



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment, Regeneration and Streetscene Services Cabinet Board

Date - 28th October 2022

**Joint Report of
Head of Streetcare – M. Roberts and
Head of Engineering & Transport – D. W. Griffiths**

Matter for: Decision

Wards Affected: All Wards

National Underground Assets Register

Purpose of the Report:

To consider a request to join the UK Government sponsored Geospatial Commission's National Underground Assets Register Project.

Background:

Avoiding danger from underground services when undertaking excavation works is a key element in the preparation of a suitable safe system of working for any private operator, contractor and local authority.

In this regard, the Health and Safety Executive has produced the guidance document, 'HSG47 - Avoiding danger from underground services', which provides important information for planners and

operators alike in the formulation of control measures to minimize the risks when working over or near underground services.

One of the amenities available to scheme planners and operatives has been written in legislation which requires statutory undertakers, such as gas, electricity and telecom companies, to record the location of their apparatus in the highway. They are required to make this information available, free of charge, to any persons authorised to execute works of any description in the street.

The Council also keeps an inventory of highway assets, such as street lighting, drainage gullies, culverts, inspection chambers, highway bridges and structures. This information is held and maintained by the respective asset owner.

Presently, any persons requiring sight of known and existing underground services or highway assets would need to contact each service/asset owner in turn. For example, there are the following service & asset owners within this region alone:-

- National Grid (formerly Western Power Distribution) for electricity
- Wales & West Utilities for gas
- Dwr Cymru /Welsh Water for clean water and sewerage
- British Telecom for communications
- Virgin Media for communications
- Cable & Wireless Ltd for communications
- NPTCBC Bridges & Structures (roads and foot bridges, highway retaining walls)
- NPTCBC Drainage (highway drains/gullies & flood alleviation elements)
- NPTCBC Public Lighting (street lighting and illuminated signs etc.)

What is the benefit of joining the NUAR project?

The UK Government has tasked the Geospatial Commission to encourage all asset owners to sign up to a new digital platform, to standardise and streamline the search process, to store data on all underground assets, and to allow organisations to start 'digging in the ground' without delay.

It is claimed that the main benefits include:

- Access to underground asset data from all asset owners in their area of operation.
- Site planning - Improved planning processes and output for excavations.
- Safer digs - Enhanced operator ability to practice safe digging to avoid the assets (asset strike reductions).
- On-site efficiency improvements through real time access to underground asset data.
- Data exchange and back-office efficiency savings.

The national NUAR team argues that the platform will revolutionise the excavation of underground pipes and cables, with combined economic benefits estimated at £350M per year across the UK.

How does this impact NPT at local level?

Currently, the Streetworks Team are the main hub for distributing requests from clients and contractors wanting details of Council assets. The Bridges and Structures, Drainage and Public Lighting Sections each have their own template for responses. Commonly, each section provides a plan but the supporting text/disclaimer varies and is individual to the respective service area.

The NUAR team has a basic "shopping list" of data that local authorities may hold. From the table below, only the assets

highlighted in bold would currently be reliable enough to submit to a national database without additional resources for further data collection and maintenance.

Critical (potential risk to life)	Highly desirable (damage prevention)	Desirable
Illuminated signs	Gullies/culverts	Inspection Covers/Manholes
Traffic lights/signals	Conservation Areas	Access Chambers
Street lighting	Sustainable Urban Drainage Systems (SuDS)	Wildlife Corridors
EV charging points	Section 50s (NRSWA)	Brownfield Sites
Parking meters	Ducting	Archaeological sites
CCTV	Tree Preservation Orders (TPOs)	Historical sites
District Heating Systems	Highway Structures & Drainage	Section 58s (NRSWA)
Buried Cables		

Whilst there would not be any additional resource requirements to remain outside of the NUAR platform, on boarding to the NUAR venture, at any level, will require an element of additional effort for data maintenance and management.

Joining the project requires signing up to a Data Disclosure Agreement (DDA) as included in Appendix A and the requirements therein.

Should the Council wish to sign up to the project, either to provide the minimum data currently available or the full range of data ideally sought, key contacts within the council have to be identified as detailed below.

Key project roles include:

- NUAR Lead Contact (Champion): Single point of contact who understands NUAR and its capabilities and who has relevant inter-departmental knowledge of working within NPT.
- Senior Responsible Officer (Sponsor): Senior person who has the authority to make decisions if required on legal and operational aspects of NUAR.
- Data Lead - Person who has a working knowledge of NPT's data and can co-ordinate the packaging and delivery of data to the platform.
- Legal Lead - Person who can review and liaise on the necessary legal agreements.

In addition, there may be roles for Health and Safety and IT security representatives.

As a minimum, the above team would have to collect and validate the currently available datasets, notwithstanding any limitations, in terms of accuracy and ensure that any legal obligations are met.

Full engagement with NUAR

It is anticipated that the operational costs to collect, update and maintain an accurate inventory of council owned assets across the full range of datasets sought would require additional resources at an estimated cost of around £170,000 per year.

Such level of investment would ultimately be required to deliver the full ambitions of the project, as would be necessary to:

- Centralise asset inventory for multi-disciplined services across NPT
- Accurately collect and maintain inventories of new asset groups.

- Ensure the sustainable and repeatable delivery of data so that the platform is kept reliably up to date.

