

AGREED WORKING PROCEDURES



Dispute Resolution Advice Note

Cross Reference Information:

NRSWA 1991	:	99
Code of Practice	:	Co-ordination / SEHAUC SPECIFIC
Regulations	:	N/A
SEHAUC Meeting:	:	17 th March 2006

Signed:

R J Beaney Chairman

R Williams Vice-Chairman

This item is registered under the SEHAUC administration reference:

SE/ 99 / 042

R C Clarke Secretary

Date 17/03/2006

SEHAUC Dispute Resolution

Introduction

The code of practice for the co-ordination of Street works and works for road purposes and related matters third edition contains a chapter which is focused upon dispute resolution, SEHAUC proposes to introduce an agreed working procedure for dispute resolution in accordance with 11.3.1. The purpose of this document is not to usurp section 11 of the code but to outline the process that will be followed in the region.

It is to be encouraged that all avenues of resolution be explored before requesting a review from Sehauc.

A Dispute Resolution panel will consist of 2 permanent members, those being the chairs of South East Joint Utilities Group and South East Highways Group, or their recorded replacements, to ensure consistency and robustness of decision making and an appointed representative from SEJUG and SEHG making a total of 4 panellists.

All members of SEHAUC are eligible to sit upon the panel unless they opt out of the process.

Either party of the dispute can ask for a review by the SEHAUC Dispute Resolution Panel and upon notification, the permanent members will appoint the additional panellists. The two permanent members may consider objections to the appointed panellists but the final decision is theirs.

In accordance with the cop the panel will meet the dispute parties within 5 days or at an agreed date with the dispute parties.

Both parties will be given the opportunity to present their case and call representatives as necessary. Following discussions and debates the result of the review will be given at the earliest opportunity and confirmed in writing to all parties.

The dispute resolution panel will record the review on appendix 1 Dispute Resolution Report and this will be held on record by Sehauc. A précis of the review will be reported to the next Sehauc meeting.

A record of the reviews undertaken by Sehauc will be posted on the Sehauc web site consisting of:

Reference Number

Date of Review

Parties involved

Section / Area of Dispute.

All review reports will be available upon request to SEHAUC members. Report requests from outside of SEHAUC will require agreement from the Sehauc chair and vice chair for release.

In cases of continued dispute the issue is to be escalated to HAUC (UK) in accordance with 11.3.2 of the cop.

Upon escalation to HAUC (UK) the SEHAUC review report will be forwarded to the appointed panel chair.

If the matter is considered to be too complex to be dealt with by the SEHAUC panel, then the matter will be referred to HAUC UK dispute resolution panel in accordance with the procedure set out in 11.3.2.

Appendix 1:- SEHAUC Dispute Resolution report.

End of Document.

SEHAUC Dispute Resolution Report

Date:	Reference No:
Description of area of Dispute:	
Parties in Dispute	
Panel Members	
Report:	
Decision:	
Signed: Panel Chair Parties in Dispute	