

HIGHWAYS ENGLAND

APPENDICES FOR PROOF OF EVIDENCE OBJ/782/W1/2

POLICY AND ADMINISTRATIVE MATTERS

Document Reference OBJ 782/W1/2

TRANSPORT AND WORKS ACT 1992: APPLICATION FOR THE PROPOSED  
ROTHER VALLEY RAILWAY (BODIAM TO ROBERTSBRIDGE JUNCTION)  
ORDER

PINS REF: APP/K3605/W/19/323526

DATED: 07 MAY 2021

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Appendix A: Highways England Licence



Department  
for Transport

# Highways England: Licence

*Secretary of State for Transport statutory directions  
and guidance to the strategic highways company*

April 2015

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# Foreword

In setting up Highways England as an arms-length, government-owned company, delivering a long term plan framed by Government's clear vision, and sustained by stable investment, an independent monitor and a user watchdog, we have fundamentally transformed the way our strategic roads are run.

This change means better long-term planning, more efficient delivery, greater transparency, clearer accountability and ultimately a better service for the people and businesses that use and rely on the network on a daily basis.

Government remains responsible for strategic roads and Ministers will continue to be accountable for making sure that the network is managed responsibly, in a way that safeguards value for public investment, meeting the needs of road users, securing individual well-being and supporting economic purpose, both today and for future generations. We have put in place a robust system of governance that ensures we can effectively oversee management and delivery, and intervene to prevent or tackle any failures.

This document represents a crucial part of that system, by setting out the Secretary of State's statutory directions and guidance to Highways England. It makes clear, to both Highways England and the wider community of road users and stakeholders, what we expect Highways England to achieve and how they must behave in discharging their duties and in delivering our vision and plans for the network, set out in the Road Investment Strategy.

The Licence emphasises that the role of Highways England is about more than just complying with the letter of the law. We expect the company to go the extra mile in the way it engages with road users and collaborates with other organisations to develop shared solutions. And they must take a lead in promoting and improving the role and performance of roads in respect of broader communal responsibilities, such as the aesthetics of design, safety and the environment, as well as driving forward wider progress on technology and innovation.

Our reforms are more than a technical change, they are an opportunity to catalyse and drive forward a genuine transformation of the network over the long term. The Licence has a vital role to play in shaping the culture of Highways England and so shift the way we think about how our strategic roads are managed and developed.



**The Rt Hon John Hayes MP**

Minister of State for Transport



# Part 1 - Scope

- 1.1** The Secretary of State has appointed Highways England Company Limited (the "Licence holder") as a strategic highways company by way of an Order in accordance with section 1 of the Infrastructure Act 2015. The effect of this appointment is to confer upon the Licence holder the legislative functions of a strategic highways company as regards the areas and highways in respect of which it is appointed. As a result, the Licence holder will be the highway authority, traffic authority and street authority for the strategic road network.
- 1.2** This Licence shall come into force on 1 April 2015 and shall continue in force unless and until revoked in accordance with the conditions of this Licence.

## Part 2 - Interpretation

**2.1** This document includes both statutory directions and statutory guidance issued by the Secretary of State to the Licence holder, as provided for in section 6 of the Infrastructure Act 2015. Directions must be complied with by the Licence holder. In the interests of clarity, in this document the statutory directions are indicated by use of the word “**must**” (where marked in bold). All other parts of the document should be considered statutory guidance.

**2.2** In this Licence:

"Activities"	means the functions carried out by the Licence holder in meeting its obligations and exercising its role as a strategic highways company appointed by the Secretary of State under section 1 of the Infrastructure Act 2015;
"Appointment Order" or "the appointment"	means the Appointment of a Strategic Highways Company Order 2015 (S.I.2015/376);
"Conditions" or "Licence conditions"	means the directions and guidance issued by the Secretary of State to the Licence holder under section 6 of the Infrastructure Act 2015 set out in this Licence;
"Consultation"	means consultation or engagement proportionate to the circumstances in accordance with government guidance on consultation principles <sup>1</sup> ;
"Enforcement Policy"	means the Highways Monitor's policies that secure the Licence holder's compliance with the requirements of the Road Investment Strategy and the Licence.
"Highways Monitor"	means the organisation established under section 15 of the Railways and Transport Safety Act 2003, as amended, which will be responsible for monitoring the costs, efficiency and performance of the company.
"Licence holder's network" or "the network"	means the highways for which the Licence holder is appointed, as set out in the Appointment Order;
"Relevant assets"	means the Licence holder's network and other assets held by the Licence holder for the purposes of operating, managing and improving the highways for which the Licence holder is responsible;

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<sup>1</sup> <https://www.gov.uk/government/publications/consultation-principles-guidance>

"Road Investment Strategy"	means any Road Investment Strategy set by the Secretary of State under section 3 of the Infrastructure Act 2015;
"Route"	A route is a strategic corridor through which strategic road network traffic flows between economically and socially associated centres of population and industry, and/or between strategic points of entry to and from overseas markets, such as ports and airports, and destinations;
"Transport Focus"	means the organisation established under section 19 of the Railways Act 2005, as amended, which will be responsible for representing and promoting the interests of users of the strategic road network;
"Secretary of State"	means the Secretary of State for Transport, or those acting on his behalf;
"Strategic highways company"	means a company appointed by the Secretary of State by way of an Order in accordance with section 1 of the Infrastructure Act 2015;
"Whole-life cost"	means the total cost of ownership over the life of an asset.

- 2.3** Any reference in this Licence to a numbered paragraph is a reference to the paragraph bearing that number in the condition in which the reference occurs.
- 2.4** In interpreting this Licence, headings shall be disregarded.
- 2.5** Where in this Licence the Licence holder is required to comply with any obligation within a specified time limit, the Licence holder **must** comply with the obligation notwithstanding that the time limit has passed, and must do so as soon as practicable.

## Part 3 - General conditions

- 3.1** The Licence holder **must**, without prejudice to the Licence holder's legal duties or other obligations, comply with or have due regard to (as appropriate) the conditions set out in this document, which constitute statutory directions and guidance issued by the Secretary of State to the Licence holder as provided for in section 6 of the Infrastructure Act 2015.
- 3.2** It is not intended that these conditions should be incompatible with other legal duties or statutory guidance, though they may affect the manner in which certain functions (including statutory functions) are discharged.
- 3.3** If the Licence holder becomes aware of any incompatibility between the Licence and its other legal duties, it **must** notify the Secretary of State and the Highways Monitor immediately.
- 3.4** Where in this Licence there is a provision for the Secretary of State to give his consent, the Secretary of State may give such consent subject to conditions<sup>2</sup>.
- 3.5** The Secretary of State may make changes to this Licence at any time, but does not intend to do so without first consulting the Licence holder and the Highways Monitor, taking into consideration any advice or representations duly made.
- 3.6** Where in this Licence there is a provision for the Secretary of State to give a notice or to issue further directions or guidance to the Licence holder, the Secretary of State may first consult the Licence holder and take into consideration any representations duly made. The Secretary of State will notify the Highways Monitor of any such directions or guidance.
- 3.7** The Secretary of State may also issue additional directions and guidance to the Licence holder at any time, ensuring that such directions and guidance are made known to the Highways Monitor and published in accordance with section 6 of the Infrastructure Act 2015. The Licence holder **must** report on its progress in carrying out such directions and advice, as required by the Secretary of State.
- 3.8** Where any amendments to or the issuing of additional directions and guidance to the Licence holder by the Secretary of State under 3.6 or 7 would result in a significant impact on the ability of the Licence holder to fund or deliver its activities, the Secretary of State will consider making a proportionate change in the requirements on the Licence holder or the funding made available by the government.
- 3.9** Any significant alteration in the size of the network for which the Licence holder is the highway authority will be accompanied by consideration of a proportionate change in the requirements on the Licence holder or the funding made available by the government.

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<sup>2</sup> This includes where Secretary of State consent may be conditional on any necessary approvals from other parts of government.

- 3.10** Any consideration of a significant change in the requirements on the Licence holder or the funding made available by the government, including under the circumstances described in 3.5 - 3.9, will be subject to the formal processes for considering changes to the Road Investment Strategy, as set out in Part 6.

## Part 4 - Aims and objectives

- 4.1** The network for which the Licence holder is responsible is a critical national asset, which the Licence holder **must** operate and manage in the public interest, in respect of both current activities and needs and in providing effective stewardship of its long-term operation and integrity.
- 4.2** Without prejudice to the general duties on the Licence holder under section 5 of the Infrastructure Act 2015, the Licence holder **must**, in exercising its functions and complying with its legal duties and other obligations, act in a manner which it considers best calculated to:
- a. Ensure the effective operation of the network;
  - b. Ensure the maintenance, resilience, renewal, and replacement of the network;
  - c. Ensure the improvement, enhancement and long-term development of the network;
  - d. Ensure efficiency and value for money;
  - e. Protect and improve the safety of the network;
  - f. Cooperate with other persons or organisations for the purposes of coordinating day-to-day operations and long-term planning;
  - g. Minimise the environmental impacts of operating, maintaining and improving its network and seek to protect and enhance the quality of the surrounding environment;
  - h. Conform to the principles of sustainable development.
- 4.3** For the purposes of this section, "sustainable development" means encouraging economic growth while protecting the environment and improving safety and quality of life for current and future generations.

# Part 5 - Exercising the role of a strategic highways company

## Effective operation

- 5.1** In complying with 4.2(a) and relevant statutory duties, including the general duties relating to network management under the Traffic Management Act 2004, the Licence holder should:
- a. Seek to minimise disruption to road users that might reasonably be expected to occur as a result of:
    - i. Planned disruption to the network (including from road works);
    - ii. Unplanned disruption to the network (including from incidents on the network and the short-term effects of extreme weather conditions)
  - b. Proactively and reactively provide relevant, accurate and timely information about traffic and conditions on the network to road users, including when there is disruption.
- 5.2** When seeking prior authorisation from the Secretary of State of any non-prescribed traffic sign before it is erected on the network, in accordance with sections 64 and 65 of the Road Traffic Regulation Act 1984, the Licence holder should:
- a. Do so in line with any relevant procedures or guidance that the Secretary of State may specify by notice or in guidelines to the Licence holder;
  - b. Consider any non-prescribed traffic sign previously authorised by the Secretary of State for use on the strategic road network as already authorised;
  - c. Consider initial authorisation of a new non-prescribed traffic sign by the Secretary of State for use on the network to also cover any subsequent uses of the same sign on the network, without the need for further authorisation unless otherwise indicated by the Secretary of State.
- 5.3** The Licence holder **must not** display messages on the road network that do not relate to the Licence holder's statutory responsibilities or the wider management of the road network.

## Maintenance, resilience, renewal, and replacement

- 5.4** In complying with 4.2(b), the Licence holder should take all reasonable steps to ensure the continued availability and resilience of the network as a strategic artery for national traffic, and as an effective part of the wider road and transport system.

- 5.5** The Licence holder **must** demonstrate in the Delivery Plan how it aims to comply with the general duty to maintain highways in section 41 of the Highways Act.

## Improvement, enhancement and long-term development

- 5.6** In complying with 4.2(c), and Part 6 of the Licence, the Licence holder **must**:
- a. Cooperate with the Secretary of State in developing Road Investment Strategies, including taking the necessary steps to deliver any elements or information required for the development of future strategies;
  - b. Establish and maintain a clear understanding of the pressures upon and impacts of its network at both a national and route level (including in the preparation of route strategies, as required at 5.13), and be aware of the actions needed to improve conditions for users, and manage or mitigate existing problems, to inform the future development and improvement of the network and its performance;
  - 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.
- 5.7** The Licence holder may carry out relevant research, development, demonstration and deployment of innovative technologies and applications in line with, and as a function of, the Licence holder's role as a strategic highways company, and is authorised to conduct experiments or trials under section 283 of the Highways Act 1980.
- 5.8** In carrying out any activities referred to in 5.7, including under section 283 of the Highways Act 1980, the Licence holder **must**:
- a. Agree its strategic plans for research, development, demonstration and deployment of innovative technologies and applications, including any experiments or trials which may have significant implications for user safety or government policy, with the Secretary of State;
  - b. Publish its plans for research, development, demonstration and deployment of innovative technologies and applications, as well as any final results from such activities; and
  - c. Where relevant, assist and co-operate with the Government on wider research, development and demonstration activities.

## Asset management

- 5.9** The Licence holder **must** develop and maintain high quality and readily accessible information about the assets held, operated and managed by the Licence holder in line with, and as a function of, the Licence holder's

legal duties as a highway authority, including their condition, capability, and capacity, as well as their performance, including against any expectations set out in a Road Investment Strategy.

- 5.10** The Licence holder **must** develop, maintain and implement an asset management policy and strategy, taking into account the requirements of 5.12 - to be initially published to timescales specified in the Licence holder's Delivery Plan - setting out how it will apply a best practice approach to managing the lifecycle of its assets, including maintaining a registry of its asset inventory and condition.
- 5.11** In complying with 5.9 and 5.10, the Licence holder should adopt a long-term approach to asset management consistent with ISO 55000 standards.

## Efficiency and value for money

- 5.12** In complying with 4.2(d), the Licence holder **must**:
- Adopt a Whole-life cost approach to managing its assets;
  - When presented with a significant choice between bearing short-term costs and increasing long-term costs, appraise the different options in line with relevant government policy and guidance to determine which represents the best overall value for money;
  - Ensure that it has in place robust internal arrangements to achieve, and to demonstrate how it has achieved, value for money;
  - Have due regard to circumstances in which it may be appropriate to carry out additional work as part of proposals where these can reduce or eliminate long-term costs or disruption to the network.

