

Highways Agency Briefing

Noticing of Local Highways Authorities under the New Roads and Street Works Act (1991)

Background

The New Roads and Street Works Act (1991) states (S59,1) that; “A street authority shall use their best endeavours to co-ordinate the execution of works of all kinds (including works for road purposes) in the streets for which they are responsible....”

It also states (S59,2) “That duty extends to co-ordination with other street authorities where works in a street for which one authority are responsible affect streets for which other authorities are responsible”

The Traffic Management Act (2004) places a duty on a “local traffic authority to manage their road network with a view to achieving 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.”

Street authorities are obliged to maintain a Street Works Register (SWR) which should contain details of all Street Works and Road Works.

Utility companies are obliged to notice their works under NRSWA and the street authority concerned is obliged to place details of these notices and works on their SWR.

Street authorities are not obliged to Notice their own works although the Co-ordination Code of Practice advises that they should consider noticing their works. Details of Road Works must be placed on the SWR.

The HA runs a Schedule of Road Works (SRW) system which links to and provides the data for their SWR. The SRW system has several advantages over a proprietary SWR system in that it permits lane modelling and has a more advanced method of analysing conflicts between works and includes a sophisticated delay cost model. It is also based on an existing network model which contains construction and maintenance details of the HA network.

The HA system does not contain the facility to issue notices and there is no mandatory requirement for the HA to do so.

If the HA need to undertake works on a neighbouring Street Authority’s network the powers to carry out this work are contained in the Highways Act, S4. This power does not remove the obligation to co-ordinate works as detailed above.

Co-ordination Duties

The HA recognises that effective co-ordination of all works is not only a statutory requirement but also fundamental to the effective delivery of the service we provide. The HA are therefore committed to take all reasonable action to ensure that any works we undertake are effectively co-ordinated with neighbouring Street Authorities.

To this end Service Providers are expected to liaise fully with other street authorities to maintain effective co-ordination of all works. This will be more effectively delivered through close working relationships which should make reasonable efforts to ensure that information relating to works is communicated to the relevant personnel within the neighbouring authority. This requirement is covered in the HA's Network Occupancy Management Process which Service Providers are required to adhere to.

This issue has been raised at the Joint Authorities Group (JAG) and a meeting has been held with JAG representatives explaining the above position regarding both the HA system and our appreciation of the importance of good co-ordination.

Any further queries regarding the above should be directed to Alan Rossiter in the NO Central Team.

A D Rossiter

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