

EXPLANATORY NOTE

(This note is not part of the Order)

As part of the process of enforcing the network management duties imposed by sections 16 and 17 of the Traffic Management Act 2004 (“the Act”), the Secretary of State may give an intervention notice if he considers that a local traffic authority in England may be failing properly to perform any of those duties.

If he is satisfied that such local traffic authority are failing properly to perform any of those duties he may make an intervention order making provision for, or in connection with, the appointment of a traffic director.

In accordance with section 27 of the Act, this Order sets out, as respects England, guidance about the criteria which the Secretary of State proposes to apply for the purpose of deciding whether to give an intervention notice or make an intervention order.

A Regulatory Impact Assessment was produced for the Traffic Management Bill and is available on the Department for Transport’s web site at—

<http://www.dft.gov.uk/consultations/aboutria/ria/thetrafficmanagementbillregu5592?version=1>

As the Order has no impact on the costs of business, charities or voluntary bodies, a Public Sector Regulatory Impact Assessment has been prepared and this is available from Traffic Management Division 6, Department for Transport, Zone 3/22 Great Minster House, 76 Marsham Street, London SW1P 4DR. A copy of the Public Sector Regulatory Impact Assessment has been placed in the library of each House of Parliament and may also be accessed on the OPSI web site at www.opsi.gov.uk.