

**TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURES)
RULES 2004
NETWORK RAIL (STALYBRIDGE TO DIGGLE
(SADDLEWORTH) ENHANCEMENTS) ORDER**

**Highways Network Management Group Details
INQ-36**

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The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order

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CONTENTS

1. GENERAL INTRODUCTION	4
1.1 Purpose of the Document	4
2. CREATION OF THE HIGHWAYS NETWORK MANAGEMENT GROUPS	4
2.1 Legal commitment to establish HNMGs	4
3. OPERATION OF THE HIGHWAYS NETWORK MANAGEMENT GROUPS	4
3.1 Legal framework for the operation of the HMNGs	4

1. GENERAL INTRODUCTION

1.1 Purpose of the Document

- 1.1.1 The purpose of this document is to provide an overview of the Highways Network Management Groups (“HNMG”) to be established as part of the legal agreements being entered into by Network Rail and Tameside Metropolitan Borough Council (“TMBC”) and Network Rail and Oldham Borough Council (“OBC”) on highways matters.
- 1.1.2 By entering into these legal agreements with both TMBC and OBC, Network Rail is committing to establishing and operating HNMGs with both TMBC and OBC. These being commitments which are legally enforceable as a matter of contract law. As such, the matters agreed in relation to the HNMGs constitute firm legal commitments from which the parties to the relevant legal agreements may not unilaterally renege.

2. CREATION OF THE HIGHWAYS NETWORK MANAGEMENT GROUPS

2.1 Legal commitment to establish HNMGs

- 2.1.1 Network Rail are entering into separate legal agreements with TMBC and OBC which both provide a contractual legal commitment to:-
- Establish between Network Rail and TMBC and Network Rail and OBC a HNMG as soon as reasonably practicable and in any event no later than fourteen (14) days after the date the Order comes into force; and
 - Following the establishment and first meeting of the HNMG to then hold monthly meetings until, unless otherwise agreed, 31 December 2032.

3. OPERATION OF THE HIGHWAYS NETWORK MANAGEMENT GROUPS

3.1 Legal framework for the operation of the HNMGs

- 3.1.1 The separate legal agreements being entered into between Network Rail and TMBC and Network Rail and OBC also create the legal framework for the membership requirements and terms of reference for the HNMGs.
- 3.1.2 As regards the membership of the HNMGs, in summary the legal agreements with both TMBC and OBC will provide that:-
- the HNMGs will comprise at least two senior representatives from each of Network Rail and TMBC/OBC;
 - the HNMGs will be jointly chaired by Network Rail and TMBC/OBC;

- Network Rail and TMBC/OBC may agree that meetings of the HNMGs are attended by a senior representative from another relevant third party (for instance, Transport for Greater Manchester); and
- Network Rail and TMBC/OBC may agree that meetings of the HNMGs are attended by other officers of either party for the purposes of addressing agenda items at any specific meeting of the HNMGs.

3.1.3 In addition the legal agreements with both TMBC and OBC make provision for the practical arrangements for meetings of the HNMGs and the provision of secretariat for meetings of the HNMGs.

3.1.4 As regards the terms of reference for the HNMGs, in summary the legal agreements with both TMBC and OBC provide that the objectives of the HNMGs are to:-

- monitor and oversee Network Rail's construction of works authorised by the Order within the areas for which TMBC/OBC is highway authority;
- monitor and oversee Network Rail's implementation of measures included in the Construction Traffic Management Plan approved by TMBC/OBC pursuant to Planning Condition 7 (**NR11**), as relevant to works undertaken by Network Rail within the area for which TMBC/OBC is highway authority;
- act as a forum for facilitating discussions on the development and coordination of the highway works to be undertaken by Network Rail and the management those highway works with the continued operation of the highway network for which TMBC/OBC is highway authority;
- act as a forum for facilitating discussions on potential measures to mitigate potential impacts of the highway works to be undertaken by Network Rail on the continued operation of the highway network for which TMBC/OBC is highway authority;
- act as a forum for reviewing and commenting on indicative schedules for Network Rail highway works which are required, by the separate highway agreements being entered into between Network Rail and TMBC and Network Rail and OBC, to be provided by Network Rail to TMBC or OBC; and
- act as a forum for reviewing and commenting on Network Rail's requirements for highways consent submissions to TMBC/OBC as may be required under the Order.