



**HAUC (UK)**

HIGHWAY AUTHORITIES & UTILITIES COMMITTEE

**Advice Note No. 2015/01**

**HAUC (UK) Constitution (Revised for 2015)**

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**14<sup>th</sup> May 2015**



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## **HAUC (UK) Constitution 2015**

### **1. INTRODUCTION**

HAUC(UK) currently comprises highway and road authorities represented by the Joint Authorities Group (UK) (JAG(UK)), utilities and their contractors represented by the National Joint Utilities Group Ltd (NJUG), as well as the Highways Agency, Network Rail, the Department for Transport, Scottish, Welsh and Northern Ireland Government representatives and Joint Chairs from national and regional HAUCs/ RAUCs, HAUC(UK) Working Groups and GeoPlace representing the National Street Gazetteer (NSG).

Members of the Group have made a commitment to work together within HAUC(UK) and with Regional HAUCs, NIRAUC, Welsh HAUC and RAUC(Scotland) colleagues to develop and deliver a more effective organisation that supports the road and street works community in delivering for the public interest.

### **2. PURPOSE**

- To assist and advise national governments in the development of legislation, regulations, codes of practice and performance measures in the street and road works industry.
- To provide a strategic governance body in support of the four National HAUCs / RAUCs (HAUC England, NIRAUC, RAUC(Scotland) and Welsh HAUC).
- To support National HAUCs/RAUCs in developing policies and processes to assist co-ordinating resources to maximise joint working.
- To explore areas of common interest and lead on developing strategies by bringing experts together for the common good promoting common understanding and good practice throughout the UK.
- To assist the National HAUCs/RAUCs in the gathering of data to support performance analysis and developing coordinated strategies to explore betterment and ways to improve performance and to develop and deliver policies that help the industry deliver enhanced performance along with reduced disruption and congestion.
- To seek out and share best practice and develop ways to expand best practice across National HAUCs/RAUCs maximising the use of existing practices for the benefit of all.

- To build and maintain respect by maximising the approachability of both HAUC(UK) and its officers.
- To foster a positive culture across the industry through championing excellence and best practice.
- To develop performance standards and measure success through all available methods including performance management protocols.
- To add value to the community by seeking to prioritise strategic business plan outcomes and channelling resources to the maximum benefit
- To support individual countries with their own priorities by the provision of expert advice and guidance and to produce advice and guidance to the industry on the interpretation and practical appliance of legislation
- To mediate on conflict seeking common outcomes in light of different legislative requirements and to reconcile differences through discussion, help, advice and arbitration
- Improve the effectiveness and timeliness of two-way communication within the industry at appropriate senior and management level especially with regional HAUC and Area RAUC members

### **3. VISION**

- HAUC(UK) – To act as one voice delivering excellence in road and street works.
- To be a united UK-wide organisation promoting trust and fostering honest dialogue across the industry.
- To be a partner with UK governments in leading the transformation of the road and street works industry to consistently improve performance.
- To work with UK and devolved governments with a view to maximising the skills and time of people involved so that HAUC(UK) acts as a driving force – producing guidance; resolving issues; promoting good practice.