## Route strategies

- 5.13** In accordance with section 4 of the Infrastructure Act 2015, the Licence holder **must** periodically prepare and publish route strategies covering the whole of the network, to develop and maintain an appropriate evidence base on the state and performance of the network, and issues affecting these, to inform the setting of Road Investment Strategies (as set out in Part 6) and the Licence holder's ongoing management and development of the network when planning and carrying out its activities.
- 5.14** In preparing route strategies under 5.13 the Licence holder **must**:
- Agree the process and timescales for preparing route strategies with the Secretary of State, including the definition of routes on the network;
  - Publish the process for preparing route strategies;
  - Identify current performance issues and future challenges for all routes on the network;
  - Establish outline operational and investment priorities for all routes on the network;

- e. Take account of relevant local plans and priorities concerning local road and other transport networks, wider socio-economic developments, and government policy;
- f. Consider the need for effective integration between the Licence holder's network and the rest of the transport system, including carrying out joint studies with other organisations where appropriate;
- g. Engage with and take account of the views of relevant national and local stakeholders, including those organisations or groups identified at 5.18;
- h. Engage with and take account of the views of Transport Focus and the Highways Monitor;
- i. Identify indicative options for intervention, covering operational, maintenance and, if appropriate, road improvement needs;
- j. Consider opportunities for collaborative solutions, including potential interventions off the Licence holder's network, that can improve the performance of the network and provide increased integration benefits over those that the Licence holder can achieve alone, where this delivers value for money;
- k. Include sufficient evidence to allow the Secretary of State to take informed decisions on the development of a future Road Investment Strategy – including preliminary assessments of deliverability and value for money of any proposed road improvement schemes.

## Safety

- 5.15** In complying with 4.2(e) and its general duty under section 5(2) of the Infrastructure Act 2015 to have regard to safety, the Licence holder should, when exercising functions related to safety, have due regard to the need to protect and improve the safety of the network as a whole for all road users, including:
- a. Ensuring that protecting and improving safety is embedded into its business decision-making processes and is considered at all levels of operations;
  - b. Seeking to achieve the best possible safety outcomes across its activities, while working in the context of sustainable development and delivering value for money; and
  - c. Taking opportunities to engage with and support wider efforts to improve safety for road users.
- 5.16** The Licence holder **must** develop and implement strategic plans that demonstrate how it will meet its legal duties and other obligations with regard to safety, including the requirements of 5.15, to be published to timescales specified in the Licence holder's Delivery Plan.

## Cooperation

**5.17** In complying with 4.2(f) and its general duty to cooperate under section 5(1) of the Infrastructure Act 2015, the Licence holder should co-operate with other persons or organisations in order to:

- a. Facilitate the movement of traffic and manage its impacts;
- b. Respond to and manage planned and unplanned disruption to the network;
- c. Take account of local needs, priorities and plans in planning for the operation, maintenance and long-term development of the network (including in the preparation of route strategies, as required at 5.13);
- d. Provide reasonable support to local authorities in their planning and the management of their own networks.

**5.18** In complying with 5.17, the Licence holder should cooperate with, consult and take reasonable account of the views of:

- a. Local authorities and devolved administrations;
- b. Other transport network operators (including local highway authorities, Network Rail, port and airport operators);
- c. Operational partners (including, but not limited to, the emergency services);
- d. Road users;
- e. Local communities;
- f. Other relevant stakeholders with a significant stake in the long-term development of the network.

**5.19** In complying with 5.17 and 5.18, the Licence holder should co-operate with other persons or organisations in a way which is demonstrably:

- a. Open and transparent – involving relevant stakeholders, ensuring that essential information is available to affected and interested parties, and that the processes for engagement and communication are clear;
- b. Positive and responsive – seek to build trusting and effective working relationships with key partners and stakeholders, engaging with due efficiency and economy and in a timely manner;
- c. Collaborative – working with others to align national and local plans and investments, balance national and local needs and support better end-to-end journeys for road users.

**5.20** The Licence holder **must** cooperate with and assist Transport Focus and the Highways Monitor to support the fulfilment of their statutory functions and must formally agree working practices with the respective organisations to facilitate this.

**5.21** The Licence holder **must** develop and implement a stakeholder engagement plan that demonstrates how it aims to communicate, engage and cooperate with others in exercising its functions and complying with the requirements set out in 5.17 - 5.19, to be published to timescales specified in the Licence holder's Delivery Plan.

- 5.22** The Licence holder **must** establish a stakeholder advisory panel to provide advice to the Licence holder's Board on issues directly affecting local authorities and communities, and ensure that:
- a. The membership of the panel includes representation from a credible range of local government and other stakeholders, including environmental and safety groups, as appropriate;
  - b. The Licence holder seeks advice from the panel on a regular basis.

## Environment

- 5.23** In complying with 4.2(g) and its general duty under section 5(2) of the Infrastructure Act 2015 to have regard to the environment, the Licence holder should:
- a. Ensure that protecting and enhancing the environment is embedded into its business decision-making processes and is considered at all levels of operations;
  - b. Ensure the best practicable environmental outcomes across its activities, while working in the context of sustainable development and delivering value for money;
  - c. Consider the cumulative environmental impact of its activities across its network and identify holistic approaches to mitigate such impacts and improve environmental performance;
  - d. Where appropriate, work with others to develop solutions that can provide increased environmental benefits over those that the Licence holder can achieve alone, where this delivers value for money;
  - e. Calculate and consider the carbon impact of road projects and factor carbon into design decisions, and seek to minimise carbon emissions and other greenhouse gases from its operations;
  - f. Adapt its network to operate in a changing climate, including assessing, managing and mitigating the potential risks posed by climate change to the operation, maintenance and improvement of the network;
  - g. Develop approaches to the construction, maintenance and operation of the Licence holder's network that are consistent with the government's plans for a low carbon future;
  - h. Take opportunities to influence road users to reduce the greenhouse gas emissions from their journey choices.
- 5.24** The Licence holder **must** develop and implement strategic plans that demonstrate how it aims to meet its legal duties and other obligations with regard to the environment, including the requirements of 5.23, to be published to timescales specified in the Licence holder's Delivery Plan.

## Sustainable development and design

- 5.25** In complying with 4.2(h), the Licence holder should balance a range of factors in meeting the short and long-term needs of the network, in particular with regard to:
- a. Supporting national and local economic growth and regeneration;
  - b. Protecting and improving the safety of road users and road workers;
  - c. Protecting, managing and enhancing the environment;
  - d. Seeking to improve the well-being of road users and communities affected by the network;
  - e. Ensuring efficiency and value for money.
- 5.26** In exercising its functions, the Licence holder **must** have due regard to relevant principles and guidance on good design, to ensure that the development of the network takes account of geographical, environmental and socio-economic context.
- 5.27** The Licence holder **must** establish a Design Panel to provide advice to the Licence holder on design issues, and in doing so ensure that:
- a. The membership of the Design Panel includes representation from credible experts and relevant stakeholders, as appropriate;
  - b. The Licence holder seeks, and has due regard to, the views of the Secretary of State concerning the purpose, remit and membership of the Design Panel;
  - c. The Licence holder seeks advice from the Design Panel:
    - i. on the design of road improvement schemes, where these are in sensitive locations or expected to have a substantial impact on the surrounding landscape;
    - ii. on the development of relevant design standards concerning the visual impact of schemes; and
    - iii. at any other time where required by the Secretary of State.
  - d. The Licence holder has due regard to the advice and general recommendations of the Design Panel, and the particular observations of the Panel on specific schemes.
- 5.28** The Licence holder **must** develop and implement strategic plans that demonstrate how, in meeting its legal duties and other obligations, it aims to support and promote sustainable development, with particular regard to those factors specified in 5.25, and principles of good design, to be published to timescales specified in the Licence holder's Delivery Plan.

## Government policy

- 5.29** In exercising its role as a strategic highways company and complying with the requirements in Part 4, the Licence holder **must** comply with or have due regard to relevant Government policy, as advised by the

Secretary of State, with full regard to any implications for the Licence holder's ability to deliver the Road Investment Strategy.

- 5.30** For the purposes of this section, "relevant Government policy" means all current policies which:
- a. Relate to the activities of the Licence holder, and
  - b. Have been:
    - i. Published in England by or on behalf of Her Majesty's Government, or
    - ii. Indicated to the Licence holder by the Secretary of State.

## Standards, specifications and guidance

- 5.31** In carrying out its activities, the Licence holder **must** have due regard to any guidance, standards or specifications relevant to its statutory or other functions. This includes being mindful of where new standards or specifications are developing and seeking to ensure that new projects are brought into line.
- 5.32** In the event that the Licence holder departs from relevant statutory guidance, standards or specifications, the Licence holder **must** clearly record the justification for the departure, explaining why the provisions were not appropriate and (where applicable) how the alternative approach seeks to achieve the same outcomes through different means.

## Planning

- 5.33** In addition to any requirements imposed by planning legislation, the Licence holder **must** take reasonable steps to assist those seeking to make planning applications for which the Licence holder is likely to be a statutory consultee under the Town & Country Planning (development management procedure) (England) Order 2010.
- 5.34** Where the Licence holder is consulted by a local planning authority in light of its responsibilities as a statutory consultee under the Town & Country Planning (development management procedure) (England) Order 2010, and where the Licence holder chooses to comment on an application, it **must** make clear which of its comments are:
- a. Information: intended to provide a general context the decision of the local planning authority; or
  - b. Formal recommendations: where, should the local planning authority be minded to disagree with a recommendation of the Licence holder, the Licence holder will put its recommendation to the Secretary of State to take a view.
- 5.35** In the event that the Licence holder makes a formal recommendation as described in 5.34(b), it **must** inform the Secretary of State at the earliest opportunity, ahead of any decision by the local planning authority, unless the Secretary of State waives this right. This information is in addition to any requirements made through the development management regime.
- 5.36** The Licence holder **must**, in making decisions under section 175B of the Highways Act about permission for any new connections to its network:

- a. Unless otherwise directed by the Secretary of State, consider granting permission in light of the nature of the road in question and the consequences of the new connection, having particular regard to:
  - i. In the case of sections of the network designed for high-speed traffic, with partially or comprehensively limited access, there should be a presumption against connection, except where it can be provided safely and where there is a demonstrable benefit to the economy;
  - ii. On all other sections of the network there should be a presumption in favour of connection, except where a clear case can be made to prohibit connection on the basis of safety or economic impacts.
- b. Include its section 175B decision in its consultation response to the local planning authority whenever it is consulted about a development which requires consent under that section.

## Land and property

- 5.37** The Licence holder **must** hold and manage land and property in line with, and as a function of, the Licence holder's legal duties as a highway authority, and solely for the purposes of operating, managing and improving the highway, unless otherwise approved by the Secretary of State.
- 5.38** The Licence holder **must** establish, maintain and ensure ready access to all appropriate records relating to the purchase, sale, maintenance and condition of all land and property owned, held, used or occupied by the Licence holder and show how these are being or will be managed. This includes where compulsory purchase proceedings have (or are proposed to be) commenced.

## Commercial activity and charging for services

- 5.39** The Licence holder may charge for ancillary services where the law allows, on a non-discriminatory and cost-recovery basis, providing either:
  - a. Secretary of State, in his previous role as highway authority for the network, charged for or carried out the activity on a cost recovery basis; or
  - b. The Secretary of State has agreed to the introduction of new charges.
- 5.40** The Licence holder **must not** introduce any other new charges, expand the application or scope of any existing charges, undertake commercial services for profit, or form any subsidiary companies or joint ventures that generate profit, without approval from the Secretary of State.
- 5.41** Any introduction of new charges or new commercial services by the Licence holder, where the necessary government approvals - including those required by 5.39(b) or 5.40 - have been granted, **must** be in line with relevant government guidance.

- 5.42** The Licence holder **must not** receive commercial sponsorship or paid advertising without approval from the Secretary of State.

# Part 6 - Setting and varying the Road Investment Strategy

## Introduction

- 6.1 The Secretary of State may at any time set a Road Investment Strategy (RIS) for a strategic highways company, or vary a RIS that has already been set.
- 6.2 A RIS is to relate to such period ('Road Period') as the Secretary of State considers appropriate. For each RIS, the Secretary of State will determine the Road Period and set the timetable for developing and agreeing the RIS.
- 6.3 A RIS must specify the requirements to be delivered by the Licence holder during the Road Period to which it relates and the funding to be provided by the Secretary of State in order to deliver those requirements. Such requirements may include activities to be performed, results to be achieved and standards to be met.
- 6.4 The Licence holder **must** co-operate with the Secretary of State to reach an agreed position on a RIS and comply with the processes for setting and varying a RIS.
- 6.5 In the event that, for any reason, there is no current RIS in effect (for example, due to a delay between one RIS expiring and the commencement of a subsequent agreed RIS), the Licence holder **must** continue to comply with its legal obligations and the requirements set out in this Licence, as well as any further directions issued by the Secretary of State, until a new RIS has been agreed and comes into effect.

## Setting the Road Investment Strategy

### Step 1: The Strategic Road Network (SRN) Initial Report

- 6.6 Once informed of the Road Period by the Secretary of State, the Licence holder **must** prepare and provide to the Secretary of State a SRN Initial Report to inform the preparation of a draft Road Investment Strategy by the Secretary of State.
- 6.7 In producing a SRN Initial Report, the Licence holder **must** include:
  - a. An assessment of the current state of the network and user needs from it;
  - b. Potential maintenance and enhancement priorities; and
  - c. Future developmental needs and prospects.
- 6.8 In producing a SRN Initial Report, the Licence holder **must**:
  - a. Comply with the timetable set by the Secretary of State;
  - b. Take account of the evidence developed through the preparation of route strategies, as required at 5.13;

- c. Consider the need for effective integration between the Licence holder's network and the rest of the transport system;
- d. Engage with and take account of the views of relevant local and national stakeholders, including those organisations or groups identified at 5.18;
- e. Engage with and take account of the views of Transport Focus and the Highways Monitor;
- f. Take into account any directions and guidance that the Secretary of State may specify in relation to producing a SRN Initial Report by notice or in guidelines to the Licence holder; and
- g. Publish the SRN Initial Report.

