

SCHEDULE

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

TO WHAT EXTENT DO INDIVIDUAL CIRCUMSTANCES ACCOUNT FOR AN APPARENT FAILURE OF A DUTY?

- 46.** To what extent is the apparent failure of a duty a consequence of—
- (a) the authority having paid regard to their other obligations, policies and objectives (see section 16(1) of the Act);
 - (b) the action or inaction of another authority (see section 16(1)(b) of the Act); or
 - (c) actions, or a lack of them, that could be considered reasonable when compared with a sample of—
 - (i) neighbouring authorities,
 - (ii) authorities of a similar type,
 - (iii) authorities with similar circumstances, or
 - (iv) all authorities?