



Traffic Management Act 2004 – implications of enactment

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Traffic Management Act 2004



- Traffic Officers
- Network management by local traffic authorities
- Permit Schemes
- Street Works
- Highways and Roads
- Civil enforcement of traffic contraventions

Traffic Officers



- On road Officers who will have the powers to stop and direct traffic and whose main role is to support road users and keep traffic flowing by implementing traffic control measures
- Control Offices around the network, staffed by both Highways Agency and Police, to monitor and manage traffic and direct on-road resources
- Funded by the Government

Network management by local traffic authorities

- Duty of every local authority to manage it's road network to secure the expeditious movement of traffic
- Local Authorities may be monitored to ensure they are acting in accordance with the Act

Permit Schemes



- Permit Scheme Regulations are currently being drafted
- Permit Schemes may be set up by local highway authorities on an individual basis or collectively
- Schemes must be approved by the appropriate national authority
- Permit Schemes will cover highway authority works, the placing of skips and the deposit of building materials as well as Utility works
- Cost of permits must be enough to cover costs but no more

Street Works



- Regulations relating to Street Works are currently being drafted
- Increased Penalties for Summary Offences under NRSWA
- Fixed Penalty offences
- Duty of Street Authority to co-ordinate works
- Street Authorities have new powers to direct conduct of works in order to minimise disruption to traffic (including location, timing, route etc)

Street Works (Cont'd)

- Street Authorities may prevent the installation of apparatus in certain streets if another, reasonable alternative would result in less traffic disruption
- Street Authorities must keep a register of street works
- Obligation to keep records of every item of apparatus newly installed or moved by the owner of that apparatus (N.B. some apparatus is exempt)

Street Works (Cont'd)

- Obligation that when engaged in street works, if apparatus is encountered whose owner cannot be identified, to inform relevant street authority
- Ability to inspect statutory records (I.E. to identify what apparatus is already in the street)
- Notices of Street works –
 - Amendment to NRSWA 54 & 55
 - More info required than current notices

Street Works (Cont'd)



- Qualifications of Supervisors and Operatives
 - Amendment to NRSWA 67
 - As well as having a qualified supervisor, that at least one qualified operative be present at all times
 - Street Authority may give notice that the names of Qualified individuals and evidence of qualification to be supplied
- Works following substantial road works
 - Restriction of new works for 12 months following notice of substantial road works
 - Arbitration to be used if street authority unreasonably withholds consent within this time

Street Works (Cont'd)



- Notices requiring remedial works relating to reinstatements
 - Amendment to NRSWA for regulations to review minimum rectification time
- Duty to Notify street Authority of reinstatement
 - Amendment to NRSWA shortens the time by which the street authority must be notified of a reinstatement

Street Works (Cont'd)



- Power of Street Authority to require street re-surfacing
 - Regulations may require that under given circumstances street re-surfacing will be required
- Inspection Fees
 - Fees can be set for different types of inspections – these will be cost based
 - Additional guidance will be available regarding street authorities exercising their powers to inspect works

Highways and Roads



- Certain Roads in London may be designated as “Strategic” even where the secretary of state or TFL is the traffic authority
- Fixed Penalty Offences
 - Skips on highways without permission
 - Skips not lit or marked properly or removed ASAP once full
 - Scaffolding which obstructs the highway
 - Mixing or depositing mortar etc on the highway
 - Failure to give notice

Highways and Roads (Cont'd)

- Duty of local highway authority to keep records of objects in the highway
- Charge for occupation of the highway for skips and scaffolding
 - Dependant on how long they will be/have been there

Civil enforcement of traffic contraventions

- Single Framework for the civil enforcement by local authorities of parking and waiting restrictions, bus lane restrictions and some moving traffic restrictions
 - Regulation currently being drafted
- Penalty charges
 - Regulations now able to create criminal offences if penalty notices are tampered with