### **4. HAUC(UK) GOVERNANCE**

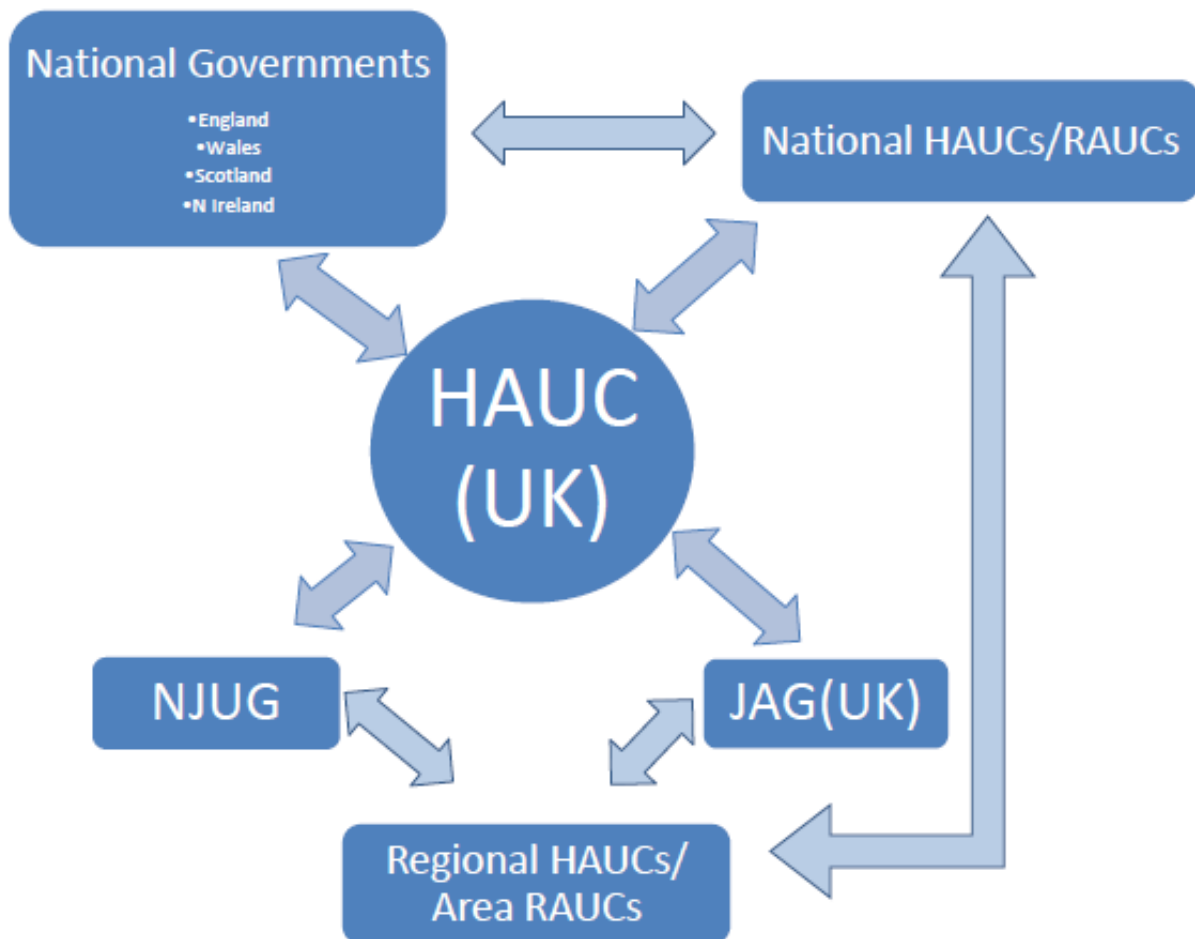
England, Northern Ireland, Scotland and Wales are equally represented within HAUC(UK) to ensure equal consideration of, and support for, their respective

government policies and priorities. To achieve this HAUC(UK) will support the wider HAUC community with a more inclusive membership and with better communication and input from and to National HAUCs / RAUCs and their respective working groups and regional / area representatives.

JAG(UK) and NJUG will joint chair HAUC(UK).

## 5. HAUC(UK) STRUCTURE

The structure below indicates the relationship between HAUC(UK) and its members.



## 6. HAUC(UK) MEMBERSHIP

HAUC(UK) Joint Chairs

HAUC(UK) Secretariat

Welsh Government

Welsh HAUC Chairs

Scottish Road Works Commissioner / Government

RAUC(Scotland) Chairs

NIRAUC Chairs

Department for Regional Development Northern Ireland

HAUC England Chairs

Department for Transport

JAG(UK) Chair

NJUG Chief Executive

HAUC(UK) will meet three times per year, or as required.

Respective National HAUCs/RAUCs will input key strategic areas for debate into HAUC(UK) and also communicate and discuss within their respective jurisdictions, draft strategies and policies developed by HAUC(UK) taking into account their respective national policies and legal framework.

National HAUCs will also debate issues, develop and deliver good practice and highlight areas of concern or national success for HAUC(UK) to review. HAUC(UK) will strive to make the most of its attendees' time by making HAUC(UK) meetings more beneficial and getting to the core of issues and initiatives and making positive decisions in a timely and effective way. The overall vision and purpose of HAUC(UK) remains unchanged.

## **7. REPRESENTATION.**

Representation from highway authorities will be authorised by JAG(UK) in accordance with its constitution. Where an authority has a formal contracting out order with a third party, that third party may represent the authority at meetings or on working groups.

Representation from utilities will be authorised by NJUG in accordance with its company articles and rules.

Independent consultants not working for JAG(UK) or NJUG members will not be permitted to sit on any working group or attend any meeting without the express permission of HAUC(UK). In such circumstances the independent consultant may be required to sign a confidentiality agreement to negate the risk of commercial advantage.

## **8. WORKING GROUPS**

Each national HAUC / RAUC will continue to have its own working groups to strive towards achieving the HAUC(UK) Vision and involving other national HAUCs / RAUCs as required.

