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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Changes to Street Works Qualifications

Changes to the Training and Accreditation of Street works
Operatives and Supervisors in Wales

Date of issue: 2 July 2018

Action required: Responses by 25 September 2018

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview The Welsh Government published the National Approach for Road Works and Street Works in Wales which set out our priorities for reviewing the management of road works and street works.

One of the key commitments is to review the training and qualifications of road workers to ensure the highest standards of training are maintained in Wales. The training and experience of road workers has a direct impact on the safety and management of road works and street works taking place on the road network.

This consultation document sets out an approach for significantly improving the training requirements and reviewing the regulations for training and accreditation.

How to respond The closing date for replies is **25 September 2018** You can reply in any of the following ways:

By Freepost to: Ben Beachell
Transport
Welsh Government
FREEPOST
Sarn Mynach
Llandudno Junction
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By email to: CymwysterauGwaithStryd.StreetWorksQualifications@gov.wales

Further information and related documents **Large print, Braille and alternative language versions of this document are available on request.**

<https://beta.gov.wales/national-approach-road-and-street-works>

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In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

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Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
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SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

e-mail:

Data.ProtectionOfficer@gov.wales

The National Approach for Road and Street Works in Wales

The Welsh Government released the National Approach for Road and Street Works in Wales in June 2016 to set out a programme for implementing improvements in Wales.

One of the key areas identified was the review of the existing training and accreditation arrangements in Wales.

Anyone working on the highway should be adequately qualified and competent to ensure the safety of both the workforce and the travelling public when carrying out road or street works. Under the New Roads and Street Works Act 1991, the installation, renewal, maintenance and inspection of underground apparatus in any street or road must be undertaken by trained and competent personnel.

Training and accreditation of street works operatives and supervisors is covered by section 67 of the New Roads and Street Works Act 1991 which imposes a duty on undertakers to ensure the execution of the works is supervised by a person having a prescribed qualification as a supervisor and there is on site at all times when any such works are in progress at least one person having a prescribed qualification as a trained operative, except in such cases as may be prescribed.

The Street Works (Qualifications of Supervisors and Operatives) Regulations 1992 (“the 1992 Regulations”) which make provision for the approval of bodies conferring qualifications (and the withdrawal of such approval), and the circumstances in which a qualification may be conferred (made under section 67 of the New Roads and Street Works Act 1991) apply in Wales.

The 1992 Regulations in relation to qualifications of operatives and supervisors were made in 1992 and were revoked and replaced in respect of England in 2009 and then amended in 2015¹. The 2009 English regulations were then subsequently revoked and replaced in 2016 by the Street Works (Qualifications of Operatives and Supervisors) (England) Regulations 2016. Scotland only regulations were originally made in 1992² and were revoked and replaced in by the Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017.

What are the main issues?

The training and accreditation process.

The structure and process for training and attaining accreditation is set out below.

There are four basic tiers in the training and accreditation hierarchy; Registration Body, Approved Body, Assessment Centre and Candidate. For the whole of the UK there is a single Registration Body, a few Approved Bodies, numerous Assessment Centres and thousands of Candidates.

¹ The Street Works (Qualifications of Supervisors and Operatives) (England) Regulations 2009, the Street Works (Qualifications of Supervisors and Operatives) (England) (Amendment) Regulations 2015

² Road Works (Qualifications of Supervisors and Operatives) (Scotland) Regulations 1992

Candidates can be trained as operatives, supervisors, or both. These proposals apply to both operatives and supervisors.

All assessment centres are approved by approved bodies that set training and assessment standards for assessment centres to comply with.

For operatives the 1992 Regulations prescribe 9 different Units of Competence (or training modules) and 5 qualifications. Each unit covers a specific activity and various combinations of the units go to make up the qualifications. For supervisors there are 8 Units of Competence and 5 qualifications.

A candidate wanting to gain certification in aspects of street works would attend an approved assessment centre for training in the units that make up that qualification. The candidate would then take their exams at the assessment centre.

If the candidate is successful the assessment centre asks the registration body to place his certificate of competence on the Street Works Qualifications Register and also informs the approved body of the result.

The approved body awards the certificate to the candidate and confirms to the registration body that this has been done.