**6.9** As soon as possible following publication of the SRN Initial Report by the Licence holder, the Secretary of State will conduct a consultation on the SRN Initial Report.

## **Step 2: The Secretary of State's proposals and Draft RIS**

- 6.10** The Secretary of State's response to the consultation referred to at 6.9 will include proposals for a Road Investment Strategy (the 'Draft RIS').
- 6.11** The Draft RIS will include details of the requirements to be delivered by the Licence holder along with the financial resources to be provided by the Secretary of State for the purpose of delivering those requirements, and the intended Road Period to which the proposals relate.
- 6.12** The Highways Monitor will assess the Draft RIS and provide advice to the Secretary of State, in accordance with the timetable set by the Secretary of State, on whether the Secretary of State's proposed requirements are challenging and deliverable with the proposed financial resources.
- 6.13** The Licence holder **must** assist the Highways Monitor in their assessment of the Draft RIS, including providing any additional information as necessary.
- 6.14** The Secretary of State, having taken account of advice from the Highways Monitor, will submit to the Licence holder:
  - a. A Draft RIS;
  - b. As part of the Draft RIS, a statement of his or her general strategy in respect of highways for which the Licence holder is the highway authority;
  - c. Any other information in support of the Draft RIS as the Secretary of State considers appropriate;
  - d. A clear timescale within which the Licence holder is required to respond with a Draft Strategic Business Plan.

## **Step 3: The Company's Draft Strategic Business Plan (SBP)**

- 6.15** The Licence holder **must** respond to the Draft RIS issued by the Secretary of State in the form of a draft Strategic Business Plan (the 'Draft SBP'), detailing its plans for delivering the requirements set out in the Road Investment Strategy, for the whole period of that RIS.

- 6.16** In providing a Draft SBP to the Secretary of State, the Licence holder **must**:
- a. Clearly indicate whether the Licence holder agrees to the proposals in the Draft RIS, or make counter-proposals;
  - b. Take into account any directions and guidance that the Secretary of State may specify in relation to producing a SBP by notice or in guidelines to the Licence holder;
  - c. Engage with and take account of the views of the Highways Monitor;
  - d. Submit the Draft SBP to the Secretary of State within the specified timescales.

#### **Step 4: The Efficiency Review**

- 6.17** The Highways Monitor will assess the Draft SBP and provide advice to the Secretary of State, in accordance with the timetable set by the Secretary of State, on whether the Licence holder's proposed requirements are deliverable with the proposed financial resources, and the extent to which the Draft SBP is challenging and deliverable, including with regard to the levels of efficiency the Licence holder proposes to achieve.
- 6.18** The Licence holder **must** assist the Highways Monitor in their assessment of the Draft SBP, including providing any additional information as necessary.

#### **Step 5: Finalising the RIS and the SBP**

- 6.19** Following the Efficiency Review the Secretary of State, taking account of the advice of the Highways Monitor, will do one of the following:
- a. Approve the Draft SBP and finalise the RIS;
  - b. Direct the Licence holder to make revisions to the Draft SBP before granting approval; or
  - c. Produce a revised Draft RIS, at which point the Secretary of State and the Licence holder will follow the process as specified above between 6.14 and 6.16 in order to reach a mutually agreed position on a final RIS and a final SBP.
- 6.20** If necessary, the Secretary of State will request additional advice from the Highways Monitor on revised versions of the Draft RIS and/or the Draft SBP to facilitate their finalisation.
- 6.21** Once both the Draft RIS and Draft SBP have been finalised, they **must** be published by the Secretary of State and the Licence holder respectively.
- 6.22** In the event that the Secretary of State and the Licence holder fail to reach a mutually agreed position on the Draft RIS and/or the Draft SBP within the timetable set by the Secretary of State, the Secretary of State retains the right to determine the content of a final RIS and/or SBP.

## Step 6: Mobilisation

- 6.23 Once the RIS has been finalised and the SBP finalised or determined, the Licence holder **must** take appropriate steps in advance of the next Road Period commencing to ensure that it is ready to undertake delivery of the RIS from the start of that period, including preparing a Draft Delivery Plan setting out the details of how the Licence holder aims to deliver the final SBP and submitting it to the Secretary of State for approval.
- 6.24 In preparing a draft Delivery Plan, the Licence holder **must** engage with and take account of the views of the Highways Monitor on the format and level of detail of the Delivery Plan to facilitate reporting arrangements.

## Step 7: Delivery

- 6.25 Following approval of a Draft SBP and Draft Delivery Plan by the Secretary of State, and his issuing of a final RIS, the Licence holder **must** publish and deliver the final SBP and the associated Delivery Plan.
- 6.26 The Licence holder **must** report to the Highways Monitor on progress in delivering requirements set out in the final SBP and Delivery Plan on an annual basis, submitting a draft report to the Highways Monitor for approval (providing a copy to the Secretary of State), following which the Licence holder **must** publish the final report.
- 6.27 The Licence holder **must** update its Delivery Plan on an annual basis, submitting a draft update of the Delivery Plan to the Secretary of State for approval. Subject to the Secretary of State being satisfied that the update is consistent with, and contains no material revisions to, the original Delivery Plan, the Licence holder **must** publish the updated Delivery Plan.

## Varying the Road Investment Strategy

- 6.28 The Secretary of State is able to vary a RIS once it has been agreed, and the Licence holder may also request a change to the RIS.
- 6.29 Small-scale changes to the RIS, beyond minor refinements that are within the Licence holder's discretion, will be handled through a formal change control process. Major variations, which would affect the Licence holder's overall funding, have a material effect on the integrity of the RIS or otherwise compromise the Licence holder's ability to comply with the RIS, would require the RIS to be re-opened.
- 6.30 In considering or proposing any variation of a RIS, the Secretary of State and the Licence holder **must** have due regard to the desirability of maintaining certainty and stability in respect of the existing RIS.

## Change control

- 6.31 Small-scale changes to the RIS, which do not have a bearing on the overall funding envelope and do not materially affect the integrity of the RIS (including small-scale additions to the RIS, as at 6.32), will be subject to a formal change control process, as described at 6.32 – 6.36.
- 6.32 In the event that the Secretary of State considers that a small-scale change to the detail of an objective set out in the RIS may be necessary

(for example, a change to the way in which a particular objective is measured, or a change to the nature of a project identified in the RIS Investment Plan), he will notify the Licence holder, the Highways Monitor and Transport Focus. Where the Secretary of State is seeking additions beyond the current RIS, such as additional schemes or further metrics or indicators, the Secretary of State will consider making a proportionate increase in the funding made available by government to the Licence holder to deliver these, along with the existing RIS requirements.

- 6.33** In the event that the Licence holder requests a small-scale change to the RIS, or identifies that a specific project in the RIS Investment Plan may need to be replaced (due to a deterioration in the business case or difficulties in obtaining relevant consents) the Licence holder **must** provide sufficiently detailed proposals and supporting evidence to allow the Secretary of State to make an informed decision.
- 6.34** The Secretary of State will consider the viability and desirability of any request by the Licence holder under 6.33, seeking advice from the Highways Monitor, where appropriate, and will respond to the Licence holder within three months with a decision about whether or not to proceed with a change.
- 6.35** Following a notification under 6.32, or a response to the Licence holder by the Secretary of State under 6.34, the Secretary of State will begin discussions with the Licence holder and the Highways Monitor to agree the change, including any proportionate increase in the funding as described at 6.32. Once agreed, the Secretary of State will publish details of the change.
- 6.36** In the event that, under the circumstances described at 6.35, the Secretary of State and the Licence holder fail to reach a mutually agreed position, having sought advice from the Highways Monitor, the Secretary of State retains the right to make a final determination.

### Re-opening the RIS

- 6.37** Where, in exceptional circumstances, a major variation is considered necessary, which would affect the Licence holder's overall funding, have a material effect on the integrity of the RIS, or otherwise compromise the Licence holder's ability to comply with the RIS, the Secretary of State will formally initiate the process for re-opening the RIS by publishing proposals for variation to the existing RIS and setting a timetable for the process.
- 6.38** In the event that the Licence holder requests that the Secretary of State initiate the process for re-opening the RIS, as described at 6.37, the Licence holder **must** provide sufficiently detailed proposals and supporting evidence to support its request. Following such a request, the Secretary of State will seek advice from the Highways Monitor on the deliverability of the RIS and the validity of the Licence holder's request.
- 6.39** Once the process for re-opening the RIS has been initiated, the Secretary of State will conduct a consultation on the proposals, or alternatively direct the Licence holder to conduct a consultation, depending on the nature of the proposed variation. In either case, the Licence holder **must** provide notification of the launch of the consultation process to those persons it considers appropriate.

- 6.40** Following the consultation process, the Secretary of State will formally respond to the consultation, setting out his or her decision on whether to proceed with the RIS variation process in light of consultation responses.
- 6.41** Should the Secretary of State decide to proceed with a revised RIS, the response to the consultation will include publication of revised proposals, equivalent to those produced in Step 2 of the process for setting the RIS, and set a timetable for finalising a revised RIS, SBP and Delivery Plan.
- 6.42** Following the publication of revised proposals, the Secretary of State, the Licence holder and the Highways Monitor will follow the standard process for determining and agreeing a final RIS, SBP and Delivery Plan, as set out at 6.14 to 6.24, above, in accordance with the timetable set by the Secretary of State under 6.41.

# Part 7 - Data and information

## Collection and provision of data and information

- 7.1** The Licence holder **must** provide data or information on its performance in complying with and/or delivering the requirements of the Road Investment Strategy, Strategic Business Plan, Delivery Plan and Licence, as required by the Highways Monitor for the purpose of fulfilling its statutory functions.
- 7.2** In complying with 7.1, the Licence holder **must** provide data or information in such form and manner and at such times as the Highways Monitor may reasonably specify in guidelines to the Licence holder.
- 7.3** The Licence holder **must** also collect, record and provide the following data or information as required:
- a. Data or information on performance of the Licence holder's network, assets or the movements and characteristics of traffic on the network not covered by 7.1, that is necessary or relevant to comply with its legal duties or other obligations in exercising its role as a strategic highways company, for example for the purposes of meeting environmental reporting requirements;
  - b. Information to the Secretary of State, annually and on request, on the numbers of planning applications received under the Development Management Order 2010, and how these have been dealt with, including cases involving permissions under section 175B of the Highways Act;
  - c. Information to the Secretary of State, annually and on request, on what actions the Licence holder has taken and is planning to take to encourage the development of an appropriate construction and design skills base to support delivery of the Road Investment Strategy, including:
    - i. the availability and take-up of apprenticeship and graduate programmes and training of existing staff within its own business; and
    - ii. its assessment of the capability and skills of its supply chain.
  - d. Any other data or information that the Secretary of State may reasonably require, including that required to fulfil statutory responsibilities or for official government statistics;
  - e. Any other data or information that Transport Focus or the Highways Monitor may reasonably require, where relevant to the fulfilment of their statutory functions.
- 7.4** The Licence holder **must** provide data or information in respect of 7.3(d) and 7.3(e) in such form and manner and at such times as the Secretary of State, Transport Focus and the Highways Monitor (as appropriate) may reasonably specify in guidelines to the Licence holder, and help with

the processing of data where it facilitates this goal. Where provision of such information under 7.3(d) and (e) would result in a significant impact on the ability of the Licence holder to fund or deliver its activities, the Secretary of State will consider making a proportionate change in the requirements on the Licence holder or the funding made available by the government.

- 7.5** The Licence holder **must** allow access to the network to persons authorised by the Secretary of State for the purposes of collecting traffic data or maintaining equipment used for this purpose, where arrangements for doing so have been agreed in advance with the Licence holder.

## Publication of data and information

- 7.6** The Licence holder should have due regard to government policy on data and transparency.
- 7.7** In particular, the Licence holder **must** make publicly available all data and information required by 7.1, as well as any other data or information where publication is specifically required by the Secretary of State.
- 7.8** In complying with 7.7, the Licence holder should have due regard to the need to ensure interoperability with other systems and comply with recognised standards in order to enable the sharing of data for operational or other purposes and maximise the utility of data for third parties.
- 7.9** The Licence holder **must**, taking into account any relevant directions and guidance that the Secretary of State may specify, formulate and publish - to timescales specified in the Licence holder's Delivery Plan - policies as to how it will:
- a. Manage and provide data and information relating to its activities;
  - b. Provide and improve information services to road users.

## Provision of expert and technical advice

- 7.10** The Licence holder **must**, where required, provide expert advice to the Secretary of State or other parts of government on relevant policy or technical matters. This includes advice to the Secretary of State in his role as 'competent authority' for the UK in relation to relevant EU activities.
- 7.11** Where appropriate, the Secretary of State may designate the Licence holder as the 'competent authority' for the UK, or require the company to represent the UK in other international activities, where such an arrangement complies with the law.
- 7.12** Where the Secretary of State makes any requirements or issues directions to the Licence holder under 7.10 - 7.11, the Secretary of State will seek to provide advance notice wherever possible, and these will be subject to the general conditions at 3.8 and 3.10 to ensure that the Licence holder is properly resourced to carry out this function.

