

## **BEST PRACTICE GUIDE 1**

### **The Use of Internal Fixed Penalties within South Lanarkshire Council**

#### **Background**

Following the introduction by South Lanarkshire Council (SLC) of external fixed penalty notices in April 2009, it was agreed by the Roads Management Team (RMT) that their own in house performance would also be monitored to ensure that they operated as efficiently and effectively as possible within their road network. As such, an agenda item has now been tabled at the RMT meeting that covers their performance in relation to the requirements of the Transport (Scotland) Act 2005.

All officers involved in the planning and execution of works on roads have now been made aware of duties in relation to noticing through two team briefings. All new officers who enter the Roads Service are identified and given the same team briefing. In addition, regular feedback is given to officers involved in the execution of works on roads and their team leaders.

It was also discussed with risk and insurance colleagues that access would be given to check works in relation to damage or personal injury claims as a result of any excavation works undertaken by South Lanarkshire Council.

Performance development records are undertaken on a 6 monthly basis, and now have the key work objective of ensuring noticing compliance for all officers executing works on roads.

Following a dip in performance during period December 2009 – January 2010, the RMT set up a monitoring system, similar to that in place for utility companies that involved an internal fixed penalty system. This procedure was undertaken to improve the quality of noticing within South Lanarkshire Council. This arrangement also provided a direct financial incentive for improved performance.

#### **In House Performance Monitoring**

SLC currently run a monthly report on late notices and compare this against the quarterly information that is entered onto the Scottish Road Works Register. Weekly checks are made against the Programme of Intent which is a programme created on the Thursday of each week which details the proposed up and coming work for the following week. This is issued both externally and internally, to Councillors and the emergency services and ensures that any work that is planned has the correct notice periods and timescales entered. Urgent and emergency works are dealt with on a day to day basis by the depot responsible

Performance is broken down for each individual officer and reported via a MS Excel spreadsheet. The report contains a list of late notices which are reported as a percentage of the notices sent. In the unlikely event that works are unnoticed and discovered during an ad hoc inspection, a penalty is applied in much the same way as with a utility company. The outstanding item is then added to the SRWR retrospectively which flags the appropriate number of late notices against the responsible officer.

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### Internal Fixed Penalty System

The initial report produced showed only late notices vs. sent notices against an officer's name. It has now been further developed and a column highlights what **'equivalent fixed penalties'** apply to late notices. The standard penalty amount (£120) and offence types as applied to utility companies are used.

A financial adjustment is made to each area operations trading account with the best performers receiving the adjusted monies. No monies actually leave the operations budget, an internal transfer is undertaken.

### Results

Since the introduction of this system, performance has improved and increased focus has been placed on noticing requirements. The last remnant of the 'it's my road' mentality has also been swept away, and the importance of noticing has been heightened. Individual officers are now more conversant with requirements and the inclusion of this as a key work objective will assist in meeting longer term objectives.

**This Best Practice Guide is based on a paper produced by Martin Polland, the Transport (Scotland) Act 2005 Advisor within South Lanarkshire Council.**

**The Commissioner publishes Best Practice Guides as a way of putting into the public domain what he considers to be best practice in the co-ordination, planning and management of works in roads.**

**November 2010**