

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

19 JUNE 2008

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Regeneration and Transport - Lead Cabinet Member - Councillor R Cook

NETWORK MANAGEMENT PLAN

1. Summary

The Traffic Management Act 2004 introduced a Network Management Duty on local traffic authorities. Section 16 of the Act sets out the requirement of the new duty as follows; "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."

Whilst there is no statutory requirement to develop a Network Management Plan, it sets out the processes that the Council employs to meet the Council's duty and will be assessed by Government Office North East as part of the Local Transport Plan Progress Report later this year. It also demonstrates high level commitment to the duty and provides both a framework for consultation with stakeholders and a performance monitoring regime to drive improvement.

2. Recommendations

Recommended that

- (i) Members endorse the draft Network Management Plan as a basis for consultation with key stakeholders.
- (ii) Members authorise the Corporate Director for Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration and Transport, to approve any changes to the Plan arising from the consultation process prior to submission to GO-NE in December 2008.

3. Reasons for the Recommendations/Decision(s)

The Council now has a statutory duty under the Traffic Management Act 2004 to secure the expeditious movement of traffic on its highway network.

The Government has also put in place powers of intervention if it considers that the Council is not performing this duty satisfactorily.

The Network Management Plan outlines how the Council intends to fulfil this new obligation and forms the basis of its submission to GO-NE later this year as part of the Council's Local Transport Plan Progress Report. Demonstration of the Council's commitment to the strategy contained in the Plan is essential to the submission.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held –

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

AGENDA ITEM

REPORT TO CABINET

19 JUNE 2008

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

NETWORK MANAGEMENT PLAN

SUMMARY

In September 2005, Cabinet received a report on the implications of the Traffic Management Act 2004. In particular, Members noted the potential for intervention by the Secretary of State if it was considered that the Council was failing to adequately perform its statutory Network Management Duty. Subsequently, the Department for Transport issued its Intervention Criteria in 2007 under which the Council's performance will be assessed.

The Traffic Management Act introduced a Network Management Duty on local traffic authorities. Section 16 of the Act sets out the requirement of the new duty as follows;

"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."

Whilst there is no statutory requirement to develop a Network Management Plan, it sets out the processes that the Council employs to meet the Council's duty and will be assessed by Government Office North East as part of the Local Transport Plan Progress Report later this year. It also demonstrates high level commitment to the duty and provides both a framework for consultation with stakeholders and a performance monitoring regime to drive improvement.

The Network Management Plan, if approved, will be used to consult with key stakeholders and further enhancements arising from the consultation and the current Scrutiny process will be incorporated in the document over the forthcoming months. It will demonstrate the Council's commitment to its Network Management Duty and will form the basis of a submission as part of the Council's Local Transport Plan Progress Report that will be submitted to the Department for Transport before the end of 2008.

RECOMMENDATIONS

Recommended that

- (i) Members endorse the draft Network Management Plan as a basis for consultation with key stakeholders.

- (ii) Members authorise the Corporate Director for Development and Neighbourhood Services, in consultation with the Cabinet Member for Regeneration and Transport, to approve any changes to the Plan arising from the consultation process prior to submission to GO-NE in December 2008.

DETAIL

Development of the Network Management Plan

1. Members should be aware that the Council already has systems in place to control the impact of traffic and road works on the efficient operation of the highway network and is largely successful in that respect. Examples would include the establishment of a traffic sensitive route network; annual processing of 20,000 notices relating to public utility and road works in the Borough and monthly co-ordination meetings to mitigate the impact of these works.
2. However, the Council now has a statutory network management duty, under Part 2 of the Traffic Management Act 2004, to secure the expeditious movement of traffic on their highway network and to facilitate the duty of their neighbouring organisations responsible for traffic movements. How the Council performs its network management duty across the whole organisation is outlined in the Network Management Plan which will form the basis for assessment by the Government Office North East on how well it is discharging its duty. The current draft of the Network Management Plan can be found on the Intranet and a hard copy is available in the Members' Library.
3. The Plan has been prepared in collaboration with the Council's Regional Partners and pays particular regard to the Government's Intervention Criteria. The Plan demonstrates a high level of commitment from the Council, which will lead to improved network management policy and network performance in our area.
4. It is predicted that congestion will increase in future years and that the demands for travel from those who live or work in our Borough will also rise. In addition, the Council's aspirations for regeneration will create further pressures on existing infrastructure. Accordingly, the Council and its partners will need to skilfully manage this demand for travel and this is reflected in the strategies outlined in the 5-year Local Transport Plan 2006-11.
5. In the future, the additional duties and powers which will be made available through the new legislation, set out in the Traffic Management Act, will contribute to the Council's service priorities set out in the Sustainable Community Strategy and Council Plan and will be reflected in adjustments to the Network Management Plan once they are enacted by the Government.

