

ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE**WEDNESDAY, 18 SEPTEMBER 2024**

REPORT TITLE:	REVIEW AND UPDATE OF THE HIGHWAY NETWORK MANAGEMENT PLAN
REPORT OF:	DIRECTOR OF NEIGHBOURHOOD SERVICES

REPORT SUMMARY

This report provides Members of the Environment, Climate Emergency and Transport Committee (ECET) with an update on the highway Network Management Plan (NMP).

The NMP outlines the Council's approach to the Network Management Duty placed upon it by the Traffic Management Act 2004 (TMA). The aim of the TMA is to improve overall network performance. The updated plan reflects a full review to the local network arrangements, changes in national and local priorities as well as any legislative changes.

The principles of the NMP aligns with the Council Plan 'Wirral Working Together' for 2023-2027: working for safe, resilient, and engaged communities, working together to create a more efficient, effective, and accessible council, and play our part in addressing the climate emergency by working together to protect our environment.

The NMP supports and contributes to the Council's Highways Infrastructure Asset Management (HIAM) Policy & Strategy, Parking Strategy, Active Travel Strategy the forthcoming Electric Vehicle Charging Infrastructure (EVCI) Strategy, and the Combined Authority Transport Plan (CATP) programme.

This matter is a Key Decision as it affects all wards within the borough.

RECOMMENDATIONS

The Environment, Climate Emergency and Transport Committee is recommended to:

- 1 Approve the draft highway Network Management Plan, as set out in Appendix A to this report, and authorise the Director of Neighbourhood Services to finalise any further minor changes in consultation with the Chair and Spokespersons of the Environment, Climate Emergency and Transport Committee.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATIONS

- 1.1 The Traffic Management Act 2004 requires the appointment of a person (formally known as the “Traffic Manager”) to perform such tasks as the authority consider will assist them to perform their Network Management Duty (NMD) under Section 16 of the Traffic Management Act 2004. The role of the Traffic Manager is currently undertaken by the Council’s Senior Network Manager within Neighbourhood Services, Highways & Infrastructure and has direct responsibility to undertake a formal review of the NMP and make any necessary changes that are required.
- 1.2 The NMP documents our existing procedures and working practices and sets out action plans and improvement areas to enable the authority to comply with the requirements of the Act and associated NMD. A copy of an updated NMP can be found as Appendix A to this report and a shorter version of this document as an Executive Summary can be found as Appendix B.
- 1.3 The Liverpool City Region Combined Authority (LCRCA) is developing the Local Transport Plan (LTP) 4 for the region which will set out plans, policies and ambitions for transport services and investment in the Liverpool City Region until 2040. The Council’s CATP programme for 2024/25 and its indicative programme for 2025-2027 includes the delivery of highway improvement schemes for local safety, active travel, pedestrian access, and traffic signal improvements. The NMP supports the wider objectives of both the development of the LCRCA LTP 4 and the CATP programme.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Council may wish to decide not to operate under a NMP, however this is not considered to be an appropriate option. Whilst there is no statutory requirement to have a NMP, it is considered that having such a plan in place enables the authority to ensure it is actively working to make efficient and effective use of its existing highway road network to support economic and community development across the borough.

3.0 BACKGROUND INFORMATION

- 3.1 In April 2018 the Cabinet Member for Transport and Infrastructure approved the appointment of external consultants to produce an updated NMP. The objective of this commission was to undertake two distinct stages of work. This included an audit to review against the current legislation to ensure that Wirral Council is discharging its responsibilities. The second element of the work was to produce an updated NMP using the previous NMP produced in 2008 that reflected the ambitions and objectives of the Council at that time and set within a Liverpool City Region context.
- 3.2 On 3 December 2020 the ECET Committee agreed to approve the draft Network Management Plan and noted the appointment of a statutory Traffic Manager to fulfil its duties under the Traffic Management Act 2004.
- 3.3 The Traffic Management Act 2004, Part 2: Network Management by Local Authorities imposes a duty on traffic authorities to secure expeditious movement of traffic on their network and to appoint a Traffic Manager. It is important that the authority undertakes its duties under Part 2 of the TMA satisfactorily, and in the

event of an authority failing to perform its NMD the Secretary of State has powers to intervene.

- 3.4 The draft NMP provides several updates and revisions since its previous publication in 2020 and includes amendments and/or additions to its policy framework, aims and objectives, the highway network and its users, and how we manage and monitor our highway network.
- 3.5 It is recognised that the NMP is a working document and contains a comprehensive action plan to direct future actions and provides a framework for monitoring progress. Annual progress reports on these actions can be provided to Members of the ECET Committee if requested.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications associated with this report provided that the role of the Council's appointed Traffic Manager is undertaken in accordance with the TMA 2004. The Secretary of State for Transport has the powers to appoint a Traffic Manager if the Council fails to do so and can seek reimbursement of the costs incurred by the Council.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council has statutory duties as defined by the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act, and the Traffic Management Act 2004.
- 5.2 Sub-section 2 of Section 17 of the TMA 2004 requires the appointment of a person (to be known as the Traffic Manager) to perform such tasks as the authority consider will assist them to perform their Network Management Duty under Section 16 of the TMA 2004 that sets out as follows:
 - 1 It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives that include:
 - a securing the expeditious movement of traffic on the authority's road network.
 - b facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
 - 2 The action which the authority may take in performing that duty includes, in particular, any action which they consider will contribute to securing:
 - a the more efficient use their road network; or
 - b the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network or a road network for which another authority is the traffic authority.

and may involve the exercise of any power to regulate or co-ordinate the uses made of any road (or part of a road) in the road network (whether or not the power was conferred on them in their capacity as a traffic authority).

