

## **Cabinet – 26 October 2016**

### **Traffic Management Act 2004 Network Management Duty Plan 2016 – 2019**

**Portfolio:** Councillor Lee Jeavons (Deputy Leader) – Regeneration

**Service:** Planning, Engineering and Transportation

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Summary**

- 1.1 The Traffic Management Act 2004 places a network management duty on the Council in its capacity as a local traffic authority (LTA). The duty requires that roads are kept clear of unnecessary obstruction with traffic moving efficiently. The duty further requires the Council to facilitate the movement of traffic on road networks for which another authority is the traffic authority.
- 1.2 The existing arrangements in place to discharge these duties need to be revised to reflect the impacts of the Combined Authority transport strategy and the Black Country urban traffic control shared service arrangements.
- 1.3 The network management duty plan details the arrangements proposed to continue discharging the network management duty.

#### **2. Recommendations**

- 2.1 That Cabinet approve the network management duty plan.
- 2.2 That Cabinet authorise the Executive Director Economy and Environment in consultation with the Portfolio Holder for Regeneration to make any necessary changes to the plan throughout its life.

#### **3. Report detail**

- 3.1 The Traffic Management Act 2004 requires that a Traffic Manager be appointed to perform the tasks that an authority considers necessary to discharge the network management duty. This is a statutory post and all local traffic authorities must have such an appointed person.

The key outcome for the authority is that it will Need to deliver a co-ordinated, planned, and effective response to the network management duty across the whole organisation, and to ensure that agreed actions are implemented. The Council has assigned these duties to the Head of Planning, Engineering and Transportation post.

3.2 The LTA has to consider the needs of all road users, including utility companies, when carrying out its network management duty. The LTA has to manage the road space for everyone, and make decisions about trade-offs between competing demands according to its policies and the particular circumstances of the part of the network being considered.

3.3 Traffic Management Act 2004, Network Management Duty Guidance produced by the Department for Transport, details the broad principles of network management and good practice advice on techniques and approach expected to be delivered by a competent LTA.

- A whole authority approach
- Working with partners and stakeholders
- Managing works in the street
- Information gathering and dissemination
- Identifying and managing different road types
- Monitoring the road network
- Identifying locations where regular congestion occurs
- Co-ordination and direction of works
- Dealing with planned events
- Management of incidents
- Making the best use of technology
- Managing parking and other traffic regulation
- Enforcing road traffic regulation
- Accommodating essential service traffic
- Regular reviews of the network
- Consultation and engagement with stakeholders
- Provision of travel information to road users and the community

The network management duty plan details Walsall's approach to the delivery of these requirements.

3.4 The network management duty is a specific duty placed on all LTA's and brings a requirement to coordinate and facilitate traffic movements between the local road network and the trunk and motorway networks managed by Highways England. This is of particular importance to Walsall given its proximity to the motorway network where the need for daily dialogue with Highways England is paramount. Given the significance, the operational protocols in place with Highways England feature heavily in the network management duty plan.

- 3.5 The network management duty plan has been revised to reflect the impact of the Combined Authority and Devolution transportation plans, where a key route network of the most strategically important regional roads has been defined. The management of this road network will continue to be undertaken at the local level but initially under the direction of Transport for West Midlands and ultimately under the direction of the directly elected Mayor in 2017 should the regional devolution plans proceed as anticipated.
- 3.6 The Black Country shared urban traffic control arrangements bring a local, sub regional improvement in the operation of the road network. The network management duty plan now reflects the changes in operational practice associated with a major control centre managing and coordinating the operation of traffic signals across Walsall, Wolverhampton, Dudley and Sandwell.
- 3.7 Assessment of compliance against the network management duty is undertaken by the Department for Transport on a regional basis and historically through the review of Local Transport Plans. To date only one assessment has been carried out and Walsall along with the remaining West Midlands Metropolitan Authorities received the highest rating, with an excellent assessment rating being awarded. No specific timescales have been advised for future assessment however the revisions to the network management duty plan are designed to continue delivering the high level performance expected by all users of the road network.

#### **4. Council priorities**

- 4.1 The provision of an efficient road network will support business to thrive and supporting local people into work. Reductions in traffic congestion will assist in improving air quality bringing health and wellbeing benefits for residents and visitors to Walsall.

#### **5. Risk management**

- 5.1 Failure to adequately discharge the requirements of the network management duty could result in the local traffic authority being classed as a failing traffic authority and resulting in direct government intervention.

#### **6. Financial implications**

- 6.1 Delivery of the network management duty requirements will be undertaken within existing budget allocations.
- 6.2 Failure to adequately discharge the requirements of the network management duty, could result in the Secretary of State making an intervention order appointing a traffic director to intervene in activities of the Council deemed necessary to discharge the network management duty. The costs of such intervention would have to be met by the Council.

## **7. Legal implications**

- 7.1 Chapter 18, Part 2, Section 16 of the Traffic Management Act 2004 details the following principal requirements on traffic authorities:
- “It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as is reasonably practicable having regard to their other obligations, policies and objectives, the following objectives –
- (a) securing the expeditious movement of traffic on the authority’s road network; and
  - (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.”
- 7.2 Traffic Management Act 2004 - Network Management Duty Guidance, details the activities expected to be undertaken by a competent local traffic authority in the discharge of the network management duty.
- 7.3 The Traffic Management (Guidance on Intervention Criteria) (England) Order 2007 details the process that will be followed by the Secretary of State to determine if the local traffic authorities arrangements are adequate to discharge the network management duty. The order details the sanctions that will be applied where it is determined that the local traffic authority is failing in its duty.

## **8. Property implications**

- 8.1 None as a result of this report

## **9. Health and wellbeing implications**

- 9.1 None as a result of this report

## **10. Staffing implications**

- 10.1 None as a result of this report

## **11. Equality implications**

- 11.1 None as a result of this report

## **12. Consultation**

- 12.1 This report has been discussed with Finance and Legal services whose comments have been considered and incorporated where appropriate.

## **Background papers**

Traffic Management Act 2004, Network Management Duty Guidance

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A handwritten signature in blue ink, appearing to be 'SN' with a long horizontal stroke extending to the right.

Simon Nielson  
Executive Director

A handwritten signature in black ink, appearing to be 'LJ' with a large loop and a long horizontal stroke extending to the right.

Councillor L Jeavons (Deputy Leader)  
Portfolio Holder Regeneration