# Part 8 - Enforcement and revocation

## Application

- 8.1** The Licence holder **must** act within the conditions of this Licence at all times.
- 8.2** Where the Licence holder fails to comply with the conditions of the Licence, the Highways Monitor may act to enforce these conditions, including through the issue of improvement notices or the levying of fines under section 11 of the Infrastructure Act 2015, in accordance with the Highways Monitor's published Enforcement Policy and any relevant agreement with, or with due regard to guidance from, the Secretary of State.
- 8.3** These conditions do not limit the ability of the Highways Monitor to apply sanctions to other situations that do not involve breaches of the Licence.
- 8.4** None of the conditions laid out in this part affect the Secretary of State's powers under other legislation or role as shareholder of the strategic highways company, or apply conditions to their use. However, where the Secretary of State intends to exercise these powers, for reasons that may relate indirectly to potential breaches of the Licence, the Secretary of State will consult with the Highways Monitor before taking action.
- 8.5** The Licence holder **must** ensure the Highways Monitor is aware, at the earliest opportunity, of:
- a. Any past or current breach of the Licence and of any action being taken to address the breach; and
  - b. Any issues likely to lead to a potential breach of the Licence, and of any action being taken to address the possibility.

## Emergencies

- 8.6** Where an emergency situation is agreed to have taken place, as set out in 8.7(a), the application of enforcement activity by the Highways Monitor in relation to the Licence holder's performance or compliance with the obligations set out in this Licence may be suspended.
- 8.7** The nature and extent of any suspension of enforcement activity under 8.6 would be at the discretion of the Highways Monitor, provided that:
- a. The Secretary of State declares that an emergency is in progress or has recently taken place that may have implications for the Licence holder to comply with or deliver its obligations. This includes where this is the result of advice from the Highways Monitor or an application by the Licence holder to the Secretary of State for recognition that an emergency is in progress or has recently taken place;

- b. The Highways Monitor acts in accordance with any relevant agreement with, or has due regard to guidance from, the Secretary of State.

## Revocation

- 8.8** If a failure to deliver or a breach of statutory duty or other obligation by the Licence holder is so great that it constitutes a loss of confidence in the ability of the Licence holder to fulfil its legal duties or other obligations, this may result in directions from the Secretary of State or revocation of the appointment by the Secretary of State.
- 8.9** The Secretary of State will not take such a course of action without evidence from the Highways Monitor that the Licence holder has failed to discharge its legal duties or other obligations.
- 8.10** In the event of revocation of the appointment, the Secretary of State will:
  - a. Notify the Licence holder of his intention to revoke the appointment;
  - b. Advise the Licence holder in writing of the date on which it is intended that the order which terminates the Licence holder's appointment as a strategic highways company will take effect;
  - c. Make a transfer scheme under section 15 of the Infrastructure Act 2015, to coincide with revocation of the appointment, ensuring that all property and contracts of the Licence holder, and rights and responsibilities therein, will revert to the Secretary of State.

## Ordered handover

- 8.11** Following notification by the Secretary of State under 8.10(a) of a decision to revoke the Licence holder's appointment, the Licence holder **must** co-operate in any transitional arrangements, including:
  - a. The provision of information;
  - b. The transfer of lands, assets, contracts or staff associated with its activities under the Licence;
  - c. The delivery of the Road Investment Strategy and any protocol agreements.
- 8.12** The Licence holder's continued responsibilities during this period of transition, as described in 8.11, are ended only at the point at which the revocation comes into effect.

Appendix B: National Planning Policy (March 2012)

## National Planning Policy Framework

## National Planning Policy Framework

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March, 2012

ISBN: 978-1-4098-3413-7

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# Ministerial foreword



The purpose of planning is to help achieve sustainable development.

*Sustainable* means ensuring that better lives for ourselves don't mean worse lives for future generations.

*Development* means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes

that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate.

Sustainable development is about change for the better, and not only in our built environment.

Our natural environment is essential to our wellbeing, and it can be better looked after than it has been. Habitats that have been degraded can be restored. Species that have been isolated can be reconnected. Green Belt land that has been depleted of diversity can be refilled by nature – and opened to people to experience it, to the benefit of body and soul.

Our historic environment – buildings, landscapes, towns and villages – can better be cherished if their spirit of place thrives, rather than withers.

Our standards of design can be so much higher. We are a nation renowned worldwide for creative excellence, yet, at home, confidence in development itself has been eroded by the too frequent experience of mediocrity.

So sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.

The planning system is about helping to make this happen.

Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision. This framework sets out clearly what could make a proposed plan or development unsustainable.

In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them. Dismantling the unaccountable regional apparatus and introducing neighbourhood planning addresses this.

In part, people have been put off from getting involved because planning policy itself has become so elaborate and forbidding – the preserve of specialists, rather than people in communities.

This National Planning Policy Framework changes that. By replacing over a thousand pages of national policy with around fifty, written simply and clearly, we are allowing people and communities back into planning.

A handwritten signature in black ink, reading 'Greg Clark'. The signature is written in a cursive, slightly stylized font. The 'G' is large and loops around the 'r', and the 'C' is also large and loops around the 'l'.

Rt Hon Greg Clark MP  
Minister for Planning

# Introduction

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.<sup>1</sup> It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
2. Planning law requires that applications for planning permission must be determined in accordance with the development plan,<sup>2</sup> unless material considerations indicate otherwise.<sup>3</sup> The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.<sup>4</sup> Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.
3. This Framework does not contain specific policies for nationally significant infrastructure projects for which particular considerations apply. These are determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant national policy statements for major infrastructure, as well as any other matters that are considered both important and relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and are a material consideration in decisions on planning applications.
4. This Framework should be read in conjunction with the Government's planning policy for traveller sites. Local planning authorities preparing plans for and taking decisions on travellers sites should also have regard to the policies in this Framework so far as relevant.
5. This Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England.<sup>5</sup> However, local authorities preparing waste plans and taking decisions on waste applications should have regard to policies in this Framework so far as relevant.

1 A list of the documents revoked and replaced by this Framework is at Annex 3.

2 This includes the Local Plan and neighbourhood plans which have been made in relation to the area (see glossary for full definition).

3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

4 Sections 19(2)(a) and 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. In relation to neighbourhood plans, under section 38B and C and paragraph 8(2) of new Schedule 4B to the 2004 Act (inserted by the Localism Act 2011 section 116 and Schedules 9 and 10) the independent examiner will consider whether having regard to national policy it is appropriate to make the plan.

5 The Waste Planning Policy Statement will remain in place until the National Waste Management Plan is published.

# Achieving sustainable development

International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

6. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
7. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
  - **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
  - **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
  - **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

8. These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.
9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
  - making it easier for jobs to be created in cities, towns and villages;
  - moving from a net loss of bio-diversity to achieving net gains for nature;<sup>6</sup>
  - replacing poor design with better design;
  - improving the conditions in which people live, work, travel and take leisure; and
  - widening the choice of high quality homes.
10. Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

## The presumption in favour of sustainable development

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.<sup>7</sup>
12. This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.
13. The National Planning Policy Framework constitutes guidance<sup>8</sup> for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

6 Natural Environment White Paper, *The Natural Choice: Securing the Value of Nature*, 2011.

7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

8 A list of the documents revoked and replaced by this Framework is at Annex 3. Section 19(2)(a) of the Planning and Compulsory Purchase Act 2004 states, in relation to plan-making, that the local planning authority must have regard to national policies and advice contained in guidance issued by the Secretary of State.

14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.<sup>9</sup>

For **decision-taking** this means:<sup>10</sup>

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.<sup>9</sup>

15. Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.
16. The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:
- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;

<sup>9</sup> For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

<sup>10</sup> Unless material considerations indicate otherwise.

- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

## Core planning principles

17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:
- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
  - not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
  - proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
  - take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
  - support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

## Delivering sustainable development

### 1. Building a strong, competitive economy

18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
20. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:
  - set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;

- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
  - support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;
  - plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;
  - identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and
  - facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.
22. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

## 2. Ensuring the vitality of town centres

23. Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:
- recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;
  - define a network and hierarchy of centres that is resilient to anticipated future economic changes;
  - define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations;
  - promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
  - retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive;
  - allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should

therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites;

- allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre;
  - set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres;
  - recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and
  - where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.
24. Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.
25. This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.
26. When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:
- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.
27. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

### 3. Supporting a prosperous rural economy

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:
- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
  - promote the development and diversification of agricultural and other land-based rural businesses;
  - support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
  - promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

### 4. Promoting sustainable transport

29. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.
31. Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas. The primary function of roadside facilities for motorists should be to support the safety and welfare of the road user.
32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
  - safe and suitable access to the site can be achieved for all people; and
  - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
33. When planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans should take account of this Framework as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.
34. Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.
35. Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to
- accommodate the efficient delivery of goods and supplies;
  - give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
  - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
  - incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
  - consider the needs of people with disabilities by all modes of transport.
36. A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.
37. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.
38. For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

39. If setting local parking standards for residential and non-residential development, local planning authorities should take into account:
  - the accessibility of the development;
  - the type, mix and use of development;
  - the availability of and opportunities for public transport;
  - local car ownership levels; and
  - an overall need to reduce the use of high-emission vehicles.
40. Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles. They should set appropriate parking charges that do not undermine the vitality of town centres. Parking enforcement should be proportionate.
41. Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.

## 5. Supporting high quality communications infrastructure

42. Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.
43. In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.
44. Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist on minimum distances between new telecommunications development and existing development. They should ensure that:
  - they have evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
  - they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and telecommunications services.

45. Applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:
- the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome or technical site; and
  - for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines; or
  - for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.
46. Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

## 6. Delivering a wide choice of high quality homes

47. To boost significantly the supply of housing, local planning authorities should:
- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
  - identify and update annually a supply of specific deliverable<sup>11</sup> sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
  - identify a supply of specific, developable<sup>12</sup> sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

<sup>11</sup> To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

<sup>12</sup> To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

- for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
  - set out their own approach to housing density to reflect local circumstances.
48. Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.
49. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
  - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
  - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.
51. Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
52. The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.

Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development. In doing so, they should consider whether it is appropriate to establish Green Belt around or adjoining any such new development.

53. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
54. In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.
55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:
  - the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
  - where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
  - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
  - the exceptional quality or innovative nature of the design of the dwelling. Such a design should:
    - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
    - reflect the highest standards in architecture;
    - significantly enhance its immediate setting; and
    - be sensitive to the defining characteristics of the local area.

## 7. Requiring good design

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:
  - will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
  - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
  - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
  - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
  - are visually attractive as a result of good architecture and appropriate landscaping.
59. Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
62. Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design.

They should also when appropriate refer major projects for a national design review.<sup>13</sup> In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.

63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
67. Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
68. Where an area justifies a degree of special protection on the grounds of amenity, an Area of Special Control Order<sup>14</sup> may be approved. Before formally proposing an Area of Special Control, the local planning authority is expected to consult local trade and amenity organisations about the proposal. Before a direction to remove deemed planning consent is made for specific advertisements,<sup>15</sup> local planning authorities will be expected to demonstrate that the direction would improve visual amenity and there is no other way of effectively controlling the display of that particular class of advertisement. The comments of organisations, and individuals, whose interests would be affected by the direction should be sought as part of the process.

<sup>13</sup> Currently provided by Design Council Cade.

<sup>14</sup> Regulation 20, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

<sup>15</sup> Regulation 7, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

## 8. Promoting healthy communities

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:
  - opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
  - safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
  - safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
  - plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
  - guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
  - ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
  - ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
71. Local planning authorities should take a positive and collaborative approach to enable development to be brought forward under a Community Right to Build Order, including working with communities to identify and resolve key issues before applications are submitted.
72. The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
  - give great weight to the need to create, expand or alter schools; and

- work with schools promoters to identify and resolve key planning issues before applications are submitted.
73. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.
77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:
- where the green space is in reasonably close proximity to the community it serves;
  - where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
  - where the green area concerned is local in character and is not an extensive tract of land.

78. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.

## 9. Protecting Green Belt land

79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
80. Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
81. Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
82. The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions. If proposing a new Green Belt, local planning authorities should:
- demonstrate why normal planning and development management policies would not be adequate;
  - set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary;
  - show what the consequences of the proposal would be for sustainable development;
  - demonstrate the necessity for the Green Belt and its consistency with Local Plans for adjoining areas; and
  - show how the Green Belt would meet the other objectives of the Framework.
83. Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green

Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

84. When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.
85. When defining boundaries, local planning authorities should:
  - ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
  - not include land which it is unnecessary to keep permanently open;
  - where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
  - make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
  - satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
  - define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.
86. If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.
87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
89. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:
  - buildings for agriculture and forestry;

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
  - the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
  - limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
90. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:
- mineral extraction;
  - engineering operations;
  - local transport infrastructure which can demonstrate a requirement for a Green Belt location;
  - the re-use of buildings provided that the buildings are of permanent and substantial construction; and
  - development brought forward under a Community Right to Build Order.
91. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
92. Community Forests offer valuable opportunities for improving the environment around towns, by upgrading the landscape and providing for recreation and wildlife. An approved Community Forest plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within Community Forests in the Green Belt should be subject to the normal policies controlling development in Green Belts.

## 10. Meeting the challenge of climate change, flooding and coastal change

93. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable

and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

94. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change,<sup>16</sup> taking full account of flood risk, coastal change and water supply and demand considerations.
95. To support the move to a low carbon future, local planning authorities should:
  - plan for new development in locations and ways which reduce greenhouse gas emissions;
  - actively support energy efficiency improvements to existing buildings; and
  - when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.
96. In determining planning applications, local planning authorities should expect new development to:
  - comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
  - take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
97. To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:
  - have a positive strategy to promote energy from renewable and low carbon sources;
  - design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
  - consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;<sup>17</sup>
  - support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and

<sup>16</sup> In line with the objectives and provisions of the Climate Change Act 2008.

