

**IMPLEMENTATION OF THE TRAFFIC MANAGEMENT ACT AND NETWORK MANAGEMENT DUTY****REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION****Strategic Priorities: Attractive and Inclusive City and Prosperous City  
Corporate Performance Objectives CI01****1.0 Why has the report come to the Committee**

1.1 The purpose of this report is to inform the Review Committee of the progress made in complying with the Network Management Duty as detailed in the Traffic Management Act 2004.

**2.0 Current Position**

2.1 Making the best use of our current highway network is important for both economic vitality and society in general. Highways facilitate the transport of people and goods, provide access to services and businesses and other destinations as well as provide a cornerstone for physical regeneration. In addition under and over the highway is the utility infrastructure that underpins our modern society.

2.2 The provision of additional road space is often impractical and undesirable. In most cases the local road network is a finite resource with legitimate competing pressures from those that use it. These needs need to be managed effectively.

2.3 Road users have differing requirements and expectations. Reliable journey times are important to the majority of users. In addition to this are the needs of the Local Traffic Authorities (LTAs) and Utility Companies to occupy the road to maintain and upgrade their infrastructure for the benefit of its customers.

2.4 Clearly potential conflicts need to be carefully handled and a co-ordinated proactive approach is necessary to manage the network.

2.5 The council is responsible for over 1200 km of road and 2500km of footways and footpaths and has at its disposal a range of duties and powers under the Highways Act 1980, principally covering the structure of the network; the New Roads and Streetworks Act 1991 governs utility company activity and the Road Traffic Act 1984 provides the legal framework to regulate the activities of the road user.

2.6 In 2004 the introduction of the Traffic Management Act (TMA) added to these powers and made it a requirement that all local authorities, as LTAs were to undertake the "Network Management Duty" for its highways.

2.7 In addition to the above there is a requirement for all LTAs to appoint a "Traffic Manager" to perform the tasks that an authority considers necessary to

meet the Network Management Duty. This post is one of only four Council Officers required by statute. In February 2005 Cabinet approved the appointment of the Director of Development and Regeneration to this role. Through the Director's scheme of delegation this role is now undertaken on his behalf by the Head of Transport and Engineering.

### **3.0 Network Management Duty**

3.1 Part 2 of the TMA sets down two key objectives for LTAs to achieve which relate to:

(i) securing the expeditious movement of traffic on the authority's road network; and

(ii) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

The Act is specific in stating that the term "traffic" includes pedestrians and therefore requires the LTA to consider the movement of all road users; pedestrians and cyclists as well as motorised vehicles.

3.2 The overall aim of the "expeditious movement of traffic" implies a network that is working efficiently without unnecessary delay to those travelling on it. But the duty is also qualified in terms of practicability and other responsibilities of the authority. This means that the duty is placed alongside all the other things that an authority has to consider, and it does not take precedence. So, for example, securing the expeditious movement of vehicles should not be at the expense of an authority's road safety objectives. But, the statutory duty reflects the importance placed on making best use of existing road space for the benefit of all road users.

3.3 Road users do not generally view the road network as divided between local authorities. They use the network as a whole, irrespective of who is responsible. Under the duty, not only does an authority need to consider its own network, but also the effects of its actions on the networks of others. This is to prevent either results being achieved by moving the problem elsewhere, or conflicting policies causing problems across administrative boundaries. But more positively, it is to achieve the best operation of the network as a whole, especially in conurbations where networks of adjacent authorities can be highly inter-related.

3.4 So, under the duty local traffic authorities have to take account of the needs of all road users, take action to minimise, prevent or deal with problems, and consider the implications of decisions for both their network and that of others. Inevitably, choices will have to be made and priorities set, both within network management and within the authority's wider activities. The duty, and the objective embedded in it, provides a framework within which those decisions are taken.

3.5 Should the authority fail to properly perform the duty, the TMA contains powers enabling the Secretary of State to take intervention action, including appointing an external Traffic Director and supporting staff at the authority's cost. The former Comprehensive Performance Assessment process included intervention as a performance indicator however although not specified in the new basket of indicators in the Comprehensive Area Assessment, an intervention would seriously damage the council's reputation and direction of travel.

#### **4.0 Development of the Network Management Plan**

4.1 In response to the requirements outlined above the council has been developing a Network Management Plan (NMP). Whilst there is no statutory requirement to develop a NMP, it is considered best practice and sets out the processes that the Council will employ to meet the duty. Its adoption demonstrates high level commitment to the duty and provides both a framework for consultation with stakeholders and a performance monitoring regime to drive improvement.

