

Enforcement policy for Highways England

Aggregate Industries Consultation Response

7. Do you agree with our indicative scale of fines set out in Chapter 5 of the policy and our expectation that fines imposed on Highways England will generally be set at a level to have a reputational as opposed to punitive impact?

We agree that the level of fines should be set at a level to have a reputational as opposed to punitive impact. We believe, however, that other methods of enforcement may be more productive in ensuring the timeliness and cost of delivering the RIS remains on course.

We believe that there is a danger inherent in the imposition of fines of any size in the case of a project delay or postponement causing the entirety of the RIS to consequently be pushed back, with reduced funds to deliver. Not only this, but unforeseen delays can reduce the confidence in the scheme from businesses, who are less likely to bid for later stages in the process.

Rather than a monetary fine, a mandatory commitment to deliver stacked phases of the RIS may present both a suitable discouragement ahead of contraventions and an achievable, cost effective method of maintaining timetabled commitments.