The registration body then registers the certificate and issues the qualified operative or supervisor with a street works card showing the relevant qualification.

The certificate lasts for 5 years, after which time the candidate may register the certificate for further successive periods of 5 years provided an application for registration is made no later than three months after the expiry of the previous registration (regulation 9 of the 1992 Regulations).

Over the years the Department for Transport have introduced several changes to the qualifications system in England, which have implications for operatives and supervisors working across the UK. Transport Scotland has recently introduced changes which bring the qualification system in Scotland in line with England; therefore there is now a different qualification regime in respect of street works in Wales to that in England and Scotland. This means that qualifications which have been re-registered beyond their initial 5 year period in Wales are no longer recognised in England and Scotland.

The changes in England and Scotland are in 3 broad areas;

- 1) Removal of named Approved Bodies from the regulations in England and the commitment in Scotland to consider applications from any organisation wishing to be recognised as an Approved Organisation and simplification of the certificate awarding process;
- 2) The introduction of re-assessment;
- 3) Simplifying the structure of the qualifications.

What are we proposing?

Alignment with England and Scotland

The Welsh Government is consulting on whether amendments to the 1992 Regulations are required in relation to Wales. The power to amend or revoke and replace the 1992 Regulations is now exercisable by the Welsh Ministers in relation to Wales.

Aligning the regulations with England and Scotland may reduce the administrative burden on individuals, undertakers and contractors who operate across national boundaries. For example, if the regulatory framework is aligned operatives and supervisors qualified in Wales will be able to work in both England and Wales. This will benefit those operatives and supervisors who qualify in Wales and will enable utility companies to move their works teams around as workloads dictate thereby broadening the range for operatives and supervisors registered in Wales.

Utility companies operating in both England and Wales will be able to streamline their training programmes and administration of training certificates as they only have to comply with one system. It will also ensure that the Welsh training centres maintain parity with English and Scottish training centres and are able to offer the most up to date training programmes.

The Scottish Qualifications Authority will be able to rationalise its accreditation database by running a single system for England, Scotland and Wales.

Questions we are interested in hearing your views on:

Q1) Do you consider the regulatory framework in respect of street works qualifications in Wales should be aligned with the framework in England and Scotland?

Award and expiry of Certificates

Following a candidate successfully completing an assessment the registering body must be notified that a certificate has been issued confirming the candidate's success. This is done digitally and although the certificates should be issued to the candidate (regulation 3(1)(a) and 4(1)(a)) they are often issued to assessment centres who pass them on to the candidate or to third parties such as the candidate's employer. Although not strictly complying with the regulations this process is pragmatic and to date has not caused any issues. However, a review of the regulations allows us the opportunity to review this process.

Q2) Do you consider removing the requirement for an approved body to award certificates to candidates would simplify the process and create more flexibility in the way the registering body is notified?

To avoid delays arising from the administration process involved in registering certificates as described above, regulation 4(1) and 3(1) provides the operative and

supervisor respectively with a 2 month grace period after they have passed the exams in which they can work as a qualified operative or supervisor without the certificate being registered.

However, regulation 9(1) provides the certificate expires 5 years from registration, not from when the certificate was issued. Adding the 2 month grace period to this effectively allows the candidate to work as a qualified operative or supervisor for up to 5 years and 2 months on the original certificate which was intended to be valid for 5 years only.

Q3) Do you consider certificates should expire 5 years from the date the candidate was assessed as having passed the exams instead of "the date of registration"?

Approved bodies

Regulation 5(1) of the 1992 Regulations names the approved bodies for the purpose of issuing certificates of competence.

Pursuant to the Well-being of Future Generations (Wales) Act 2015 commitment to improve educational outcomes it is necessary to determine whether opening up the street works sector to other approved bodies will benefit Wales.

In order to maintain the standard of qualifications the Welsh Government will need to consider options around how applications from bodies hoping to become bodies approved for the purpose of issuing certificates of competence should be considered.

These options include a requirement for any application to be initially considered by the Welsh Government, who will consult with the Welsh HAUC (Highway Authorities and Utilities Committee) and the HAUC (UK) Training and Accreditation Working Group prior to being submitted to the Welsh Ministers for their decision on formal recognition, or for bodies to be formally recognised by Qualifications Wales for the purpose of issuing certificates of competence. Qualifications Wales is the regulator of non-degree qualifications in Wales.