The Network Management Duty

6. This is an important new duty for the Council to "*secure the expeditious movement of traffic on their network*" and is now in effect. At a strategic level, this is helping reinforce existing links between transport policy, highways operations and service provisions, whilst balancing the needs of vehicle movement with the needs of other road users, e.g. pedestrians, buses, cyclists, the disabled and freight movements. The Council has also had to appoint a Traffic Manager to provide a strategic overview and to be responsible for undertaking this duty on behalf of the Council and to report on performance to the Department for Transport.
7. In April 2007, the Government also put in place legislation that empowers their Inspectors to intervene in a Council's operations if it is proved that that Council is not performing its Network Management Duty satisfactorily. This process will be assessed against published intervention criteria, for the first time, by late 2008, as part of the Local Transport Plan Progress Report submission. This Plan will form the basis of the submission to Government.

8. One of the key approaches to helping people to keep moving will be to make best use of the Council's existing highway network by ensuring that congestion and disruption is minimised by better planning and co-ordinating all street works that occur in our Borough.

The Network Management Plan

9. This report outlines the key elements of the Council's first Network Management Plan and seeks endorsement of the principles outlined in the document. The Plan is intended to set out the processes that the Council employs to meet the Council's duty under Traffic Management Act. The draft Plan has been produced from a common template agreed with our partner Traffic Authorities in the North East region. Section 4 of the document is set out in a format that more easily evidences that the requirements set out in the Department for Transport's new 'Intervention Criteria' published last year are met.
10. The Plan also highlights the key transport corridors across the Borough that generally carry the highest volumes of traffic and are therefore designated as traffic sensitive for the purposes of planning and coordinating road works activities.
11. The draft Network Management Plan document covers the following key elements:

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

This section of the Plan summarises 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 outlines 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 sets 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 has been formulated specifically to address the assessment criteria that will be applied by the Government. The document will be further enhanced over the next few months following consultation with key stakeholders and GO-NE in the lead-up to the submission in late 2008.

Key elements for Members attention relate to the Network Hierarchy, which has been designated into RED, and AMBER routes at the request of the Department for Transport. Members should note that 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.

As far as co-ordination and planning of all street works activities is concerned, a new Co-ordination & Performance Monitoring Group will be established in Development and Neighbourhood Services to ensure that internal and external works are fully co-ordinated across the Borough. These links will provide excellent communications

between the various service delivery groups and help ensure that all works are fully co-ordinated to minimise disruption on the highway network.

Members 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. This work will be completed prior to submission in December 2008 but the current framework is set out in this section of the Plan.

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

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

A copy of the draft document is available on the Intranet and a copy is also available in the Members' Library for reference.

12. The Plan also sets 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.
13. 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.
14. The Regeneration and Transportation Select Committee has recently commenced its scrutiny review on Management and co-ordination of Roads and Street Works and any actions arising from the review process will be used to inform and further develop the Network Management Plan. It is therefore recommended that Members endorse the draft Network Management Plan as a basis for further consultation with key stakeholders. Subsequent revisions and enhancements to the Plan be delegated to the Corporate Director for Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration and Transport prior to final submission to Department for Transport later in the year.

FINANCIAL IMPLICATIONS

15. The formulation of the Network Management Plan has facilitated a review of the existing highways operations, policies and communications and procedures as well as establishing new ones.
16. Whilst resources engaged on Network Management duties will continuously be reviewed, the process has enabled the Council's Highways and Transportation Policies and Delivery Mechanisms to be strongly matched to the current resources and structure. Consequently, the enhancements promoted by the Network Management Duty will be cost neutral.

