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STATUTORY INSTRUMENTS

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**2007 No. 339**

**HIGHWAYS, ENGLAND**

**The Traffic Management (Guidance on Intervention Criteria) (England) Order 2007**

*Made* - - - - - *7th February 2007*  
*Laid before Parliament* *14th February 2007*  
*Coming into force* *12th March 2007*

**THE TRAFFIC MANAGEMENT (GUIDANCE ON INTERVENTION CRITERIA) (ENGLAND) ORDER 2007**

1. Citation, commencement and application
  2. Guidance on intervention criteria
- Signature

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SCHEDULE — TRAFFIC MANAGEMENT ACT 2004 NETWORK  
MANAGEMENT DUTIES GUIDANCE ON INTERVENTION  
CRITERIA FOR ENGLAND

1. INTRODUCTION
2. Section 17 of the Act requires a local traffic authority...
3. Section 19 empowers the Secretary of State to direct an...
4. Section 20 enables the Secretary of State to give an...
5. Section 21 empowers the Secretary of State to make an...
6. The intervention notice is the first formal stage in the...
7. Further action may not be necessary but if it is,...
8. In November 2004 the Secretary of State for Transport published...
9. Section 27 of the Act requires the Secretary of State,...
10. THE CONTEXT
11. The Act itself, which is seen as a spur for...
12. It is hoped that the potential for intervention will encourage...
13. FUNDAMENTAL PRINCIPLES
14. Under the Act, it is for individual authorities to determine...
15. By virtue of section 17 of the Act, an authority...
16. Each authority should aim to show that their approach to...
17. In terms of priorities for keeping the network moving efficiently,...

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18. THE NETWORK MANAGEMENT DUTIES
19. PROCESSES AND OUTCOMES
20. Moreover, it is not always possible to identify direct links...
21. When Part 2 of the Act came into effect, the...
22. However, the Act indicates that authorities may take any action...
23. The core of the duty is for authorities to manage...
24. The Secretary of State will expect to see evidence, within...
25. DEMONSTRATING THE PERFORMANCE OF THE NETWORK MANAGEMENT DUTIES
26. An authority should report on how they are managing their...
27. It is intended that any reporting process should not impose...
28. It is the responsibility of each authority to provide clear...
29. Where authorities participate in a joint LTP, each should ensure...
30. REPORTING IN LONDON
31. Transport for London is a local traffic authority and should...
32. As intervention powers rest with the Secretary of State rather...
33. ASSESSMENT OF EVIDENCE
34. **TO WHAT EXTENT HAVE AN AUTHORITY HAD REGARD FOR THE NETWORK MANAGEMENT DUTY GUIDANCE IN PERFORMING THEIR NETWORK MANAGEMENT DUTIES? (See section 18(2) of the Act)**
35. Considering the needs of all road users. (See NMDG paragraphs 26, 51, 87-90 and 128)
36. Coordinating and planning works and known events. (See NMDG paragraph 27)
37. Gathering information and providing information needs. (See NMDG paragraphs 28, 100, 101, 137 and 138)
38. Incident management and contingency planning. (See NMDG paragraphs 29 and 50)
39. Dealing with traffic growth. (See NMDG paragraph 30)
40. Working with all stakeholders - internal and external. (See the Act and NMDG paragraphs 31 to 33 and 57 to 63)
41. Ensuring parity with others. (See NMDG paragraphs 68 and 99)
42. Providing evidence to demonstrate network management. (See NMDG paragraph 47)
43. **TO WHAT EXTENT HAVE THE AUTHORITY CONSIDERED AND WHERE APPROPRIATE TAKEN ACTION AS ENVISAGED BY SECTION 16(2) OF THE ACT?**
44. **TO WHAT EXTENT HAVE THE AUTHORITY EXERCISED ANY POWER IN SUPPORT OF THIS ACTION?**
45. **TO WHAT EXTENT HAVE INDICATORS BEEN ADOPTED AND TARGETS TO REDUCE CONGESTION BEEN MET?**
46. **TO WHAT EXTENT DO INDIVIDUAL CIRCUMSTANCES ACCOUNT FOR AN APPARENT FAILURE OF A DUTY?**
47. REQUEST FOR INFORMATION
48. While the informal approach will probably be the main method...
49. A direction under section 19 may be given to a...
50. CONSULTATION BEFORE GIVING AN INTERVENTION NOTICE OR MAKING AN INTERVENTION ORDER
51. CRITERIA FOR DECIDING WHETHER TO GIVE AN INTERVENTION NOTICE
52. CRITERION No.1 (Section 17 duties)
53. In applying this criterion, the Secretary of State will address...

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54. CRITERION No.2 (Section 16 - the network management duty)
55. In applying this criterion the Secretary of State will address...
56. CRITERIA FOR DECIDING WHETHER TO MAKE AN INTERVENTION ORDER
57. CRITERION No.3 (Section 17 duties)
58. In applying this criterion, the Secretary of State will re-address...
59. CRITERION No.4 (Section 16 - the network management duty)
60. In applying this criterion the Secretary of State will re-address...

Explanatory Note