Q4) Do you agree the market should be opened up so bodies other than those named in the 1992 regulations can act as approved bodies?

Reassessment

Street works operations require certain skills in order to meet both safety and technical requirements. The former ensures the appropriate layout of signing, lighting and guarding at street works for the benefit and safety of street workers and road users and the latter supports good quality working practices in excavation and reinstatements.

At present, the 1992 Regulations state an operative or supervisor has a prescribed qualification for a particular type of work if an approved body has issued them with a certificate of competence showing assessment by an approved assessment centre in the relevant unit(s) of competence. That certificate must be registered in the Street Works Qualifications Register (SWQR). This registration is valid for 5 years only.

Regulation 9 enables operatives and supervisors to register their certificates for successive periods of 5 years provided they submit their application for registration no later than three months after the expiry of the previous registration with an appropriate re-registration fee. However, there is no requirement for the candidates to demonstrate their knowledge or assess their competency in order to remain registered.

In England a system of re-assessment has been operational since 2009 and requires trained operatives and supervisors who wish to re-register their qualifications having to carry out a re-assessment of these qualifications. This is intended to ensure trained operatives and supervisors have maintained their skills to the required standards, and are aware of changes implemented since they were last assessed.

Currently this requirement does not apply in Wales. As a result operatives and supervisors with certificates re-registered in Wales are not accepted in England, or Scotland, as they have not undertaken the re-assessment process.

Reassessment is intended to drive up standards of safety and operational works compliance of work on the highway. If introduced in Wales it will also remove the barriers for operatives and supervisors wishing to work in England and Scotland and may therefore reduce administrative burdens on employers who work in England, Wales and Scotland.

There will be an associated cost to the employer for reassessment and any associated training. However, it is recognised within Wales the utility companies currently employ refresher training programmes for the operatives and supervisors they employ.

Q5a) Do you consider reassessment should be introduced in Wales?

Q5b) Do you consider the existing training is robust in ensuring standards are maintained?

Q5c) Do you consider the introduction of a formal re-accreditation process in Wales would drive up standards of safety and operational works compliance?

Re-registration

In considering if reassessment should be introduced in Wales it is also necessary to look in detail at the process of re-registration.

The introduction of reassessment would mean once the certificate of competence has reached its expiry date the operative or supervisor is no longer qualified to work as a trained operative or supervisor. If this is introduced in Wales, operatives and supervisors will need to programme their re-registration to allow time for reassessment.

In order to make it easier for operatives and supervisors to programme this it is proposed, if reassessment is introduced, that applications for renewal by reassessment should be able to be made any time after the certificate of competence is issued or renewal certificate is re-registered.

Re-registration in the successive renewal window (within 12 months of expiry)

Whilst registration can be renewed at any time, in practice it is likely most candidates will choose to renew their registrations just prior to the expiry date so as not to lose any duration on their registration. To facilitate this registrations renewed within 12 months of expiry of the previous certificate issued (successive renewal window) will last for 5 years after the expiry date of the previous registration so there is no loss of duration by renewing before the expiry date.

Early re-registration (more than 12 months before expiry)

As discussed above candidates may re-register up to 12 months before the expiry date with no loss of certificate duration. However, as an operative or supervisor has progressed through their career they will likely have acquired different certificates at different times and these will lead to various renewal dates as each certificate reaches its 5 year expiry date. Therefore, it may be in the interests of the operative and supervisor to have all their certificates expiring at around the same time. Early re-registration would enable candidates to reassess their various certificates at the same time with attendance at an assessment centre only once in every 5 years. Similarly, the street works card would only need to be replaced once every 5 years.

It is proposed where a candidate re-registers during the first 12 months of the registration of their certificates, the registration period of the new certificate will be 5 years from the date on which the candidate is reassessed as competent. Where a candidate re-registers earlier than 12 months before expiry but no earlier than 48 months, the registration period of the new certificate will be 6 years from when the candidate is assessed as competent.

Unlike re-registration within the successive renewal window, early re-registration may involve intentionally sacrificing some of the unexpired life of the original certificate, in order to achieve this alignment of expiry dates. An operative or supervisor who wants to renew a number of certificates with differing expiry dates could choose to be reassessed in the more recently acquired certificates earlier than the actual expiry date so that all the renewed certificates expire at around the same time.

