

SCHEDULES

SCHEDULE 2

Section 3

ROAD INVESTMENT STRATEGY: PROCEDURE

PART 1

SETTING A ROAD INVESTMENT STRATEGY

Introductory

- 1 (1) This Part specifies the procedure by which a Road Investment Strategy is set.
- (2) It does not apply to the first Road Investment Strategy under section 3 where it is published and laid before Parliament by the Secretary of State within a year of that section coming into force.

Step 1: the Secretary of State's proposals

- 2 (1) The Secretary of State must provide a strategic highways company with proposals for a Road Investment Strategy.
- (2) The proposals must include details of—
 - (a) the objectives to be achieved by the company,
 - (b) the financial resources to be provided by the Secretary of State for the purpose of achieving those objectives, and
 - (c) the period to which the proposals relate.
- (3) The Secretary of State must—
 - (a) specify a date before which the company is to respond, and
 - (b) provide the company with—
 - (i) a statement of his or her general strategy in respect of highways for which the company is the highway authority, and
 - (ii) such other information in support of the proposals as the Secretary of State considers appropriate.

Step 2: the strategic highways company's response

- 3 (1) Having been provided with proposals under paragraph 2, the strategic highways company must respond to the Secretary of State—
 - (a) agreeing to the proposals, or
 - (b) making counter-proposals.
- (2) The company must respond before the date specified by the Secretary of State in accordance with paragraph 2(3)(a).

Status: This is the original version (as it was originally enacted).

Step 3: where the strategic highways company has agreed to the proposals

- 4 (1) Where the strategic highways company has agreed to proposals under paragraph 2, the Secretary of State may publish those proposals as the Road Investment Strategy.
- (2) The Secretary of State may only publish proposals under sub-paragraph (1) if satisfied that appropriate consultation has taken place.
- (3) Publication under sub-paragraph (1) may be in such manner as the Secretary of State considers appropriate.

Step 4: where the strategic highways company has made counter-proposals or failed to respond

- 5 (1) Where the strategic highways company has made counter-proposals to the Secretary of State's proposals under paragraph 3, or has failed to respond before the date specified, the Secretary of State may—
- (a) provide the company with revised proposals under paragraph 2, or
- (b) publish as the Road Investment Strategy—
- (i) the Secretary of State's proposals, or
- (ii) the company's counter-proposals.
- (2) The Secretary of State may only publish proposals under sub-paragraph (1)(b) if satisfied that appropriate consultation has taken place.
- (3) Publication under sub-paragraph (1)(b) may be in such manner as the Secretary of State considers appropriate.

PART 2

VARYING A ROAD INVESTMENT STRATEGY

- 6 (1) This paragraph applies where the Secretary of State is considering varying a Road Investment Strategy.
- (2) Paragraphs 2 to 5 apply to proposals for a varied Road Investment Strategy as they apply to proposals for a Road Investment Strategy.
- (3) In performing their functions under this Part of this Schedule, the Secretary of State and the strategic highways company must have regard to the desirability of maintaining certainty and stability in respect of Road Investment Strategies.