Each national HAUC / RAUC is expected to authorise working groups to develop advice notes and guidance. Advice notes will be devised using the HAUC(UK) guidance note in Annex B. Depending on the nature of the advice note each devolved government can set its own priorities within the HAUC / RAUC community.

HAUC(UK) working groups will be established by exception for UK wide governance only e.g. Safety code of practice. All HAUC(UK) and national Advice Notes will be publicised on the HAUC(UK) web site.

## **9. HAUC(UK) BOARD SECRETARIAT**

The HAUC(UK) Board Secretariat will:

- Provide administrative support to all meetings and functions of HAUC(UK).
- Provide and maintain the HAUC(UK) web site.
- Provide advice and guidance to the highway / road authority and utility members of HAUC(UK) on street and road works legislation and policy issues.
- Liaise with the UK Governments and members of HAUC / RAUC working groups ensuring that a common policy and strategy related to the HAUC(UK) Business Plan is established and communicated.
- Provide routes to guidance to practitioners on primary legislation, its regulations and associated codes of practice and related legislation whether in force or proposed.
- Provide a forum for matters of common interest within the street and road works community.
- Liaise with the National, Regional JAG / JUG and joint Regional HAUC / Area RAUC(S) representatives groups.

## **10. HAUC(UK) OBJECTIVES**

Working closely with respective national governments and HAUCs / RAUCs, HAUC(UK) aims to:

- Deliver a strategic vision to inspire and secure support from the road and street works sector to deliver reduced disruption and enhanced quality of works.
- Deliver effective advice and support to the English, Northern Ireland, Scottish and Welsh Governments in respect of street and road works
- Provide meaningful guidance / advice to members and develop policy and procedures to meet the current and future needs of the road and street works sector.
- Ensure that HAUC(UK) continues to provide expertise to ensure the development of balanced and workable regulations, guidance and codes of practice and to positively promote good practice and support voluntary measures to ensure consistent high standards in the delivery of road and street works.

## **11. HAUC(UK)**

HAUC(UK) and the new HAUC England and the existing other national HUACs / RAUCs replaces the old HAUC(UK) structure and meetings, with each national HAUC / RAUC having the time to focus on and address those issues of most importance to them whilst having recourse to national dialogue, debate and expertise through input into and from HAUC(UK).

HAUC(UK) is committed to delivering a more effective cohesive contribution to stakeholder objectives, whilst representing the road and street works sector to ensure public policy decision makers understand and take into account the common and differing needs of HAUC(UK) members. The HAUC(UK) structure is designed to ensure local, regional and national issues are fed effectively up and down a coherent chain of communication so that HAUC(UK) can better represent the road and street works industry. HAUC(UK) will provide expertise to ensure the development of balanced and workable regulations, guidance and codes of practice, and will positively promote good practice and support voluntary measures to ensure consistent high standards in the delivery of road and street works.

## **12. OBJECTIVES FOR THE HAUC COMMUNITY**

- To drive improved performance of road and street works by promoting good practice and supporting innovation in ways to reduce disruption, mitigate adverse environmental impacts and improve safety, sustainability and quality of all works.
- Explore how best to harness our wealth of expertise.



- To celebrate and publicise successes and to represent the road and street works industry to widen understanding and ensure that industry makes an effective contribution to public policy development.
- To work constructively with governments to create a positive and joined-up industry without the need for onerous regulation.
- To deliver, where necessary, timely, effective and consistent input to, and interpretation of, legislation, associated regulations, codes of practice and guidance that balances the needs of all.
- To strengthen the relationship and communications across the HAUC community.
- To minimise the number of formal disputes through informal mediation, discussion and advice, but where necessary to provide a timely and effective dispute resolution service to deal with disputes that do arise.
- To develop a Business Plan and programme of activities to deliver the above Vision and Objectives

### **13. DISPUTE RESOLUTION**

It is HAUC(UK)'s intention to ensure the advice and guidance available to the HAUC community is sufficiently robust to enable agreement on its operation and implementation to be reached at local level. Street and road authorities and utilities should always try to resolve disputes without having to refer them to a formal appeals procedure. This could, for instance, be achieved by referring the issue to management.

Each country will have its own protocol for dealing with disputes but HAUC(UK) should be referred to if the matter is deemed particularly complex or of UK importance. HAUC(UK) offers an informal and formal option for resolving disputes.

#### **Informal:**

The HAUC(UK) joint chairs will mediate to try and informally resolve disputes relating to road and street works issues that cannot be resolved elsewhere. The parties involved should submit a request for informal mediation to the HAUC(UK) Secretariat. The HAUC(UK) joint chairs may discuss the issue with the respective national HAUC / RAUC in the first instance to better understand the national viewpoint.