In order to minimise the instances of losing duration on certificates, for any premature reassessment the renewed certificate would run for 6 years from the time of successful reassessment, the maximum time allowed above. Over the longer term this would enable the candidates to co-ordinate their reassessments more effectively, by successively renewing certificates early until all the certificate expiry times coincided.

Q6) Do you agree with the principle of allowing for re-registration within the successive renewal window and early re-registration of certificates in order to allow time for reassessment and to facilitate coordinating renewals effectively?

Re-registration after the expiry date

Currently, regulation 9(2) states certificates may be re-registered (without reassessment) for further successive periods of five years provided an application for

registration is received by the registration body no later than three months after the expiry of the previous registration.

There is anecdotal evidence this is being misinterpreted by operatives and supervisors, who continue to work on the highway unaware they are no longer qualified to work on the highway as a trained operative or supervisor after expiry of their certificate, viewing this window as a 'grace period'. In order to address this it we are proposing to provide greater clarity in respect of re-registration windows and the expiry of certificates.

Under the 1992 Regulations there is no provision for re-registration beyond the 3 month period after the expiry of the previous registration. Anyone missing this 3 month deadline must sit the full assessment process again at an approved assessment centre and obtain new certificates of competence.

However, because re-assessment ensures and verifies the operative or supervisor has the required knowledge to work on the highway it is proposed if re-assessment is introduced the candidates will be permitted to renew their registration by re-assessment up to 5 years after the expiry of the previous registration.

A candidate failing to pass the reassessment would still have the option of undertaking the full assessment process. However, allowing this option for re-registration would be a more cost effective and less time consuming method for candidates whose certificates expired within the preceding 5 years or who may be returning to street works after a short break, whilst still ensuring the required level of competence is met. The renewal certificate would run for 5 years from the successful date of reassessment.

Q7a) Do you agree with the principle of removing the 3 month period for re-registration after expiry?

Q7b) Do you agree with the principle of allowing operatives and supervisors whose certificate of competence expired to renew by reassessment up to five years after expiry?

Assessment and reassessment exams

The purpose of the original assessment of competency and subsequent reassessments are to ensure operatives and supervisors have the required level of competency to carry out their tasks safely and in accordance with the specifications and regulations. We propose the duration of a certificate renewed by resitting the original exams would be treated in the same way as one renewed by reassessment. This would ensure any candidate who opts to take the more rigorous original exam would not be disadvantaged compared to a candidate who renewed via reassessment.

Q8) Do you agree the duration of a certificate renewed by resitting the original exams should be treated in the same way as one renewed by reassessment?

Restructuring Qualifications

The existing system of certificates and units is complex and where reassessment has been introduced in England and Scotland, it has highlighted difficulties when certificates require renewal.

Each qualification comprises at least three units of competence, two of which are common to all - unit 1 Location and avoidance of underground apparatus (L&A), and unit 2 Signing, Lighting and Guarding. Units 1 and 2 are the two key safety related units for operatives involved in works that require breaking up the street.

This duplication of units was mainly intended to ensure that whichever certificate from Numbers 1 to 5 was held, the operative would have to be trained in the key units 1 and 2. While that objective was achieved, this arrangement has the potential to cause confusion when applied along with a system of re-registration by reassessment and may allow candidates to renew duplicated units without being reassessed in them which goes against the principle of ensuring operatives and supervisors have up to date qualifications.

The structure of the units and certificates has been changed in England and Scotland and new certificates issued to operatives and supervisors. Therefore, we are considering whether the existing system of prescribed qualifications still operating in Wales could benefit from the same simplification, particularly if re-assessment is introduced.

The current system is based on 9 Units of Competence (see schedule 1) and 5 Certificates of Competence (see schedule 2) for operatives and 8 Units of Competence (see schedule 3) and 5 Certificates of Competence (see schedule 4) for supervisors. Each unit covers a particular aspect of street works activity and each certificate is made up of one or more units. The Table below is derived from schedules 1, 2, 3 and 4 to the 1992 Regulations and shows the relationship between units and certificates.