<sup>17</sup> In assessing the likely impacts of potential wind energy development when identifying suitable areas, and in determining planning applications for such development, planning authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure (read with the relevant sections of the Overarching National Policy Statement for Energy Infrastructure, including that on aviation impacts). Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable.

- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.
98. When determining planning applications, local planning authorities should:
- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - approve the application<sup>18</sup> if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.
99. Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.
100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.<sup>19</sup> Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:
- applying the Sequential Test;
  - if necessary, applying the Exception Test;
  - safeguarding land from development that is required for current and future flood management;
  - using opportunities offered by new development to reduce the causes and impacts of flooding; and
  - where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking

<sup>18</sup> Unless material considerations indicate otherwise.

<sup>19</sup> Technical guidance on flood risk published alongside this Framework sets out how this policy should be implemented.

opportunities to facilitate the relocation of development, including housing, to more sustainable locations.

101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

103. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment<sup>20</sup> following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.<sup>21</sup>

104. For individual developments on sites allocated in development plans through the Sequential Test, applicants need not apply the Sequential Test. Applications for minor development and changes of use should not be

<sup>20</sup> A site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.

<sup>21</sup> The Floods and Water Management Act 2010 establishes a Sustainable Drainage Systems Approving Body in unitary or county councils. This body must approve drainage systems in new developments and re-developments before construction begins.

subject to the Sequential or Exception Tests<sup>22</sup> but should still meet the requirements for site-specific flood risk assessments.

105. In coastal areas, local planning authorities should take account of the UK Marine Policy Statement and marine plans and apply Integrated Coastal Zone Management across local authority and land/sea boundaries, ensuring integration of the terrestrial and marine planning regimes.
106. Local planning authorities should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:
  - be clear as to what development will be appropriate in such areas and in what circumstances; and
  - make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.
107. When assessing applications, authorities should consider development in a Coastal Change Management Area appropriate where it is demonstrated that:
  - it will be safe over its planned lifetime and will not have an unacceptable impact on coastal change;
  - the character of the coast including designations is not compromised;
  - the development provides wider sustainability benefits; and
  - the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast.<sup>23</sup>
108. Local planning authorities should also ensure appropriate development in a Coastal Change Management Area is not impacted by coastal change by limiting the planned life-time of the proposed development through temporary permission and restoration conditions where necessary to reduce the risk to people and the development.

## 11. Conserving and enhancing the natural environment

109. The planning system should contribute to and enhance the natural and local environment by:
  - protecting and enhancing valued landscapes, geological conservation interests and soils;
  - recognising the wider benefits of ecosystem services;
  - minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the

<sup>22</sup> Except for any proposal involving a change of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the Sequential and Exception Tests should be applied as appropriate.

<sup>23</sup> As required by the Marine and Coastal Access Act 2009.

- overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
  - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
110. In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.
111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.
113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites,<sup>24</sup> so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.
114. Local planning authorities should:
- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and
  - maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.
115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important

<sup>24</sup> Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

considerations in all these areas, and should be given great weight in National Parks and the Broads.<sup>25</sup>

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:
  - the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
  - the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
  - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
117. To minimise impacts on biodiversity and geodiversity, planning policies should:
  - plan for biodiversity at a landscape-scale across local authority boundaries;
  - identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
  - promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;
  - aim to prevent harm to geological conservation interests; and
  - where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.
118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
  - if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
  - proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made

<sup>25</sup> *English National Parks and the Broads: UK Government Vision and Circular 2010* provides further guidance and information about their statutory purposes, management and other matters.

where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;

- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
  - potential Special Protection Areas and possible Special Areas of Conservation;
  - listed or proposed Ramsar sites;<sup>26</sup> and
  - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

119. The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

120. To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

121. Planning policies and decisions should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

<sup>26</sup> Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.

- adequate site investigation information, prepared by a competent person, is presented.

122. In doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

123. Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts<sup>27</sup> on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts<sup>27</sup> on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;<sup>28</sup> and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

124. Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

<sup>27</sup> See Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs).

<sup>28</sup> Subject to the provisions of the Environmental Protection Act 1990 and other relevant law.

## 12. Conserving and enhancing the historic environment

126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment,<sup>29</sup> including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - the desirability of new development making a positive contribution to local character and distinctiveness; and
  - opportunities to draw on the contribution made by the historic environment to the character of a place.
127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

<sup>29</sup> The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking.

131. In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.
134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.
139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.
140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.
141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.<sup>30</sup> However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

### 13. Facilitating the sustainable use of minerals

142. Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.
143. In preparing Local Plans, local planning authorities should:

<sup>30</sup> Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository.

- identify and include policies for extraction of mineral resource of local and national importance in their area, but should not identify new sites or extensions to existing sites for peat extraction;
- so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;
- define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas;
- safeguard:
  - existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
  - existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.
- set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place;
- set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;
- when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and
- put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation.

144. When determining planning applications, local planning authorities should:

- give great weight to the benefits of the mineral extraction, including to the economy;
- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;
- ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source,<sup>31</sup> and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- not grant planning permission for peat extraction from new or extended sites;
- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;
- not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;
- consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and
- recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

145. Minerals planning authorities should plan for a steady and adequate supply of aggregates by:

- preparing an annual Local Aggregate Assessment, either individually or jointly by agreement with another or other mineral planning authorities, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);
- participating in the operation of an Aggregate Working Party and taking the advice of that Party into account when preparing their Local Aggregate Assessment;

<sup>31</sup> Technical guidance on minerals published alongside this Framework sets out how these policies should be implemented.

- making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;
- taking account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates;
- using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;
- making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites;
- ensuring that large landbanks bound up in very few sites do not stifle competition; and
- calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.

146. Minerals planning authorities should plan for a steady and adequate supply of industrial minerals by:

- co-operating with neighbouring and more distant authorities to co-ordinate the planning of industrial minerals to ensure adequate provision is made to support their likely use in industrial and manufacturing processes;
- encouraging safeguarding or stockpiling so that important minerals remain available for use;
- providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment, as follows:
  - at least 10 years for individual silica sand sites;
  - at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant, and for silica sand sites where significant new capital is required; and
  - at least 25 years for brick clay, and for cement primary and secondary materials to support a new kiln.
- taking account of the need for provision of brick clay from a number of different sources to enable appropriate blends to be made.

147. Minerals planning authorities should also:

- when planning for on-shore oil and gas development, including unconventional hydrocarbons, clearly distinguish between the three phases of development (exploration, appraisal and production) and address constraints on production and processing within areas that are licensed for oil and gas exploration or production;
- encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility;
- indicate any areas where coal extraction and the disposal of colliery spoil may be acceptable;
- encourage capture and use of methane from coal mines in active and abandoned coalfield areas; and
- provide for coal producers to extract separately, and if necessary stockpile, fireclay so that it remains available for use.

148. When determining planning applications, minerals planning authorities should ensure that the integrity and safety of underground storage facilities are appropriate, taking into account the maintenance of gas pressure, prevention of leakage of gas and the avoidance of pollution.

149. Permission should not be given for the extraction of coal unless the proposal is environmentally acceptable, or can be made so by planning conditions or obligations; or if not, it provides national, local or community benefits which clearly outweigh the likely impacts to justify the grant of planning permission.

# Plan-making

## Local Plans

150. Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.<sup>32</sup>
151. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development.<sup>33</sup> To this end, they should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development.
152. Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate.
153. Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.
154. Local Plans should be aspirational but realistic. They should address the spatial implications of economic, social and environmental change. Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.
155. Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.
156. Local planning authorities should set out the **strategic priorities** for the area in the Local Plan. This should include strategic policies to deliver:
  - the homes and jobs needed in the area;

<sup>32</sup> Section 38(6) of the Planning and Compulsory Purchase Act 2004.

<sup>33</sup> Under section 39(2) of the Planning and Compulsory Purchase Act 2004 a local authority exercising their plan making functions must do so with the objective of contributing to the achievement of sustainable development.

- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

157. Crucially, Local Plans should:

- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework;
- be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;
- be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;
- indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;
- allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;
- identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation;
- identify land where development would be inappropriate, for instance because of its environmental or historic significance; and
- contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.

## Using a proportionate evidence base

158. Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.

### **Housing**

159. Local planning authorities should have a clear understanding of housing needs in their area. They should:

- prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment

should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

- meets household and population projections, taking account of migration and demographic change;
  - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);<sup>34</sup> and
  - caters for housing demand and the scale of housing supply necessary to meet this demand;
- prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.

### **Business**

160. Local planning authorities should have a clear understanding of business needs within the economic markets operating in and across their area. To achieve this, they should:

- work together with county and neighbouring authorities and with Local Enterprise Partnerships to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market; and
- work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability.

161. Local planning authorities should use this evidence base to assess:

- the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development;
- the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs. Reviews of land available for economic development should be undertaken at the same time as, or combined with, Strategic Housing Land Availability Assessments and should include a reappraisal of the suitability of previously allocated land;
- the role and function of town centres and the relationship between them, including any trends in the performance of centres;
- the capacity of existing centres to accommodate new town centre development;
- locations of deprivation which may benefit from planned remedial action; and

<sup>34</sup> The planning policy for traveller sites sets out how travellers' accommodation needs should also be assessed.

- the needs of the food production industry and any barriers to investment that planning can resolve.

### **Infrastructure**

162. Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and
- take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.

### **Minerals**

163. Minerals planning authorities should work with other relevant organisations to use the best available information to:

- develop and maintain an understanding of the extent and location of mineral resource in their areas; and
- assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary materials.

### **Defence, national security, counter-terrorism and resilience**

164. Local planning authorities should:

- work with the Ministry of Defence's Strategic Planning Team to ensure that they have and take into account the most up-to-date information about defence and security needs in their area; and
- work with local advisors and others to ensure that they have and take into account the most up-to-date information about higher risk sites in their area for malicious threats and natural hazards, including steps that can be taken to reduce vulnerability and increase resilience.

### **Environment**

165. Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area including drawing, for example, from River Basin Management Plans. Working with Local Nature Partnerships where appropriate, this should include an assessment of existing and potential components of ecological networks. A sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.

166. Local Plans may require a variety of other environmental assessments, including under the Habitats Regulations where there is a likely significant effect on a European wildlife site (which may not necessarily be within the same local authority area), Strategic Flood Risk Assessment and assessments of the physical constraints on land use.<sup>35</sup> Wherever possible, assessments should share the same evidence base and be

<sup>35</sup> Such as land instability, contamination and subsidence.

conducted over similar timescales, but local authorities should take care to ensure that the purposes and statutory requirements of different assessment processes are respected.

167. Assessments should be proportionate, and should not repeat policy assessment that has already been undertaken. Wherever possible the local planning authority should consider how the preparation of any assessment will contribute to the plan's evidence base. The process should be started early in the plan-making process and key stakeholders should be consulted in identifying the issues that the assessment must cover.
168. Shoreline Management Plans should inform the evidence base for planning in coastal areas. The prediction of future impacts should include the longer term nature and inherent uncertainty of coastal processes (including coastal landslip), and take account of climate change.

### ***Historic environment***

169. Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.
170. Where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.

### ***Health and well-being***

171. Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.

### ***Public safety from major accidents***

172. Planning policies should be based on up-to-date information on the location of major hazards and on the mitigation of the consequences of major accidents.

### ***Ensuring viability and deliverability***

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

174. Local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing. They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle. Evidence supporting the assessment should be proportionate, using only appropriate available evidence.
175. Where practical, Community Infrastructure Levy charges should be worked up and tested alongside the Local Plan. The Community Infrastructure Levy should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place.
176. Where safeguards are necessary to make a particular development acceptable in planning terms (such as environmental mitigation or compensation), the development should not be approved if the measures required cannot be secured through appropriate conditions or agreements. The need for such safeguards should be clearly justified through discussions with the applicant, and the options for keeping such costs to a minimum fully explored, so that development is not inhibited unnecessarily.
177. It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan. Any affordable housing or local standards requirements that may be applied to development should be assessed at the plan-making stage, where possible, and kept under review.

## Planning strategically across local boundaries

178. Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the **strategic priorities** set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
179. Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans.<sup>36</sup> Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint

<sup>36</sup> In marine areas, local planning authorities should collaborate with the Marine Management Organisation to ensure that policies across the land/sea boundary are integrated.

planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.

180. Local planning authorities should take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships and Local Nature Partnerships. Local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.
181. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.

## Examining Local Plans

182. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:
  - **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
  - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

## Neighbourhood plans

183. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- set planning policies through neighbourhood plans to determine decisions on planning applications; and
- grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.

184. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.
185. Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.

## Decision-taking

186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

## Pre-application engagement and front loading

188. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.
189. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they do offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications.
190. The more issues that can be resolved at pre-application stage, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.
191. The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.
192. The right information is crucial to good decision-taking, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations Assessment and Flood Risk Assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.

193. Local planning authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
194. Local planning authorities should consult the appropriate bodies when planning, or determining applications, for development around major hazards.
195. Applicants and local planning authorities should consider the potential of entering into planning performance agreements, where this might achieve a faster and more effective application process.

