

4 April 2017

CITYFIBRE PENALISED BY THE SCOTTISH ROAD WORKS COMMISSIONER

The Scottish Road Works Commissioner has today issued a penalty of £35,000 to CityFibre Metro Networks Limited (CityFibre) following a number of serious failures to comply with road works legislation in Scotland.

Whilst the performance of utility companies is measured across the country, the offences occurred primarily in the Edinburgh area and included endangering road workers and the general public, non-compliance with the reinstatement specification, working without valid notification on the Scottish Road Works Register, a lack of qualifications and not co-operating with the City of Edinburgh Council.

The Commissioner has statutory powers to issue financial penalties up to a maximum £50,000 where a utility company, or a roads authority, demonstrates a systematic failure to comply with their statutory duties.

Angus Carmichael, Scottish Road Works Commissioner said:

“The performance of CityFibre has been monitored and scrutinised over the last year. Staff have also met with the company on two occasions. In addition to CityFibre’s annual performance review, performance reports have been issued on a quarterly basis and updated statistics were available to the company on the Register throughout the period in question for the company to monitor. Despite this, there had been no significant improvement in the performance of the company.”

“A particular incident in Edinburgh on 27 February 2017, which could have resulted in a fatality, further demonstrated CityFibre’s lack of compliance with road works legislation. The company has subsequently carried out an investigation into the incident, the findings of which confirm my conclusion that they have systematically failed to meet their statutory duty to co-operate under Section 119 of the New Roads and Street Works Act 1991. In view of their clear performance failures, I am left with no option other than to apply a financial penalty.”

“As the failures are of a very serious nature, compromising both safety and quality, I have decided to impose a significant penalty of £35,000 to send a clear message to all organisations undertaking road works that poor performance is unacceptable.”

“CityFibre has provided me with an Improvement Plan and confirmed that they are committed to improving their performance and complying with the legislation in future.”

NOTES FOR NEWS EDITORS

Angus Carmichael took up the post of Scottish Road Works Commissioner in September 2015 and has over 40 years' experience in this sector.

The post of Commissioner was established under the Transport (Scotland) Act 2005 to improve the planning, co-ordination and quality of road works throughout Scotland. The Commissioner monitors performance and promotes good practice across both utility companies and roads authorities (Councils for local roads and Transport Scotland for the trunk road network).

Contact:

Office of the Scottish Road Works Commissioner

Tel: 0131 244 9936

Email: enquiries@srwc.gsi.gov.uk