Units and certificates of competence for operatives	
No.	Units of Competence (from Schedule 1 to SI 1992 No 1687 the Street Works (Qualifications of Supervisors and Operatives) Regulations 1992)
1	Location and avoidance of underground apparatus
2	Signing, lighting and guarding
3	Excavation in the highway
4	Reinstatement and compaction of backfill materials
5	Reinstatement of sub-base and roadbase in non-bituminous materials
6	Reinstatement in cold-lay bituminous materials
7	Reinstatement in hot-lay bituminous materials
8	Reinstatement of concrete slabs
9	Reinstatement of modular surfaces and concrete footways

No.	Certificates of Competence (from Schedule 2)	Units required
1	Excavation in the highway	1, 2, 3
2	Excavation, backfilling and reinstatement of construction layers with a cold-lay bituminous surface	1, 2, 3, 4, 5, 6
3	Reinstatement of construction layers in hot-lay and cold-lay bituminous materials	1, 2, 6, 7
4	Reinstatement of concrete slabs	1, 2, 8
5	Reinstatement of modular surfaces and concrete footways	1, 2, 9

Units and certificates of competence for supervisors

No.	Units of Competence (from Schedule 3 to SI 1992 No 1687 the Street Works (Qualifications of Supervisors and Operatives) Regulations 1992)	
1	Location and avoidance of underground apparatus	
10	Monitoring signing, lighting and guarding	
11	Monitoring excavation in the highway	
12	Monitoring reinstatement and compaction of backfill materials	
13	Monitoring reinstatement of sub-base and roadbase in non-bituminous materials	
14	Monitoring reinstatement in bituminous materials	
15	Monitoring reinstatement in concrete slabs	
16	Monitoring reinstatement of modular surfaces and concrete footways	
No.	Certificates of Competence (from Schedule 4)	Units required
1	Monitoring excavation in the highway	1, 10, 11
2	Monitoring excavation, backfilling and reinstatement of construction layers with a cold-lay bituminous surface	1, 10, 11, 12, 13, 14
3	Monitoring reinstatement of construction layers in bituminous materials	1, 10, 14
4	Monitoring reinstatement of concrete slabs	1, 10, 15
5	Monitoring reinstatement of modular surfaces and concrete footways	1, 10, 16

Each certificate comprises at least three units, two of which (unit 1: location and avoidance of underground apparatus and unit 2: signing, lighting and guarding) are common to all. Units 1 and 2 are the two key safety related units for operatives involved in works which require breaking up the street.

This ensures for all works which involve breaking up the street, the operative or supervisor is trained in units 1 and 2. However, the prescribed combinations mean there is considerable duplication of units among the certificates. For example, if an operative with Excavation in the highway (units 1, 2 and 3) adds Reinstatement of concrete slabs (units 1, 2, and 8) four years later, the operative only needs units 8 because they already have units 1 and 2 from the previous certificate. As the added certificate lasts for 5 years, units 1 and 2 have been artificially extended (without

reassessment) by four years to last the lifetime of the added certificate. This goes against the principles of reassessment by allowing candidates to renew duplicated units without being reassessed in them.

The structure of the units and certificates has been changed in England and Scotland with new certificates issued to operatives and supervisors. For this reason, and to maintain consistency with the other regions using the Street Works Qualification Register it is necessary to consider whether the existing system of prescribed qualifications in Wales could benefit from the same simplification, particularly if re-assessment is introduced.

This new system introduced in England and Scotland removes all unit duplication by introducing certificates that correspond to a single unit. The content of each certificate is therefore unique. In effect, each of the nine current units is a certificate in its own right.

In dispensing with unit duplication, it is necessary to ensure that operatives and supervisors are always trained in the key units. To this end, it is proposed the holding of certificates in 1 (location and avoidance of underground apparatus) and 2 (signing, lighting and guarding) would be a requirement for any other certificate to be valid. If either of these certificates expires, the other certificates would all become temporarily invalid until the expired key certificates are renewed. This mirrors the position in England and Scotland.

Currently, an operative or supervisor whose actions only involve opening the street such as meter reading, lifting inspection covers, etc. needs no certificate other than unit 2. It is proposed that this would remain the case.

