

Future-proofing in Relation to Third Parties - Policy

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1. Introduction

National Highways is the government owned company which plans, designs, builds, operates and maintains England's motorways and major A roads, known as the Strategic Road Network (SRN, 'the network'). We manage and improve England's motorways and major A roads, helping our customers have safer, smoother and more reliable journeys.

2. Scope

This document sets out National Highways' policy on the application of future-proofing in relation to third party projects and plans, including the requirement to future proof and how this requirement should be implemented in schemes. This Policy and its supporting guidance¹ provide a consistent approach to how future-proofing is considered and agreed with regard to schemes promoted outside National Highways.

3. Definition

For the purposes of the SRN, National Highways considers future-proofing to be the requirement to ensure that works associated with a project or plan do not impose unreasonable constraints on National Highways' ability to maintain and operate a safe and efficient network, in the future.

A third-party project or plan in this context refers to a project or plan that has an impact on the SRN and is promoted by an organisation other than National Highways.

4. Policy Context

National Highways operates in accordance with a Licence² under the Infrastructure Act 2015³. The Licence imposes a statutory direction on National Highways with regard to future-proofing the network:

¹ Future-proofing Internal Guidance - v0.7 FINAL.docx
Future-proofing External Guidance - v1.2 FINAL.docx

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/431389/strategic-highways-licence.pdf

³<https://www.legislation.gov.uk/ukpga/2015/7/contents/enacted>

*'The Licence holder **must**, in exercising its functions and complying with its legal duties and other obligations, act in a manner which it considers is best calculated to: [...] c. Ensure the improvement, enhancement and long-term development of the network.'* (Section 4.2)

*'In complying with 4.2(c), and Part 6 of the Licence, the Licence holder **must**: [...] c. Provide for sufficient flexibility and future-proofing in planning the long-term development and improvement of the network, taking account of long-term trends, uncertainties and risks - including new and emerging technologies and long-term trends in climate and weather conditions'.* (Section 5.6)

Furthermore, the Department for Transport Circular 01/2022⁴, the Secretary of State's planning policy in relation to the SRN, requires that third-party proposals must have regard for future-proofing the network:

'The scope and phasing of necessary transport improvements will normally be defined by the company in planning conditions that seek to manage development in line with the completion of these works. In such circumstances, modifications to the SRN must have regard to the need to future-proof the network, while its delivery may require a funding agreement between the development promoter and the company.' (Paragraph 52)

On the basis of the above, third-party Promoters are obliged to consider future-proofing of the SRN as part of the design and delivery of their scheme and National Highways will seek to ensure that future-proofing is considered and addressed where relevant.

National Highways' key documents pertaining to the future development of the SRN, "Connecting the Country" and "Environmental Sustainability Strategy", set out the vision and strategic outcomes for the network. These documents should be considered in the context of future-proofing the network.

5. Implementation

National Highways will work collaboratively with third parties from the earliest stages of a plan or project to ensure that suitable future-proofing provisions are included in order to allow us to fulfil our statutory direction, as set out in the Licence.

National Highways considers that future-proofing the SRN involves addressing two broad issues:

⁴<https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development>

- (i) The resilience of the network to unexpected or uncontrollable events, *including* extreme weather events and climate change and;
- (ii) The adaptability of the network to required changes to assets and/or operations of the infrastructure in the future, E.g., designing so that additional capacity or technology can be added in future in order to meet changing customer and stakeholder needs, with minimal disruption or cost.

National Highways' approach to future-proofing is to minimise the provision of any additional physical works so as to avoid constraining the future resilience and adaptability of the SRN. In practice, this may simply involve designing the new development or project to retain space adjacent to the SRN as opposed to requiring additional works of the third party.

Any costs associated with ensuring a Third Party Project meets National Highways' future-proofing requirements must be funded by the Third Party Promoter.

National Highways will also work with DfT (and/or other relevant government departments) in relation to government sponsored projects to ensure future-proofing requirements in line with this policy are included in project scopes and associated costs are included in scheme budgets.