4.2 A Network Management Plan template, which followed the guidance set down by the Department for Transport, has been developed by the North of England Traffic Managers Group (NETMG), and an initial draft is now nearing completion, which following further development work will be issued for consultation. The following objectives have been adopted regionally and have been derived from the TMA intervention criteria.

Objective 1 – to consider the needs of all road users

Objective 2 – to co-ordinate and plan works and known events

Objective 3 – to gather information and provide information needs

Objective 4 – to develop contingency plans for managing incidents

Objective 5 – to effectively monitor and manage traffic growth

Objective 6 – to consult and involve stakeholders and other interested parties.

Objective 7 – to ensure parity with others

4.2 The Plan will also highlight the key transport corridors across the city that generally carries the highest volumes of traffic and are therefore designated as traffic sensitive for the purposes of planning and coordinating road works activities.

4.3 The draft Network Management Plan document will cover the following key elements:

- **Section 1.** *Introduction, objectives and purpose of the Plan;*

This section of the Plan will summarize the local setting, the composition of the local highway network and the Council's ambitious plans for regenerating the area. It outlines the background to the Traffic Management Act and the purpose of the Plan.

- **Section 2.** *Context, local, regional and national requirements;*

In this section, the document will outline the connections between the Government's legislative framework and the joint working arrangements that have been developed both at a regional, sub-regional and local level to develop this framework document.

- **Section 3.** *Arrangements for Network Management Duty*; the operational responsibilities, organisation structure;

This is a key element of the Framework Document and it will set out the Council's responsibility for Network Management and how the Council is aligning its systems and procedures to reinforce the co-ordination and planning of all street works related activities undertaken on the highway networks.

- **Section 4.** *Performing the Network Management Duty*; road user needs, co-ordination, systems and procedures;

This section of the Plan will be formulated specifically to address the intervention criteria that will be applied by the Government should they choose to audit the council's response to the duty.

Key elements for relate to the Network Hierarchy, which will be designated into RED, and AMBER routes at the request of the Department for Transport. These routes have been designated by a detailed analysis of traffic flows and traffic types. The main bus routes and key freight routes are included in the key classification of the hierarchy.

The Committee will be aware that the road works planned for our highways network are available on the Council's website together with weekly update bulletins

**Section 5.** Performance and Review; satisfying Department for Transport performance requirements;

The Council and its Partners are currently developing the performance management framework for the Plan in collaboration with the Department for Transport.

**Appendices** – key contacts, organisational structure, performance indicators, traffic sensitive routes etc.

Appendices will set out the key contacts of the Councils and its Partners with regard to the planning and co-ordination of street works associated with the Duty and the wider implications of the Traffic Management Act.

They will also detail the organisational structure, performance indicators, traffic sensitive routes and information on the most important transport corridors.

- 4.5 The Plan will also set out, amongst other things, how the Council will go about Influencing stakeholders and service managers to ensure that congestion and

disruption is minimised as far as is practicably possible.

- 4.6 Under the new national performance framework, a performance indicator (NI 167) has been developed to directly measure how well authorities are performing in meeting their network management duties. Our performance on this indicator, which measures the average journey time per mile during the morning peak, will be regularly updated and reported through the Council's quarterly performance reporting processes.

## **5.0 NEXT STEPS**

- 5.1 In order to finalise the NMP it is intended that an extensive consultation is undertaken with key stakeholders. It is proposed that the draft NMP is consulted on over a 6 month period through the following engagement process prior to submitting a final Network Management Plan to Cabinet.

- The formal consultation with utility companies, LTP partners and the police, fire and ambulance services.
- The draft Plan will be placed on the Council's website.
- The residents' panel will be consulted via a summary document and questionnaire.
- Copies of the draft Plan will be placed in all of Council libraries for inspection.
- A summary of the document along with a questionnaire will be produced for Sunrise.
- All members will be invited to comment on the full draft Plan, and supplied with the summary document and questionnaire.

Comments made as part of the consultation process will be considered and if appropriate taken into account in the development of the final Network Management Plan, which will be submitted to Cabinet for approval later this year.

## **6.0 Recommendations**

- 6.1 It is recommended that the committee note the contents of the report and support the consultation process for the Network Management Plan.

## **7.0 Background Papers**

Traffic Management Act 2004: Network Management Duty Guidance  
Report to Cabinet 16<sup>th</sup> February 2005