## Determining applications

196. The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan,<sup>37</sup> unless material considerations indicate otherwise.<sup>38</sup> This Framework is a material consideration in planning decisions.
197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
198. Where a Neighbourhood Development Order has been made, a planning application is not required for development that is within the terms of the order. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

## Tailoring planning controls to local circumstances

199. Local planning authorities should consider using Local Development Orders to relax planning controls for particular areas or categories of development, where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area, such as boosting enterprise.
200. The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities). Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.
201. Communities can use Neighbourhood Development Orders and Community Right to Build Orders to grant planning permission. Where such an order is in

<sup>37</sup> Section 38(1) of the Planning and Compulsory Purchase Act 2004: this includes adopted or approved development plan documents i.e. the Local Plan and neighbourhood plans which have been made in relation to the area (and the London Plan).

<sup>38</sup> Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

place, no further planning permission is required for development which falls within its scope.

202. Neighbourhood Development Orders and Community Right to Build Orders require the support of the local community through a referendum. Therefore, local planning authorities should take a proactive and positive approach to proposals, working collaboratively with community organisations to resolve any issues before draft orders are submitted for examination. Policies in this Framework that relate to decision-taking should be read as applying to the consideration of proposed Neighbourhood Development Orders, wherever this is appropriate given the context and relevant legislation.

## Planning conditions and obligations

203. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
204. Planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
205. Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.
206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

## Enforcement

207. Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

## Annex 1: Implementation

208. The policies in this Framework apply from the day of publication.
209. The National Planning Policy Framework aims to strengthen local decision making and reinforce the importance of up-to-date plans.
210. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
211. For the purposes of decision-taking, the policies in the Local Plan (and the London Plan) should not be considered out-of-date simply because they were adopted prior to the publication of this Framework.
212. However, the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication. The Framework must also be taken into account in the preparation of plans.
213. Plans may, therefore, need to be revised to take into account the policies in this Framework. This should be progressed as quickly as possible, either through a partial review or by preparing a new plan.
214. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004<sup>39</sup> even if there is a limited degree of conflict with this Framework.
215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
216. From the day of publication, decision-takers may also give weight<sup>40</sup> to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
217. Advice will be available immediately and free of charge from a support service provided by the Local Government Association, the Planning

<sup>39</sup> In development plan documents adopted in accordance with the Planning and Compulsory Purchase Act 2004 or published in the London Plan.

<sup>40</sup> Unless other material considerations indicate otherwise.

Inspectorate and the Department for Communities and Local Government. This will assist local planning authorities in considering the need to update their Local Plan and taking forward efficient and effective reviews.

218. Where it would be appropriate and assist the process of preparing or amending Local Plans, regional strategy<sup>41</sup> policies can be reflected in Local Plans by undertaking a partial review focusing on the specific issues involved. Local planning authorities may also continue to draw on evidence that informed the preparation of regional strategies to support Local Plan policies, supplemented as needed by up-to-date, robust local evidence.
219. This Framework has been drafted to reflect the law following the implementation of the Localism Act 2011, so, where appropriate, policies will apply only when the relevant legislation is in force.

<sup>41</sup> Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act. It is the government's clear policy intention to revoke the regional strategies outside of London, subject to the outcome of the environmental assessments that are currently being undertaken.

## Annex 2: Glossary

**Affordable housing:** Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

**Aged or veteran tree:** A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

**Air Quality Management Areas:** Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

**Ancient woodland:** An area that has been wooded continuously since at least 1600 AD.

**Archaeological interest:** There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

**Article 4 direction:** A direction which withdraws automatic planning permission granted by the General Permitted Development Order.

**Best and most versatile agricultural land:** Land in grades 1, 2 and 3a of the Agricultural Land Classification.

**Birds and Habitats Directives:** European Directives to conserve natural habitats and wild fauna and flora.

**Climate change adaptation:** Adjustments to natural or human systems in response to actual or expected climatic factors or their effects, including from changes in rainfall and rising temperatures, which moderate harm or exploit beneficial opportunities. **Climate change mitigation:** Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

**Coastal Change Management Area:** An area identified in Local Plans as likely to be affected by coastal change (physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion).

**Conservation (for heritage policy):** The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

**Community Forest:** An area identified through the England Community Forest Programme to revitalise countryside and green space in and around major conurbations.

**Community Infrastructure Levy:** A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

**Community Right to Build Order:** An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.

**Competent person (to prepare site investigation information):** A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.

**Decentralised energy:** Local renewable energy and local low-carbon energy usually but not always on a relatively small scale encompassing a diverse range of technologies.

**Designated heritage asset:** A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

**Development plan:** This includes adopted Local Plans, neighbourhood plans and the London Plan, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. (Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act. It is the government's clear policy intention to revoke the regional strategies outside of London, subject to the outcome of the environmental assessments that are currently being undertaken.)

**Economic development:** Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

**Ecological networks:** These link sites of biodiversity importance.

**Ecosystem services:** The benefits people obtain from ecosystems such as, food, water, flood and disease control and recreation.

**Edge of centre:** For retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

**Environmental Impact Assessment:** A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

**European site:** This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2010.

**Geodiversity:** The range of rocks, minerals, fossils, soils and landforms.

**Green infrastructure:** A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

**Heritage asset:** A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

**Heritage Coast:** Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

**Historic environment:** All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

**Historic environment record:** Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

**Inclusive design:** Designing the built environment, including buildings and their surrounding spaces, to ensure that they can be accessed and used by everyone.

**Instrumentation operated in the national interest:** Includes meteorological and climate monitoring installations, satellite and radio communication, defence and national security sites and magnetic calibration facilities operated by or on behalf of the Government, delegated authorities or for defence purposes.

**International, national and locally designated sites of importance for biodiversity:** All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites.

**Local Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

**Local Enterprise Partnership:** A body, designated by the Secretary of State for Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.

**Local Nature Partnership:** A body, designated by the Secretary of State for Environment, Food and Rural Affairs, established for the purpose of protecting and improving the natural environment in an area and the benefits derived from it.

**Local planning authority:** The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority apply to the district council, London borough council, county council, Broads Authority, National Park Authority and the Greater London Authority, to the extent appropriate to their responsibilities.

**Local Plan:** The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

**Main town centre uses:** Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

**Major Hazards:** Major hazard installations and pipelines, licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply.

**Minerals of local and national importance:** Minerals which are necessary to meet society's needs, including aggregates, brickclay (especially Etruria Marl and fireclay), silica sand (including high grade silica sands), cement raw materials, gypsum, salt, fluorspar, shallow and deep-mined coal, oil and gas (including hydrocarbons), tungsten, kaolin, ball clay, potash and local minerals of importance to heritage assets and local distinctiveness.

**Mineral Safeguarding Area:** An area designated by Minerals Planning Authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

**National Trails:** Long distance routes for walking, cycling and horse riding.

**Nature Improvement Areas:** Inter-connected networks of wildlife habitats intended to re-establish thriving wildlife populations and help species respond to the challenges of climate change.

**Neighbourhood Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which Parish Councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

**Neighbourhood plans:** A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

**Older people:** People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs.

**Open space:** All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

**Original building:** A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

**Out of centre:** A location which is not in or on the edge of a centre but not necessarily outside the urban area.

**Out of town:** A location out of centre that is outside the existing urban area.

**People with disabilities:** People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

**Planning condition:** A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

**Planning obligation:** A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

**Playing field:** The whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010.

**Pollution:** Anything that affects the quality of land, air, water or soils, which might lead to an adverse impact on human health, the natural environment or general amenity. Pollution can arise from a range of emissions, including smoke, fumes, gases, dust, steam, odour, noise and light.

**Previously developed land:** Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

**Primary shopping area:** Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage).

**Primary and secondary frontages:** Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.

**Priority habitats and species:** Species and Habitats of Principle Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.

**Ramsar sites:** Wetlands of international importance, designated under the 1971 Ramsar Convention.

**Renewable and low carbon energy:** Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

**Rural exception sites:** Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

**Safeguarding zone:** An area defined in Circular 01/03: Safeguarding aerodromes, technical sites and military explosives storage areas, to safeguard such sites.

**Setting of a heritage asset:** The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

**Shoreline Management Plans:** A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes.

**Significance (for heritage policy):** The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

**Special Areas of Conservation:** Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

**Special Protection Areas:** Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.

**Site investigation information:** Includes a risk assessment of land potentially affected by contamination, or ground stability and slope stability reports, as appropriate. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 (2001) Code of Practice for the Investigation of Potentially Contaminated Sites). The minimum information that should be provided by an applicant is the report of a desk study and site reconnaissance.

**Site of Special Scientific Interest:** Sites designated by Natural England under the Wildlife and Countryside Act 1981.

**Stepping stones:** Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

**Strategic Environmental Assessment:** A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

**Supplementary planning documents:** Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**Sustainable transport modes:** Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport.

**Town centre:** Area defined on the local authority's proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in Local Plans, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

**Transport assessment:** A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

**Transport statement:** A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.

**Travel plan:** A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.

**Wildlife corridor:** Areas of habitat connecting wildlife populations.

**Windfall sites:** Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

## Annex 3: Documents replaced by this Framework

1. Planning Policy Statement: *Delivering Sustainable Development* (31 January 2005)
2. Planning Policy Statement: *Planning and Climate Change – Supplement to Planning Policy Statement 1* (17 December 2007)
3. Planning Policy Guidance 2: *Green Belts* (24 January 1995)
4. Planning Policy Statement 3: *Housing* (9 June 2011)
5. Planning Policy Statement 4: *Planning for Sustainable Economic Growth* (29 December 2009)
6. Planning Policy Statement 5: *Planning for the Historic Environment* (23 March 2010)
7. Planning Policy Statement 7: *Sustainable Development in Rural Areas* (3 August 2004)
8. Planning Policy Guidance 8: *Telecommunications* (23 August 2001)
9. Planning Policy Statement 9: *Biodiversity and Geological Conservation* (16 August 2005)
10. Planning Policy Statement 12: *Local Spatial Planning* (4 June 2008)
11. Planning Policy Guidance 13: *Transport* (3 January 2011)
12. Planning Policy Guidance 14: *Development on Unstable Land* (30 April 1990)
13. Planning Policy Guidance 17: *Planning for Open Space, Sport and Recreation* (24 July 2002)
14. Planning Policy Guidance 18: *Enforcing Planning Control* (20 December 1991)
15. Planning Policy Guidance 19: *Outdoor Advertisement Control* (23 March 1992)
16. Planning Policy Guidance 20: *Coastal Planning* (1 October 1992)
17. Planning Policy Statement 22: *Renewable Energy* (10 August 2004)
18. Planning Policy Statement 23: *Planning and Pollution Control* (3 November 2004)
19. Planning Policy Guidance 24: *Planning and Noise* (3 October 1994)
20. Planning Policy Statement 25: *Development and Flood Risk* (29 March 2010)
21. Planning Policy Statement 25 Supplement: *Development and Coastal Change* (9 March 2010)
22. Minerals Policy Statement 1: *Planning and Minerals* (13 November 2006)
23. Minerals Policy Statement 2: *Controlling and Mitigating the Environmental Effects of Minerals Extraction In England*. This includes its Annex 1: *Dust* and Annex 2: *Noise* (23 March 2005 - Annex 1: 23 March 2005 and Annex 2: 23 May 2005)
24. Minerals Planning Guidance 2: *Applications, permissions and conditions* (10 July 1998)
25. Minerals Planning Guidance 3: *Coal Mining and Colliery Spoil Disposal* (30 March 1999)
26. Minerals Planning Guidance 5: *Stability in surface mineral workings and tips* (28 January 2000)
27. Minerals Planning Guidance 7: *Reclamation of minerals workings* (29 November 1996)

28. Minerals Planning Guidance 10: *Provision of raw material for the cement industry* (20 November 1991)
29. Minerals Planning Guidance 13: *Guidance for peat provision in England* (13 July 1995)
30. Minerals Planning Guidance 15: *Provision of silica sand in England* (23 September 1996)
31. Circular 05/2005: *Planning Obligations* (18 July 2005)
32. Government Office London Circular 1/2008: *Strategic Planning in London* (4 April 2008)
33. Letter to Chief Planning Officers: *Town and Country Planning (Electronic Communications) (England) Order 2003* (2 April 2003)
34. Letter to Chief Planning Officers: *Planning Obligations and Planning Registers* (3 April 2002)
35. Letter to Chief Planning Officers: *Model Planning Conditions for development on land affected by contamination* (30 May 2008)
36. Letter to Chief Planning Officers: *Planning for Housing and Economic Recovery* (12 May 2009)
37. Letter to Chief Planning Officers: *Development and Flood Risk – Update to the Practice Guide to Planning Policy Statement 25* (14 December 2009)
38. Letter to Chief Planning Officers: *Implementation of Planning Policy Statement 25 (PPS25) – Development and Flood Risk* (7 May 2009)
39. Letter to Chief Planning Officers: *The Planning Bill – delivering well designed homes and high quality places* (23 February 2009)
40. Letter to Chief Planning Officers: *Planning and Climate Change – Update* (20 January 2009)
41. Letter to Chief Planning Officers: *New powers for local authorities to stop ‘garden- grabbing’* (15 June 2010)
42. Letter to Chief Planning Officer: *Area Based Grant: Climate Change New Burdens* (14 January 2010)
43. Letter to Chief Planning Officers: *The Localism Bill* (15 December 2010)
44. Letter to Chief Planning Officers: *Planning policy on residential parking standards, parking charges, and electric vehicle charging infrastructure* (14 January 2011)

Appendix C: Letter dated 23 January 2020 from Ian Raxton to Mike Hart

**Eur Ing Ian Raxton**  
HM Principal Inspector of Railways

Email: [ian.raxton@orr.gov.uk](mailto:ian.raxton@orr.gov.uk)

23 January 2020

Mr M Hart OBE  
Rother Valley Railway Ltd  
Robertsbridge (RVR) Station  
Station Road  
Robertsbridge  
East Sussex  
TN32 5DG



By email only to:  
[mikehartwb@gmail.com](mailto:mikehartwb@gmail.com)

Dear Mike,

ORR has now completed the meeting of our Level Crossings Coordination Group to consider the proposals for the crossings on the route of the Rother Valley Railway, and the outcome of that meeting has been endorsed by our senior management meeting.