5.3 It is recognised and supported the opportunities and benefits that the Traffic Management Act 2004 and Network Management Duty provides, however whilst the production of a NMP is not mandatory, the Government does encourage local highway authorities to prepare and publish one so that the highway network can continue to function properly and meet the needs of its users.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 The role of the Traffic Manager is undertaken by the Council's existing Senior Network Manager in the Neighbourhood Services directorate. There are no other staffing, ICT and assets implications arising from this report.

7.0 RELEVANT RISKS

7.1 Failure to undertake and perform the Network Management Duty in accordance with the relevant legislation could lead to the Secretary of State utilising powers to intervene that would lead to reputational damage to the Council.

7.2 Failure or delay to produce a NMP would mean that the Council is not fully prepared for the future challenges and the significant regeneration plans that are being driven by the Council's strategic objectives to improve the borough for its residents. Without the NMP the tools and initiatives would not be available to support the move to active travel, public transport, and reducing carbon.

7.3 Failure to produce a NMP will impact on the ability to support elements of the Council's Plan, Birkenhead 2040 Framework and the Climate and Environment Emergency Declaration.

7.4 The production of a NMP will assist in managing the impact of incidents that occur on the highway network that will reduce the risk of road traffic collisions and any associated highway insurance claims to the Council that may arise.

7.5 The management and monitoring of these risks will be undertaken by the Senior Network Manager, within Neighbourhood Services who in addition is the appointed 'Traffic Manager' defined by the TMA 2004. If necessary, any relevant risks will be escalated to the Council's Senior Leadership Team and Members.

8.0 ENGAGEMENT/CONSULTATION

8.1 It is proposed that the draft NMP as shown in Appendix A is consulted on with key stakeholders in anticipation of the document being published. The Plan itself is an internal document that supports the outcomes of the emerging LCRCA LTP4.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment (EIA) is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision, or activity.

9.2 An EIA has been compiled under the heading of Equality Impact Assessments since May 2023/Neighbourhoods. A copy can be found at: -

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Increasing vehicular traffic growth, longer journey times, increasing congestion and peak hour spread may result in harmful environmental deterioration due to transport related pollution.
- 10.2 The NMP aims to improve the safety and efficiency of the transport network by improving highway infrastructure and promoting sustainable travel choices.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 The highway network is the largest and most visible community asset for which local authorities are responsible. It is used daily by most people and is fundamental to the economic, social, and environmental well-being of the community. It helps to shape the character and quality of the local areas that it serves and makes an important contribution to wider local authority priorities, including regeneration, social inclusion, community safety, education, and health.
- 11.2 It is considered that the NMP helps deliver the Wirral's wider Community Wealth Building commitments to deliver a prosperous, inclusive economy that benefits residents and supports the principals of community wealth building. The NMP strengthens partnership working and shared resources through its membership to the Liverpool City Region Key Route Network and Combined Authority.
- 11.3 The NMP also aligns and supports the core principals of the Birkenhead 2040 Framework and the Council's Active Travel Strategy in the context of maintaining a safe, reliable, and efficient highway network that will bring a wider regeneration programme to deliver a prosperous and inclusive economy to benefit local communities.

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APPENDICES

Appendix A – Wirral Highway Network Management Plan (Draft)
Appendix B – Executive Summary, Wirral Highway Network Management Plan

BACKGROUND PAPERS

Traffic Management Act 2004
<https://www.legislation.gov.uk/ukpga/2004/18/contents>

TERMS OF REFERENCE

This report is linked to the terms of reference for the Environment, Climate Emergency and Transport Committee, part 5.2 (b, c, and d).

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Environment, Climate Emergency and Transport Committee – Wirral Air Quality Strategy 2024-2028	5 December 2023
Environment, Climate Emergency and Transport Committee – Parking Strategy	5 December 2023
Environment, Climate Emergency and Transport Committee – Highway Infrastructure Asset Management (HIAM) Policy and Strategy	29 January 2024
Environment, Climate Emergency and Transport Committee – Active Travel Strategy	29 January 2024
Environment, Climate Emergency and Transport Committee – Highway Infrastructure Asset Management (HIAM) Plan and Performance Management Framework and Strategy	18 September 2024
Environment, Climate Emergency and Transport Committee – Electric Vehicle Charging Infrastructure Strategy	18 September 2024