

**IMPLEMENTATION OF MEASURES REGARDING THE ISSUE  
AND RESPONSE TO IMPROVEMENT NOTICES**

**GUIDELINES FOR THE ISSUE OF IMPROVEMENT NOTICES**

1. A standard should be introduced whereby Undertakers are regularly provided with an appropriate level of information as stipulated in section 7.2 of the Code of Practice. This will enable them to monitor their own performance. It is essential that all parties have confidence in the statistics produced.
2. Before the issue and/or publication of regular reports referred to above, agreement must be reached with each Undertaker with regard to the statistics contained in the report and in particular the number of agreed defects for the period in question.
3. Defects included in any Improvement Notice calculation should be confined to specification non-compliances found during sample inspections and cannot include signing and guarding inadequacies or defects found during investigatory inspections. However Section 5.3 of the Code of Practice for Inspections does make provision for the reporting of inadequate signing and guarding and this should be done when appropriate.
4. Improvement Notices can be based on any three month period. However to be consistent it is proposed that the 'reckoning' periods will be each 3 month quarter of the normal financial year i.e. January to March etc. It is recommended that any notice should be served within one month of the end of the quarter in question.
5. As circumstances may vary, it would not be appropriate to use a 'standard Notice and so provided that all of the relevant facts such as the period during which inspections took place, number of sample inspections, number of defects found and the percentage of defects against inspections are included, then a notice in the form of a letter will suffice.
6. Once it has been decided to issue an Improvement Notice, it should be sent to the Chairperson/Managing Director of the company concerned with copies issued to the appropriate County HAUC representative, SEJUG representative and SEHAUC Secretary.
7. Upon receipt of an Improvement Notice, the Undertaker should make an initial response or acknowledgement within two weeks. Within one month of receipt an action plan must be submitted to the Street Authority providing an indication of the Undertakers proposed rate of improvement and the methods by which this will be achieved.
8. The actual rate of improvement will continue to be monitored by the Street Authority and if this rate falls significantly below the proposed level then it may be appropriate to serve a further Improvement Notice. As a last resort, legal action may be necessary.

**Cross Reference Information:**

NRSWA 1991 Section SEHAUC SPECIFIC

Code of Practice ALL

Regulations ALL

SEHAUC Meeting: 14<sup>TH</sup> JUNE 1996

**Signed**

Chairman Vice-Chairman

This item is registered under the SEHAUC administration reference:

SE/SPE / 039 Secretary Date 24/11/97

**SOUTH EAST HIGHWAY AUTHORITIES & UTILITIES COMMITTEE**