In such context it is considered that investment in a specialist in-house 'Geospatial Team' would be the best way forward, which would provide the Council with a resource to not only meet the demands of the NUAR Project but also to provide support and expertise in Geographic Information System (GIS) platforms, as used to create, manage, analyse and map geospatial information across the Environment and Regeneration Directorate.

A breakdown of the current cost estimate for additional resources for full engagement, excluding any pay award, is as follows:

<u>Roles</u>	<u>Grade</u>	<u>Costs</u>
1 x Senior Assistant (GIS)	8	£47,709
1 x Geospatial Assistant	6	£37,907
2 x Inventory Technicians	4	£57,786
3 x support vehicles	n/a	£15,000
IT services	n/a	£8,000
	<u>Total</u>	<u>£166,402</u>

Options

The Council therefore has the following options:

1. To not participate in the project or sign the Data Distribution Agreement, and continue with existing practices to provide infrastructure data outside of the NUAR project and platform. This option would result in NPTCBC being only one of two Local Authorities in Wales yet to sign up to the platform, and it would not be able to offer users the inclusive benefits of a progressive and collaborative platform.

2. To participate in the NUAR Project and sign the Data Distribution Agreement, restricted to providing the relevant currently available datasets, notwithstanding any limitations in terms of accuracy. This option would require allocation of project team roles to appropriate officers as set out above. Furthermore, to ensure that the data used by third parties regarding excavations is up to date on the remote NUAR platform, and help minimise any potential liability exposure on the council, it is anticipated that a 'Geospatial Assistant' at an estimated cost of £38,000 may be required in due course within the Highway Network Management Team.

3. The final option is to participate fully in the NUAR Project, sign the Data Distribution Agreement, and to invest circa £170,000 to put in place suitable resources to provide and maintain the whole range of data the project would ideally like covered by the digital data platform.

Financial Impacts

The NUAR Project and database is fully funded by UK Government until September 2024. NPT would have access to the full digital platform in March 2023 and so would have 18 months of free use before any potential charges are introduced. It is currently unclear whether there will be any future charges for Local Authorities to use the platform. The Geospatial Commission aim to reach a decision on any charges by the end of 2022.

Streetcare Services will have an increase in work further to the allocation of project roles and duties under the project agreement (the DDA) in association with the asset owners gathering, validating and uploading changes to the database. Project support can be provided and funded centrally by the project until September 2024, but beyond that any resource and financial implications will fall on the Council. The level of any ongoing resource implication and associated cost will

depend on the extent of the council's involvement in the NUAR project.

If the Council adopts a 'do minimum' approach as per option 2 above, it may result in a revenue pressure of £38,000.

If the Council adopts a 'full engagement' approach as per options 3, it would result in a revenue pressure of £170,000.

Integrated Impact Assessment:

A first stage impact screening assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, provided in Appendix B, has indicated that a more in-depth assessment is not required.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

Covered in the body of the report and financial implications

Legal Impacts:

The Council is not duty bound to join the NUAR. Up to this point, NPT have engaged with the Geospatial Commission at an exploratory level providing some sample data to examine integration with the emerging data platform. Given the absence of any operational use for any data provided in the exploratory stage there were have been no real issues with respect to liability and intellectual property rights.

The Data Distribution Agreement (DDA) is a long term data sharing agreement between NUAR and asset owners, setting out what each party is responsible for. The DDA is required to be signed by a UK Cabinet Office representative and a duly authorised representative of the asset owner (the Council in this case).

Should the Council decide to sign up to the DDA there will be a legal obligation to ensure that complete, accurate and timely data is available for the platform, as a minimum, to the same accuracy and currency as any data at present provided for 'safe digging' purposes, pursuant to existing statutory obligations (although an appropriate NPT specific data disclaimer would be submitted along with any data).

Mutual termination rights are provided within the DDA to allow any party to terminate the Agreement at any time by giving the other party thirty days' written notice. The most obvious consequence of an agreement termination is that NPT would immediately cease to have access to any data held within the NUAR platform.

Risk Management Impacts:

The overall success of this project relies upon all asset owners, including all Local Authorities, joining the platform via the Data Distribution Agreement. If the council does not engage in the new platform, service provision in terms of information would continue as is locally with individual asset owners.

If the Council does not participate in the project, given it is only one of two Local Authorities in Wales yet to sign up then there would be a risk of reputational damage.

Consultation:

There is no requirement for external consultation on this item.

Recommendations:

Having had due regard to the first stage Integrated Impact Assessment it is recommended that:

- The Council participates in the NUAR project and signs up the Data Distribution Agreement further to Option 2 in the report;
- The Director of Environment & Regeneration, in consultation with the Head of Legal and Democratic Services be authorised to sign the Data Distribution Agreement on behalf of the Council
- Should there be a revenue pressure arising from involvement in the project further to Option 2 then funding would need to be identified within the existing Environment & Regeneration budget should continuation be considered a priority.

Reasons for Proposed Decision:

To determine the response to a request to join UK Government's National Underground Assets Register Project.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period.

Appendices:

Appendix A – NUAR Data Distribution Agreement V1.1

Appendix B – Integrated Impact Assessment Screening Document

List of Background Papers:

HSG47 (Third edition, 2014) Avoiding danger from underground services. <https://www.hse.gov.uk/pubns/books/hsg47.htm>

UK GOV website - Key information on the National Underground Asset Register (NUAR), including the document 'NUAR In A Nutshell'. <https://www.gov.uk/guidance/national-underground-asset-register-nuar>

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