing requirements this equates to 4 premises (which would not have been regulated previously). With all new applications PPT contact the SSPCA area inspector to check for any intelligence, complaints or concerns relating to the premises which will be considered as part of the application process.
- 2.5 Unlike the old Pet Animals Act, the new Regulations allow PPT to regulate anyone who sells animals as a business from wherever they conduct that business. Many pet sales are now online and the handing over of animals is regularly done in public places such as car parks.
- 2.6 Under the new regulations anyone who sells a pet as a business, should be licensed. Therefore, if PPT received complaints of pet sales in Fife, officers can investigate. PPT use the HMRC guidance as the “business test”:
- [BIM20205 - Meaning of trade: badges of trade: summary - HMRC internal manual - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/bim20205-meaning-of-trade-badges-of-trade-summary-hmrc-internal-manual)
- However, the investigations are not straightforward and will be time intensive, particularly finding those traders that are online. Officers will engage and require licence applications when the appropriate business test is met. Public Protection Officers check internet sites and social media channels for individuals repeatedly offering litters of puppies. Such social media may include Gumtree, Facebook, Facebay etc. However recently, individuals often advertise under various alias and this monitoring is becoming increasingly more difficult to track.
- 2.7 Once pet sellers are licensed, the conditions ensure that:
- A suitable environment is provided for the animals
 - There is environmental enrichment
 - Animals sold are in good health
 - Adverts are controlled
 - Pet care advice is available
 - Any accessories are suitable for the animal
 - Staff are suitably trained
 - Information on the source of the animal is provided
 - Animals are sufficiently socialised and not sold too young and
 - Animals are sold on the premises
- A list of the current licensed premises is available online - [Animal Licences | Fife Council](#)
- 2.8 All complaints of dog breeding received by Public Protection are investigated. An assessment is then made whether they may come under the definition of a dog breeder (Breeding three or more litters of puppies in any 12 month period within the new Regulations). The Officer would then encourage the person to apply online for a licence. If they do not meet the threshold for a breeding licence, PPT will check whether they meet the definition of pet sellers (see above). PPT will do their best to ensure that all animals are sold or bred in appropriate conditions and good health and that consumers can have confidence in Fife based sellers.

- 2.9 The regulations allow for licenses lasting for 1, 2 or even 3 years. However, if PPT are to issue 3-year licences officers must demonstrate that the period is appropriate. To that end PPT (along with other Local Authorities) have created a risk rating matrix which is to be completed after every inspection. To be considered for a 3-year licence an applicant must demonstrate that they operate to a higher standards of animal welfare than is expected by the conditions.
- 2.10 PPT are currently rolling out these matrixes and carrying out the necessary risk assessments to check who can be offered these longer licences. As part of the roll out of these risk assessments, training is being provided to officers to ensure consistency of approach.
- 2.11 Fife Council is committed to ensuring good animal welfare and consumer confidence in any animal bought in Fife; to that end we are endeavouring to working in partnership with other relevant agencies; such as the Animal and Plant Health Agency (APHA), the SSPCA and Police Scotland.
- 2.12 It is important that the issues identified through the work undertaken on the SVS project are not discounted as this opens local authorities to further scrutiny in the future. The Joint SVS Local Authority Coordinating Group is developing an issues paper with the intention of taking this to the Scottish Local Authority Animal Health and Welfare Strategy Group for discussion and to develop an action plan. This requires the commitment of every local authority to ensure that animal health and welfare services are adequately resourced to, at least, meet the minimum service standards outlined in the [Scottish Animal Health and Welfare Framework Document](#) and commit to collaborative working to deliver the action plan.
- 2.13 As part of this workstream, Fife Council will be engaging with key partners to update and agree a Memorandum of Understanding, which will identify a set of common priorities and facilitate better information/intelligence sharing. It is recognised that organised crime is involved in puppy farming in Scotland and abroad. Therefore, working in partnership with Police Scotland and other key partners is essential to tackling this issue and prevent distress to animals and people alike.
- 2.14 A new consultation is expected to come out of the Scottish Government, Animal Health Division this Spring. The consultation will look to gather opinions on the expansion of the Animal Health Act into other areas of animal related activities. It is understood that dog walking and doggy day care are among the extra activities that the Animal Health Division may look to regulate.

3.0 Conclusions

- 3.1 The updated licensing system provides more robust regulation, however, further work is still required to develop opportunities for intelligence, enforcement, and prevention activity through partnership working.
- 3.2 There has been minimal impact on resources (loss in income/increase in workload) as a result of these regulatory changes and the new regime can be managed within existing workloads/budgets.
- 3.3 The issue of unregulated pet sales remains a challenge, particularly with the expansion of online social media trading platforms. Fife Council will continue to explore the ways the 2021 regulations can help tackle the problem of unregulated pet sales and will use the upcoming consultation as an opportunity to support wider measures to protect animal welfare in Scotland..