The outcome of our considerations is linked intrinsically to our policy on new and reinstated level crossings. You will note that the latest version<sup>1</sup> of this document has moved away from directly referring to 'exceptional circumstances' and we have clarified that we consider exceptional circumstances to be when there is no reasonably practicable alternative to a level crossing.

I would emphasise that we have not made any cross check of the construction costs that you have provided, or attempted to validate the potential costs related to whether external contractors or Rother Valley resource is used to construct works.

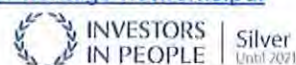
In terms of the individual crossing locations our views are as follows.

#### Northbridge Street

Having considered the practicalities of constructing any form of grade separated crossing at this location, the costs of a level crossing in comparison to the likely safety impact and other factors, we consider that the exceptional circumstances test would be met at this location and that it would not be reasonably practicable to do anything other than construct a level crossing there.

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<sup>1</sup> [https://orr.gov.uk/data/assets/pdf\\_file/0003/16527/rig-2014-06-new-level-crossings-orr-policy-and-approach-to-handling-requests-for-new-or-reinstated-crossings-on-the-mainline-or-heritage-networks.pdf](https://orr.gov.uk/data/assets/pdf_file/0003/16527/rig-2014-06-new-level-crossings-orr-policy-and-approach-to-handling-requests-for-new-or-reinstated-crossings-on-the-mainline-or-heritage-networks.pdf)



## A21

The situation at the A21 appears more complex than the other roads, with higher traffic speeds and the additional potential complication of the signaller mixing direct observation of the crossing with CCTV and information from obstacle detection. While there are limited physical restrictions that would prevent a grade separated crossing we acknowledge that the flooding risk and AONB may restrict their use; these are matters for the Inquiry though and ORR does not have the competence to consider their effects.

We have taken the lowest cost of the various grade separation options and concluded that there will be a degree of gross disproportion in costs between that and a level crossing. The degree of disproportion falls within the HSE suggested range for such factors, where it then becomes more important to consider other non-monetary factors that affect the crossing safety. We note the relatively low train speed, the frequency of operations, the proposals to extend the 40mph road speed zone, the potential to have good sightlines, the proximity of the signaller to the crossing, and issues such as the potential consequences of a collision between a road vehicle and a train. The lack of any information from Highways England on the safety performance of the A21 at this location has to be flagged as a factor we have not been able to account for, though we note public data that indicates that the A21 overall has a poor safety record amongst trunk roads.

Our consideration is that there is a degree of gross disproportion in costs at this location and that it is then the other factors beyond cost that guide whether the exception circumstances test is met. If the most reasonably practicable crossing solution that delivers the best safety performance is provided and this includes appropriate safety measures on the highway approaches, then on balance we consider that the exceptional circumstances test would be met. We will highlight to the Inquiry that ORR's view is limited to railway safety issues and that aspects such as wider highway safety and congestion impacts and environmental issues are outside our competence and are for them to consider.

Whilst we can envisage that a form of tolerably safe crossing could be constructed at this location we remain to be convinced that the specific arrangement currently described achieves that and would want to further discuss the detail of a crossing if the principle of having one at the A21 is authorised in a TWA Order, with final arrangements being set out in a Level Crossing Order in the normal fashion.

## Footpath "Salehurst and Robertsbridge 31"

We support the proposal to divert the footpath below the level of the railway to achieve a crossing. We would not support a footpath level crossing at this site given the proximity to the A21.

### Bridleway "Salehurst and Robertsbridge 36b"

On the basis that the costs of constructing a bridge to take the bridleway over the railway line would be circa £400k and comparing this to the risk of a fatality, and taking into account other factors such as safety performance of this crossing type on other railways, we do not feel that there is likely to be a gross disproportion in costs between a bridge and a level crossing. Taking all the issues into account we feel that the exceptional circumstances test is not met at this location and that it would be reasonably practicable to construct a grade separated crossing.

### Junction Road / B2244

This site appears to share similar issues to Northbridge Street in that there would be severe limitations of the practicability of constructing a grade separated crossing at this location. Again a comparison of the costs of a level crossing, the likely safety impact, and other factors indicate that the exceptional circumstances test would be met at this location and that it would not be reasonably practicable to do anything other than construct a level crossing.

### Accommodation Crossings

ORR has noted the proposal to provide some form of user warning at these locations, but with the number of crossings and their specific locations unknown, and the very poor safety performance of such crossings on other railways, we must recommend that the railway and landowners come to agreements that remove the need for these crossings where reasonably practicable. Our preference is for them to be avoided at all but if some must be provided then efforts to consolidate the crossings into a small number are encouraged. We will suggest that alternatives such as the potential for cattle creeps are also explored, these may be a reasonable option given that there will inevitably be a need for flood alleviation along the alignment.

### Crossing technology

ORR considers that the type of road crossing that you are proposing with a combination of staff control, CCTV monitoring and obstacle detection is not directly comparable to the 'MCB-OD' crossing types used on the mainline railway. The MC-OD used on the mainline railway is an automatic crossing type with no role for staff intervention in the sequence activation, and hence gives reduced scope for human error, and includes both LIDAR and RADAR obstacle detection methods.

The current Network Rail and RSSB data does not yet include a relatively new type of crossing, the Automatic Full Barrier Crossing Locally Monitored (AFBCL). We believe that the crossing type you propose is actually more similar to this new format in operational and technology terms. There is such a crossing at Dingwall in Scotland ("Dingwall Middle"



crossing), on an A road, where train speeds are limited to 10mph. Our crossing assessments have made use of data from that site to inform our thinking alongside the comparison to the data you have suggested.

We remain concerned about the implications of SPADs at the road crossing locations and would want to discuss this further should the TWA be granted authorising crossings.

Notwithstanding the type and operating method proposed in your documentation we will recommend that the inquiry leaves open the issue of what each crossing is in detail. For the road crossings this further step can be resolved in due course through the issue of Orders under the Level Crossings Act 1983. We would also expect to discuss the detail of the bridleway and any necessary accommodation crossings in a similar manner.

We will now prepare a response to send to the TWA Inquiry setting out our position and describing our methodology and thinking around the decisions summarised above.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'I. Raxton'.

**Eur Ing Ian Raxton**  
HM Principal Inspector of Railways

cc. Ian Skinner  
Head of Non-Mainline Railways  
ORR

Clare Povey  
Head of Level Crossings Team  
ORR

Appendix D: DMRB GG142 Walking, Cycling and Horse Riding Assessment



General Principles and Scheme Governance  
General information

## GG 142

# Walking, cycling and horse-riding assessment and review

(formerly HD 42/17)

Revision 0

### Summary

This document sets out the walking, cycling and horse-riding assessment and review (WCHAR) process for highway schemes on motorways and all-purpose trunk roads.

### Application by Overseeing Organisations

Any specific requirements for Overseeing Organisations alternative or supplementary to those given in this document are given in National Application Annexes to this document.

### Feedback and Enquiries

Users of this document are encouraged to raise any enquiries and/or provide feedback on the content and usage of this document to the dedicated Highways England team. The email address for all enquiries and feedback is: [Standards\\_Enquiries@highwaysengland.co.uk](mailto:Standards_Enquiries@highwaysengland.co.uk)

**This is a controlled document.**

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## Release notes

Version	Date	Details of amendments
0	Nov 2019	GG 142 replaces HD 42/17. This full document has been re-written to make it compliant with the new Highways England drafting rules.

## **Foreword**

### **Publishing information**

This document is published by Highways England.

This document supersedes HD 42/17, which is withdrawn.

### **Contractual and legal considerations**

This document forms part of the works specification. It does not purport to include all the necessary provisions of a contract. Users are responsible for applying all appropriate documents applicable to their contract.

## Introduction

### Background

This document sets out the walking, cycling and horse-riding assessment and review (WCHAR) process for highway schemes on motorways and all-purpose trunk roads.

It defines the applicable highway schemes and stages in the highway scheme development process at which walking, cycling and horse-riding assessments and reviews are needed, together with the process requirements.

The purpose of this document is to facilitate the inclusion of all walking, cycling and horse-riding modes in the highway scheme development process from the earliest stage, enabling opportunities for new or improved facilities and their integration with the local and national network(s). This could include the creation and/or improvement of facilities for pedestrians, cyclists and equestrians that are separate from the highway.

WCHAR is intended to provide increased collaboration, interaction and engagement with key stakeholders.

The WCHAR process is not an independent audit of walking, cycling and horse-riding matters related to the highway scheme.

The competencies expected of the Lead Assessor responsible for leading this work are set out in Section 3 of this document.

The process is made up of two distinct parts - the assessment and review.

The aims of carrying out a walking, cycling and horse-riding assessment are:

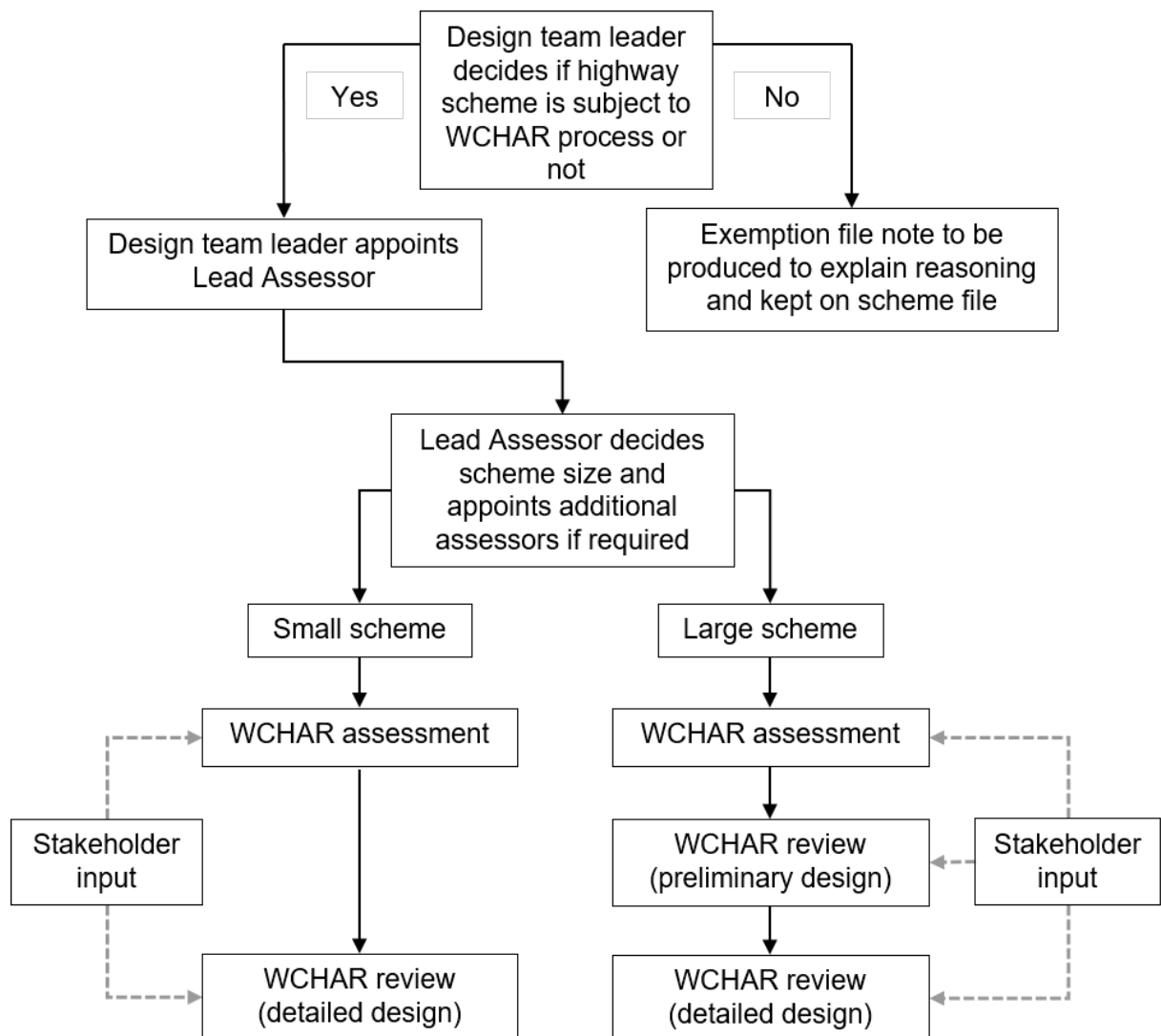
- 1) to gain an appropriate understanding of all relevant existing facilities for pedestrians, cyclists and equestrians (users) in the local area;
- 2) to provide background user information that can be referred to throughout the development of the highway scheme;
- 3) to identify opportunities for improvement for users.

The aims of carrying out a walking, cycling and horse-riding review are:

- 1) to continually review proposals for pedestrians, cyclists and equestrians throughout the development of the highway scheme design;
- 2) to review the potential impact of the proposed highway scheme on users in the area and on existing facilities;
- 3) to identify new opportunities for improvement (or removal of constraints) for users that may arise from the development of the highway scheme that were not evident during the assessment phase.

The process concludes prior to the commencement of construction of a highway scheme.

The WCHAR process is summarised in the WCHAR process summary:

**WCHAR process summary****Assumptions made in the preparation of this document**

The assumptions made in GG 101 [Ref 1.N] apply to this document.

