

## SCHEDULES

### SCHEDULE 2

#### 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).

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*Status: This is the original version (as it was originally enacted).*

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*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.