

UTLC Paper No. 3/2010
Monitoring and Control on UUs' Prolonged Delay in
Taking Responding and Rectification Actions
on Rejected Permanent Reinstatement Works

Purpose of the Paper

Subsequent to the discussion in the 80th UTLC meeting on 11 May 2010, HyD conducted a review on possible measures for tightening monitoring and control on UUs' prolonged delay in rectifying rejected reinstatement works as delineated in UTLC paper no. 1/2010. Based on the review results, this paper no. 3/2010 aims at introducing new statistics and excavation permit (XP) conditions to tighten monitoring and control on UUs' responding actions after their completion notices (CNs) submitted for the XP works have been rejected.

Background

2. To ensure that public roads are properly reinstated after affected by XP works, HyD carries out inspection upon receiving CNs from UUs. CNs will be rejected if HyD's inspection reveals that the reinstatement quality is unsatisfactory. Under the circumstances, UUs shall proceed with the rectification works as soon as possible. However, detailed review on cases of CN rejected revealed that some of the rectification works were unduly dragged on for a protracted period. Even though HyD had repeatedly urged the responsible UUs to complete the rectification soonest, there was no positive response for a number of cases.

Different Scenarios After Rejection of CNs

3. HyD's investigation reveals that after CNs are rejected by HyD, most of the UUs will take a positive and proactive approach to execute necessary rectifications if the relevant XPs have sufficient remaining time before expiry. Nevertheless, a small number of UUs may submit appeal on the rejection, while some others may need to apply for a rectification permit for the rectification works owing to the expiry of the original XP.

4. In a few extreme cases, there was no responding action at all for an extensive period of time after CN rejection.

Observation on Existing XP Conditions

5. Under the existing XP conditions, there is no stipulation on control of timing to take relevant action on carrying out rectification works for rejected CN. The unsatisfactory reinstatement may therefore be left unattended for an unduly long period of time.

Measures for Monitoring and Control

6. In order to improve the performance in responding to rejected CNs, statistics showing UUs' performance in this regard are proposed to be introduced for monitoring in the UTLC meeting. New XP conditions will also be proposed to ensure appropriate action be taken against prolonged delay in rectification works.

Monitoring Statistics

7. Taking account of the different scenarios after rejection of CNs as depicted in paragraphs 3 and 4, the following statistics are proposed for regular monitoring in UTLC:

- (i) statistics on appeals submitted by UUs for rejected CNs;
- (ii) statistics on applying for rectification permits by UUs for rejected CNs; and
- (iii) statistics on lack of responding action within a substantial period after CN rejection, say 0-3 months, 3-6 months and more than 6 months.

8. A possible format of the statistics is enclosed for reference.

XP Conditions

9. To ensure responding actions on rejected CNs are taken in a timely manner, new XP conditions will be formulated to specify that appropriate responding action has to be taken within **10** working days after CN rejection.

Way Forward

Monitoring Statistics

10. Starting from the next UTLC meeting, the statistics on UUs' performance in respect of responding actions after CN rejection will be incorporated in the performance statistics and presented for discussion.

11. The format of the new statistics will be circulated for comment before finalization.

XP Conditions

12. The draft XP Conditions to tighten up control on delay in responding actions for CN rejections will be circulated for comment in due course.

August 2010

Research and Development Division, Highways Department

Unanimous endorsement by UTLC members on 10 August 2010.