Reference No.	Proposed new Qualifications for Operatives
O1	Signing, lighting and guarding
O2	Location and avoidance of underground apparatus
O3	Excavation in the highway
O4	Reinstatement and compaction of backfill materials
O5	Reinstatement of sub-base and base in non-bituminous materials
O6	Reinstatement in cold-lay bituminous materials
O7	Reinstatement in hot-lay bituminous materials
O8	Reinstatement of concrete slabs
O9	Reinstatement of modular surfaces and concrete footways

Reference No.	Proposed new Qualifications for Supervisors
S1	Monitoring signing, lighting and guarding
S2	Monitoring location and avoidance of underground apparatus
S3	Monitoring excavation in the highway
S4	Monitoring reinstatement and compaction of backfill materials
S5	Monitoring reinstatement of sub-base and base in non-bituminous materials
S6	Monitoring reinstatement in bituminous materials
S7	Monitoring reinstatement of concrete slabs

S8	Monitoring reinstatement of modular surfaces and concrete footways
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Note; the proposed new certificates of competence for operatives are numbered O1, O2, etc. where 'O' indicates that it is an operative's certificate. The proposed new certificates of competence for supervisors are numbered S1, S2, etc. where 'S' indicates that it is a supervisor's certificate. Each one is based on the existing units of competence and will be numbered like for like with the exception of Location and avoidance of underground apparatus and Signing, lighting and guarding which will swap over. This is because Signing, lighting and guarding is the minimum requirement for a qualified operative or supervisor and should therefore come first.

Example: An operative with expiring certificates in Excavation in the highway and Reinstatement in hot-lay and cold-lay bituminous materials wishing to be reassessed will need to be reassessed in new certificates in O1, O2, O3, O6 and O7 (previously units 1, 2, 3, 6 and 7). They will not have to renew or retake certificates in O1 and O2 to add further certificates; O1 and O2 would simply need to remain in date.

A certificate which has been renewed via reassessment will have the same status as an original certificate. In practical terms there is no difference; the original and reassessment certificates allow operatives and supervisors to carry out and supervise exactly the same work. However, consideration will also be given to whether the street works card will be annotated to identify certificates renewed by reassessment.

As the utility companies in Wales also work in England and Scotland we need to investigate whether there are benefits in ensuring consistency by introducing these changes and whether the proposed changes will provide improvements for Wales.

Q9a) Do you consider Wales should introduce a new qualification system which corresponds with the system in England and Scotland?

Q9b) Do you consider introducing a new qualification system which corresponds with the system in England and Scotland has benefits for Wales?

Q9c) Do you agree introducing new certificates which correspond to a single unit will prevent the duplication of units and simplify the qualifications process?

It should be noted if the proposed changes are made, it is proposed the current content of the units of competence would remain, so whilst the order of training might alter slightly, training materials would remain largely unchanged, and the new certificates would be fully compatible with existing units and hence, existing certificates. During the transition, operatives should be able to seamlessly transfer to the new certificates as their old ones expire.

Summary of how the proposed new certificates will relate to existing units			
Operatives		Supervisors	
New certificate	Existing unit	New certificate	Existing unit
O1	Unit 2	S1	Unit 10
O2	Unit 1	S2	Unit 1

O3	Unit 3	S3	Unit 11
O4	Unit 4	S4	Unit 12
O5	Unit 5	S5	Unit 13
O6	Unit 6	S6	Unit 14
O7	Unit 7	S7	Unit 15
O8	Unit 8	S8	Unit 16
O9	Unit 9		

Note: 'roadbase' has been changed to 'base' in line with current terminology.

Fire and Rescue Services Exemption

In the past there has been some confusion over the applicability (and the appropriateness) of the 1992 Regulations with regard to the Fire and Rescue Services (FRS) when they are carrying out hydrant checks in the street, but not breaking up the street, or any sewer, drain or tunnel under it or tunnelling or boring under the street. To remove any doubt, it is proposed to explicitly exempt the FRS from having to comply with the 1992 Regulations as amended or any new regulations which revoke and replace the 1992 Regulations for carrying out this action.

Q10) Do you agree with the exemption of fire and rescue services from the requirement to have one trained operative on site where works do not involve breaking up the road or any sewer, drain or tunnel under it, or tunnelling or boring under the road?