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TMA Parity Between Utilities and Local Authority in East Sussex...

A unique approach to the Traffic Management Act

East Sussex County Council (ESCC) is taking a unique approach to the Traffic Management Act (TMA) and is imposing the same exacting financial penalties on its own street works notices as it does on utilities.

Under the TMA authorities in England and Wales are required to show parity for street works notices, but in January 2007 East Sussex took this a step further and ensured its term maintenance contractor, May Gurney, has a contractual obligation to pay financial penalties if they submit incorrect notices.

Parity of Notices

By insisting on this high standard of clarity for its own works ESCC, as a street authority, has ensured a level playing field and an open approach to working with utility companies. Roger Williams, Traffic Manager at East Sussex County Council says; "Under the legislation we have to meet exacting standards, but without imposing financial penalties on ourselves we can't be open and fair. Our approach all along has been to demonstrate parity as well as supporting the DfT in the objectives of the Traffic Management Act. If we don't manage our own works and those of utilities fairly, then how can we effectively manage our network?"

Under the TMA many local authorities will have to make significant changes to long-established working practices. For the first time, authorities will have to notice their own works. "Accuracy is a lot better with our contractor than it is with some of our utilities," says Williams. "We've already seen a positive impact on our own works with better noticing due to our parity approach. We're seeing shorter duration times on site and with the TMA we've had the opportunity to change our working methods for the better."

Contractor Parity

"In terms of our own contract with May Gurney, our analysis does not indicate any additional cost to our residents as a result of incorporating the financial penalty we've placed in the contract. If there is a nominal increase then the payback is in the improvement of our road management. It's positive as we are receiving more reliability in noticing and improvements in our own works."

ESCC has welcomed the TMA as it provides a clear drive to undertake its duty and has established clear communication links with all stakeholders enabling ESCC to focus towards managing the network in an efficient manner.

Roger Williams, Traffic Manager at East Sussex County

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Preparation for TMA

In preparation for the TMA, East Sussex County Council has been actively working in unity with its utilities and contractor to promote an environment of partnership and ensure each organisation has a common understanding and practical interpretation of the TMA. As a consequence the authority feels able to work alongside utilities, rather than in a strictly contractual, potentially adversarial way, to support the goals of the DfT and has provided work shop opportunities to air potential issues and identify best practise.

Relationships with Utilities

A common view held amongst utilities are they are being seen as support local government finances Williams is keen to redress this perception and comments, "It's about working in partnership and in doing so it's vitally important to be honest with the utilities and our contractor and about ensuring compliance, if works are carried out correctly, with accurate and timely information then the opportunity for charges significantly reduces. We all need to focus on performance rather than failure and understand the reasons why something is going wrong. That way, we can use them as a driver for improvement in services to the end customer. We're encouraging open and honest relationships and a move away from adversarial relationships; after all we all serve the same customer.

"If we do things correctly and invest in the IT infrastructure, we will all benefit from reducing errors. We currently run weekly reports from our Exor Highways Management System that produces our exception analyses. From this we can identify which organisations are failing to submit accurate notices.

"One utility in our area achieved an accuracy compliance rate of just 67%, whilst another achieved 92%. With this kind of information we're able to work with the organisation to improve their position, and help them target resources accordingly. The goal we're working towards is working with utilities to understand the issues and mitigate any risk where we can."

Three Year Preparation Plan

Whilst all authorities are preparing for the streetworks part of the TMA, East Sussex has spent the past three years preparing for it, with changes to the highways works contract and recruiting staff.

"Better noticing quality equals better compliance, that's the philosophy East Sussex are following." says Giles Montgomery, Local Government Business Development Manager for Exor Corporation. "Roger and his team have taken a very fresh approach to supporting the TMA's objectives. They have invested, planned and structured their approach with the full support of May Gurney and the statutory undertakers.

"Indeed in many quarters East Sussex County Council is being seen as a model to follow in its approach to TMA . Many organisations are taking a real interest in its activities and seeing them as a model to replicate."

Case Study: East Sussex



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