17. Therefore, there are no medium term financial implications arising from this report since it is not intended to proceed with a Fixed Penalty Notice regime at this stage unless a cost neutral business case can be demonstrated.
18. However, any costs associated with intervention by the Secretary of State would need to be met from the Council's financial provisions up to a maximum of £248,000 per annum.

LEGAL IMPLICATIONS

19. Failure to meet our obligations, set out in Part 2 of the Traffic Management Act could result in intervention notices and/or orders being placed upon the Council from the Department for Transport.

RISK ASSESSMENT

20. The Council must embrace the duties associated with Part 2 of the Traffic Management Act in order to fulfil its role as Local Traffic Authority; otherwise it may be open to a legal challenge from any highway user affected. Failure to submit a satisfactory Network Management Plan report through the Local Transport Plan Progress Report process and receive a positive assessment from the Department of Transport could lead to intervention notices and orders being served on the Council.
21. Whilst the economic impact and damage to reputation and the Council's Excellent status would be high should the Secretary of State consider invoking the Intervention Powers, adoption of the strategies outlined in the Network Management Plan, existing management systems and daily routine activities are sufficient to control and reduce risk.
22. It is also intended that a period of engagement on the interim Local Transport Plan Progress Report (including the Network Management Plan) will take place with the Government Office North East prior to submission in December 2008.
23. Therefore, failure to fulfil the Network Management Duty is categorised as low to medium risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

24. The key objective of the Network Management Plan is to provide a well-managed highway network, minimising congestion and disruption to all road users. This will assist in linking people to employment, retail, health and leisure services throughout the borough and will contribute to the successful delivery of several of the core improvement themes within Stockton's Sustainable Community Strategy.

Economic Regeneration and Transport

25. Making the most efficient use of the existing highway network and reducing congestion will be essential to realising the Council's regeneration aspirations. Improving access to industrial areas, town centres and throughout the Borough by all forms of transport is a Core Improvement Theme of the Sustainable Community Strategy.

Safer Communities

26. A well-regulated and managed highway network will contribute to the Council's road safety agenda.

Children and Young People

27. No direct implications although general accessibility to services should improve.

Health and Wellbeing

28. The Network Management Duty requires the Council to cater for the needs of more sustainable and healthy modes of transport. Reducing congestion and supporting modal shift will also reduce carbon emissions.

Environment and Housing

29. By focusing on minimising disruption and relieving congestion, the aims and objectives of the Network Management Plan will, amongst other things, improve the quality of life for residents and contribute towards the Council's Climate Change Strategy.

EQUALITIES IMPACT ASSESSMENT

30. The Council is committed to carrying out Equality Impact Assessments (EIA) of all its policies and functions. The assessment has not highlighted any significant issues or actions required to address any negative potential impacts. A copy of the assessment is attached as **Appendix 1**.

CONSULTATION INCLUDING WARD/COUNCILLORS

31. The highway network is used by many sectors of our community. Accordingly, representatives of a wide range of groups and organisations were involved in the formulation of the 2006-11 Local Transport Plan.
32. Concerns about traffic congestion were raised by residents in the last MORI Poll undertaken in 2006, with these concerns predominantly coming from residents in the South Stockton area. The successful delivery of the Network Management Plan will assist in alleviating these concerns.
33. It is intended to use this draft Plan to consult with key stakeholders such as the Statutory Utilities, Highways Agency, Bus operators, Freight Haulage Association and Government Office North-East.
34. A copy of the Plan will also be placed on the Council web site and comments invited from the public and businesses.

Name of Contact Officer: Bill Trewick
Post Title: Traffic and Road Safety Manager
Telephone No. 01642 526716
Email Address: bill.trewick@stockton.gov.uk

Background Papers

Traffic Management Act 2004
Cabinet report on the Implications of the Traffic Management Act 2004, September 2005.
Department for Transport Guidance on Intervention Criteria, April 2007

Ward(s) and Ward Councillors:

All

Property:

\$yvjuupa

None