#### **Formal:**

If a formal resolution is required, the national HAUC / RAUC should apply to the HAUC (UK) Secretariat for the matter to be resolved. A review panel of four





persons (two utilities and two street / road authorities) will review the dispute. One of the four persons will be appointed as Chair of the panel by the HAUC (UK) joint chairs. Each party must agree to accept the advice given by the review panel as binding prior to HAUC(UK) reviewing the dispute.

For both informal and formal disputes each party must make available all financial, technical and other information relevant to the matter in dispute. The review would normally take place within one month from the date of referral to the HAUC (UK) Secretariat.

**End of Document**

## **ANNEX A**

### **ENGLISH HAUC**

As discussed at the last HAUC(UK) meeting on 23rd July 2013 the creation of an English HAUC (HAUC England) is proposed, to sit alongside Welsh HAUC, and Scottish and Northern Ireland RAUCs.

HAUC(UK) will assist in establishing HAUC England and its Terms of Reference in discussion with NJUG and JAG(UK) colleagues.

Similar to the other national bodies it is suggested that the new HAUC England comprises:

- Regional Joint Chairs (one per region as a minimum)
- Active Working Group Chairs (one per group as a minimum)
- Department for Transport
- Highways Agency
- Network Rail
- National Traffic Managers Forum
- Local Government Association
- NSG
- JAG(UK) Chair (or Vice Chair if the JAG(UK) is already a Regional HAUC Chair as currently) and the NJUG CEO.

Additionally, as per Welsh HAUC and RAUC(Scotland) and NIRAUC it is suggested that there be an open invitation to the HAUC(UK) Joint Chairs to attend.



**Note:**

Currently GeoPlace attend Welsh HAUC and HAUC(UK) and it is suggested that it would be beneficial for them to attend the new HAUC England too.

HAUC(UK) Joint Chairs and / or Joint Secretariat will endeavour to attend all National HAUCs / RAUC(S) meetings whenever possible to ensure good understanding and communications.

**Process for responding to queries in respect to Codes of Practice and HAUC(UK)Advice Notes**

Issue: 2

Date: 15<sup>th</sup> November 2013

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**Procedural Activities Flowchart.**

No	Activit				Comments
1.	HAUC(UK) Secretariat receives and logs query.  Query passed to HAUC(UK) Chairs.	Query received by HAUC(UK) Secretariat and logged	Query raised by the SW Community regarding CoPs and ANs		Any query regarding CoPs and ANs to be sent to the HAUC(UK) Secretariat. This includes any queries that have been raised directly with respective Working Groups (WGs).
2.		HAUC(UK) Chairs receive query and decide who should respond			
3.		Query passed to relevant WG Joint Chairs for draft response			Where the AN has been introduced by specific individual out with any WG, then the query should be passed to this person in this.
4.		Draft response prepared and returned to HAUC(UK) Chairs	Draft response amended		4 week discussion period (max)
5.		Response meets with HAUC(UK)			
6.		HAUC(UK) Secretariat responds to person raising query			1 week issuing period.
		Query and response published on HAUC(UK) Website			The response may need wider circulation. HAUC(UK) Chairs to decide on method for wider publication

## **ANNEX C**

### **OUTSTANDING CHALLENGES**

1. The current HAUC(UK) organisation relies on co-operation and constructive dialogue. HAUC(UK) Advice notes are designed to provide clear technical guidance to the road and street works community. Inevitably with differing governmental priorities and road / street environments across the regions there is sometimes a requirement to adapt guidance to ensure it is fit for purpose for these regions. Going forward for the HAUC community to be more effective, the sector will generally need to find a way of clarifying national and regional guidance and having a hierarchy of signatories to establish agreed policies and guidance following full and extensive consultation/dialogue
2. Explore ways in which meetings can be held using video conference from regional centres.
3. In addition to the formal national HAUC / RAUC Dispute Resolution processes it is suggested that the members of HAUC(UK) could more often provide informal mediation between parties, with a view to reach an acceptable compromise to all.
4. Given a number of personnel changes within the HAUC(UK) community, and also taking into account the new emphasis, it is suggested that a community-wide review of HAUC(UK) and national working groups is considered at an early stage.
5. Clearly effective two way communications will remain key to delivering a successful outcome for the HAUC community and more importantly the public we all serve. Issues that are still to be worked through in more detail are likely to include;
  - a) Interaction between UK-wide and national working groups
  - b) Cascading of good practice and major legislative/ regulatory changes e.g. Safety Code, Diversionary Works
  - c) Effective communications leading to enhanced performance regionally, nationally and UK-wide.