List of Appendices

None

Background Papers

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:

- [The Animal Welfare \(Licensing of Activities Involving Animals\) \(Scotland\) Regulations 2021](#)
- Local Authority Interim Guidance - The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021

Report Contact

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20 June 2023

Agenda Item No. 8

Environment, Transportation & Climate Change Scrutiny Committee Workplan

Report by: Eileen Rowand, Executive Director Finance & Corporate Services

Wards Affected: All

Purpose

This report supports the Committee's consideration of the workplan for future meetings of the Committee.

Recommendation(s)

It is recommended that the Committee review the workplan and that members come forward with suggestions for areas of scrutiny.

Resource Implications

Committee should consider the resource implication for Council staff of any request for future reports.

Legal & Risk Implications

Committee should consider seeking inclusion of future items on the workplan by prioritising those which have the biggest impact and those which seek to deal with the highest level of risk.

Impact Assessment

None required for this paper.

Consultation

The purpose of the paper is to support the Committee's discussion and therefore no consultation is necessary.

1.0 Background

- 1.1 Each Scrutiny Committee operates a workplan which contains items which fall under three broad headings: performance reporting, planning; and improvement work. These items will often lead to reactive rather than proactive scrutiny. Discussion on the workplan agenda item will afford members the opportunity to shape, as a committee, the agenda with future items of business it wishes to review in more detail.

2.0 Conclusions

- 2.1 The current workplan is included as Appendix one and should be reviewed by the committee to help inform scrutiny activity.

List of Appendices

1. Workplan

Background Papers

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:-

None

Report Contact

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Appendix

Environment, Transportation and Climate Change Scrutiny Committee

Forward Work Programme as of 12/06/2023 1/2

Environment, Transportation and Climate Change Scrutiny Committee of 12 September 2023			
Title	Service(s)	Contact(s)	Comments
Minute	Democratic Services	Elizabeth Mair	
Environment, Transportation & Climate Change Scrutiny Committee Forward Work Programme	Democratic Services	Elizabeth Mair	
Electric Vehicle Charging	Roads & Transportation	Susan Keenlyside	
Provisional Date - Sewage Overflows in Fife - Scottish Water Statement			

Environment, Transportation and Climate Change Scrutiny Committee of 28 November 2023			
Title	Service(s)	Contact(s)	Comments
Fife Council Biodiversity Duty Report 2021-2023	Communities	John Ford	3-yearly report, last reported 3/12/20.
Minute	Democratic Services	Elizabeth Mair	
Environment, Transportation & Climate Change Scrutiny Committee Forward Work Programme	Democratic Services	Elizabeth Mair	

Environment, Transportation and Climate Change Scrutiny Committee of 23 January 2024			
Title	Service(s)	Contact(s)	Comments
Minute	Democratic Services	Elizabeth Mair	
Environment, Transportation & Climate Change Scrutiny Committee Forward Work Programme	Democratic Services	Elizabeth Mair	

Appendix

Environment, Transportation and Climate Change Scrutiny Committee

Forward Work Programme as of 12/06/2023 2/2

Environment, Transportation and Climate Change Scrutiny Committee of 19 March 2024			
Title	Service(s)	Contact(s)	Comments
Minute	Democratic Services	Elizabeth Mair	
Environment, Transportation & Climate Change Scrutiny Committee Forward Work Programme	Democratic Services	Elizabeth Mair	

Environment, Transportation and Climate Change Scrutiny Committee of 28 May 2024			
Title	Service(s)	Contact(s)	Comments
Minute	Democratic Services	Elizabeth Mair	
Environment, Transportation & Climate Change Scrutiny Committee Forward Work Programme	Democratic Services	Elizabeth Mair	
Active Travel Strategy	Roads & Transportation	Susan Keenlyside, Allan Maclean	

Unallocated			
Title	Service(s)	Contact(s)	Comments
Kinnessburn, St Andrews Flood Study Update	Roads & Transportation	Michael Anderson, Rick Haynes	
Scotland's Proposed Deposit Return Scheme (Including Recycling Points Review)	Enterprise and Environment	Ross Spalding	
Management of Vacant Buildings - Report on Internal Audit Findings/Improvement Actions	Enterprise and Environment	Michael O'Gorman	Report on audit considered by Standards & Audit Committee on 2 March.