## Abbreviations

### Abbreviations

Abbreviation	Definition
RSA	Road safety audit
WCHAR	Walking, cycling and horse-riding assessment and review

## Terms and definitions

### Terms and definitions

Term	Definition
Assessment and review team	<p>The team of Lead Assessor and any additional appointed assessors who are responsible for undertaking the assessment and/or review.</p> <p>NOTE: Also referred to as 'assessment team' and 'review team' for appropriate stages of the WCHAR process.</p>
Assessor	<p>A practitioner who is appointed to assist the Lead Assessor.</p> <p>NOTE: More than one assessor can be appointed by the Lead Assessor.</p>
Design team leader	<p>A person within the design organisation responsible for the development of the highway scheme and who performs a role other than Lead Assessor for the same highway scheme.</p> <p>NOTE: The design team leader can be known by other titles in some cases, therefore design team leader is a collective term.</p>
Lead Assessor	<p>An appointed and competent practitioner who is responsible for the completion of the WCHAR process in accordance with this document. The Lead Assessor provides specific advice on the provision for pedestrians, cyclists and equestrians within a highway scheme.</p>
Third party organisation-led highway scheme	<p>A highway scheme that is promoted by a developer or third party organisation that has an impact on the motorway or all-purpose trunk road network.</p>
Walking, cycling and horse-riding assessment	<p>The first part of the WCHAR process.</p> <p>NOTE: Also referred to as 'the assessment' within this document.</p>
Walking, cycling and horse-riding assessment and review	<p>The overall process for the assessment and review of walking, cycling and horse-riding facilities within the highway scheme development process.</p>
Walking, cycling and horse-riding assessment report	<p>The document output of the assessment.</p>
Walking, cycling and horse-riding review	<p>The second and final part of the WCHAR process.</p> <p>NOTE: Also referred to as 'the review(s)' within this document.</p>
Walking, cycling and horse-riding review report	<p>The document output of the review(s).</p>

**Terms and definitions** (continued)

Term	Definition
Walking, cycling and horse-riding users	<p>Users that include:</p> <ol style="list-style-type: none"> <li>1) pedestrians - including mobility impaired and vulnerable pedestrians;</li> <li>2) cyclists - including mobility impaired and vulnerable cyclists; and</li> <li>3) equestrians - including mobility impaired and vulnerable equestrians.</li> </ol> <p>Other users to be considered as part of this process include (but not limited to):</p> <ol style="list-style-type: none"> <li>4) scooter riders (non-motorised);</li> <li>5) cyclists with electrically assisted pedal cycles (where these conform to Department for Transport or other relevant regional regulations and where they can legally be used); and</li> <li>6) users of powered wheelchairs (where these conform to Department for Transport regulations and where they can legally be used).</li> </ol>
WCHAR study area	An area surrounding a highway scheme that the Lead Assessor has determined as being relevant to the WCHAR process.

## 1. Scope

### Aspects covered

- 1.1 This document shall be used for all highway schemes on the motorway and all-purpose trunk road network.
- 1.2 Highway schemes shall be exempt from the requirements of the assessment and the review phases of the WCHAR process where:
- 1) they are located entirely within the extents of existing roads for which motorway regulations apply;
  - 2) they are located entirely within the extents of existing roads where pedestrians, cyclists and equestrians are not permitted;
  - 3) they have no impact on pedestrians, cyclists and equestrians, and where this can be clearly demonstrated prior to commencing the WCHAR process.
- 1.3 Where the assessment and review phases are not applied to a highway scheme, as a result of a valid exemption, the design team leader shall record this decision on an exemption file note to be kept on record in the project file.

**NOTE 1** *The design team leader determines the applicability of the WCHAR process on a scheme-by-scheme basis.*

**NOTE 2** *Appendix A provides an exemption file note template.*

- 1.4 Ex-vehicle pedestrians, such as those using a lay-by or emergency refuge area, shall be exempt from the WCHAR process as their primary mode of travel to a particular location on the motorway and all-purpose trunk road network is vehicular.
- 1.5 The assessment and review phases of the WCHAR process shall apply to the pre-construction activities associated with a highway scheme.

**NOTE** *The WCHAR process concludes before the construction phase of a highway scheme and no further assessment or review applies post-construction.*

### Developer-led and third party organisation-led highway schemes

- 1.6 Where developer-led and third party organisation-led highway schemes impact on the motorway and all-purpose trunk road network, this document shall be applied.

### Implementation

- 1.7 This document shall be implemented forthwith on all highway schemes involving walking, cycling and horse-riding on the Overseeing Organisations' motorway and all-purpose trunk roads according to the implementation requirements of GG 101 [Ref 1.N].

### Use of GG 101

- 1.8 The requirements contained in GG 101 [Ref 1.N] shall be followed in respect of activities covered by this document.

## 2. WCHAR process

### Appointment

2.1 A Lead Assessor shall be appointed by the design team leader to undertake the WCHAR process.

*NOTE The competencies expected of a Lead Assessor can be found in Section 3.*

### WCHAR highway scheme size

2.2 The Lead Assessor shall determine the highway scheme size for the WCHAR process.

2.2.1 Table 2.2.1 should be used to determine whether a large or small highway scheme process is applied.

**Table 2.2.1 Large and small highway scheme process criteria**

<b>Large highway scheme</b>	Highway schemes comprising new road construction (including new motorways), significant changes to an existing all-purpose trunk road or significant changes to an urban environment consisting of both the trunk road network and local highway network. In addition, any scheme aimed principally at providing for pedestrians, cyclists or equestrians.
<b>Small highway scheme</b>	Highway schemes comprising minor changes to an existing all-purpose trunk road, or changes to existing motorway or trunk road junctions that affect the local highway network in a rural area.

*NOTE Table 2.2.1N provides example highway schemes for large or small highway scheme classification.*

**Table 2.2.1N Example large and small highway schemes**

<b>Example large highway schemes</b>	<b>Example small highway schemes</b>
New motorway or all-purpose trunk road construction or major modification of an existing trunk road or motorway junction.	Minor rural all-purpose trunk road or motorway junction improvements.
All-purpose trunk road or motorway junction upgrade in existing urban area.	Changes to lane markings, priorities or widths on existing all-purpose trunk roads.
New town or village bypass.	Urban all-purpose trunk road schemes that do not involve changes to the road layout.
Creation of footway, shared use path or cycle track alongside or crossing an existing all-purpose trunk road.	Highway schemes that solely involve changes to speed limits on all-purpose trunk roads.
Motorway schemes that could affect pedestrians, cyclists and equestrians where the scheme extends as far as the non-motorway network at the end of the slip roads or overbridges, for example.	Emergency motorway diversion signing schemes that involve diverting traffic onto roads where pedestrians, cyclists or equestrians can be present and/or affected.
Route-based improvements on a rural all-purpose trunk road.	Changes to signs aimed at pedestrians, cyclists and equestrians.
Urban all-purpose trunk road schemes involving changes to the road layout.	Highway schemes affecting lay-bys, including the creation of new lay-bys on the all-purpose trunk road network.
Major rural all-purpose trunk road junction improvements.	Structures schemes affecting a route that could be used by pedestrians, cyclists and equestrians (e.g. motorway bridge parapet replacement).
	All-purpose trunk road speed control schemes (such as horizontal/vertical physical measures, signs).
	Stand-alone crossings.

### 3. Assessment and review team competency

#### Lead Assessor role

3.1 The Lead Assessor shall co-ordinate the WCHAR process and the resources required to deliver this.

**NOTE** *The Lead Assessor is an integral part of the team appointed by the design team leader to deliver the highway scheme.*

3.1.1 The Lead Assessor should have the expected competencies as set out in Table 3.1.1.

**Table 3.1.1 Lead Assessor expected competencies**

<b>Background</b>	
Knowledge of walking, cycling and horse-riding policies within the UK.	
Knowledge of the needs of each user group: pedestrians; cyclists; equestrians; and the various sub-groups of these.	
Knowledge of current best practice in infrastructure design for all user groups.	
Knowledge of the planning and operation of walking, cycling and horse-riding networks.	
Knowledge of potential issues created by facilities that provide for a combination of users.	
Experience of managing stakeholder consultation events.	
Experience of managing conflicting stakeholder views and expectations.	
Experience of working on the all-purpose trunk road and motorway network.	
Experience of designing facilities for pedestrians, cyclists and equestrians.	
Experience of completing feasibility studies and assessment of walking, cycling and horse-riding infrastructure design.	
<b>Assessment competencies</b>	
Experience of identifying key trip generators and subsequent desire lines for pedestrians, cyclists and equestrians.	
Experience of the analysis and subsequent interpretation of survey data such as pedestrian count data and automatic cycle count data.	
Experience of assessing existing routes and facilities used by pedestrians, cyclists and equestrians including condition surveys performed during site visits.	
Experience of collision data analysis in the context of providing facilities for pedestrians, cyclists and equestrians.	
Experience of identifying viable and proportionate opportunities for the improvement of facilities for pedestrians, cyclists and equestrians.	
Knowledge of transport networks and their operation, including the opportunities and issues arising from potential multi-modal transport options for pedestrians, cyclists and equestrians.	
<b>Review competencies</b>	
Experience of presenting options to key stakeholders and promoting the various benefits and dis-benefits of options.	
Experience of working as part of a wider design team(s) in order to present and discuss options for enhancing the design for all user groups.	

#### Assessment and review team

3.2 The WCHAR assessment and review team shall include a Lead Assessor.

3.2.1 The Lead Assessor may appoint additional assessors.

*NOTE Appointing additional assessors can be beneficial where there is anticipated high workload, such as on large highway schemes.*

3.3 The Lead Assessor and any additional appointed assessors shall record their involvement and specified role in the WCHAR process through the assessment and review report documentation.

3.3.1 An assessor(s) appointed by the Lead Assessor should have, in the Lead Assessor's professional opinion, relevant knowledge and experience for the task they are being asked to undertake.

3.4 Members of the WCHAR assessment and review team shall not be permitted to be members of the road safety audit (RSA) team for the same highway scheme.

*NOTE Members of the WCHAR assessment and review team are not permitted to be members of the RSA team in order to maintain the independence of the RSA team.*

## 4. Walking, cycling and horse-riding assessment

### General

- 4.1 The assessment shall be applied to large and small highway schemes.
- 4.2 The assessment shall be completed during the options or concept stage of a highway scheme where this exists.
- 4.3 Where an options or concept stage does not exist, the assessment shall be completed before the end of the preliminary design stage.
- 4.4 The output of the assessment shall comprise an assessment report.

*NOTE An assessment report template can be found in Appendix B.*

- 4.5 Opportunities for new or improved facilities for walking, cycling and horse-riding users shall be identified at the assessment phase and recorded within the assessment report.

*NOTE 1 Identified opportunities for improvement of walking, cycling and horse-riding facilities do not always need to be restricted to the highway scheme extents.*

*NOTE 2 In some cases, improvements to facilities outside the limits of the highway scheme can result in greater improvements for users than an attempt to incorporate dedicated facilities within the highway scheme extents.*

### Walking, cycling and horse-riding assessment report - information

#### WCHAR study area

- 4.6 The Lead Assessor shall define a WCHAR study area on a scheme-by-scheme basis.
- 4.6.1 The WCHAR study area should typically extend 1km surrounding a small highway scheme and 5km surrounding a large highway scheme.

#### Report information summary

- 4.7 The minimum information to be included in assessment reports shall be in accordance with Table 4.7.

**Table 4.7 Information requirements for large and small highway schemes**

Assessment and summary of	Large highway scheme	Small highway scheme
Walking, cycling & horse-riding policies and strategies within or related to the WCHAR study area.	Yes	Yes
Personal injury collision data.	Yes	Yes
Multi-modal transport service and interchange information within the WCHAR study area.	Yes	Yes
Key trip generators and local amenities within the WCHAR study area.	Yes	Yes
Information gathered during site visit.	Yes	Yes
Information gathered during liaison with key stakeholders.	Yes	Yes
Existing walking, cycling and horse-riding network facilities within the WCHAR study area.	Yes	Yes
Walking, cycling and horse-riding user survey data.	Yes	No
Information gathered during liaison with local user groups and wider public.	Yes	No

- 4.7.1 The Lead Assessor should determine the appropriate quantity of the information to be captured, such that only information which can be used to help inform the highway scheme design is collated.

#### **Assessment of walking, cycling and horse-riding policies and strategies**

- 4.8 The assessment report shall contain an analysis of walking, cycling and horse-riding policies and strategies relevant to the WCHAR study area.
- 4.8.1 Walking, cycling and horse-riding policies and strategies should be used to help inform the identification of opportunities for improvement of walking, cycling and horse-riding facilities.

#### **Collision data**

- 4.9 Personal injury collision data shall be obtained for the latest available period and include a minimum period of three years of data.
- 4.9.1 Personal injury collision data should not be limited to pedestrian, cyclist and equestrian collisions.
- 4.10 Personal injury collision data shall be analysed to identify any collision cluster sites and trends that can influence or impact the highway scheme.

**NOTE** *Analysis of personal injury collision data allows the identification of existing problems which can discourage use of a particular site by pedestrians, cyclists and equestrians.*

- 4.10.1 Where damage-only collision data is available it should be analysed to identify trends that could currently discourage walking, cycling and horse-riding.

**NOTE** *Damage-only collision data can allow the identification of issues and thus improvements that can otherwise go undetected when analysing only personal injury collision data.*

#### **Multi-modal transport service and interchange information**

- 4.11 Multi-modal transport services, associated infrastructure and interchanges within the WCHAR study area shall be identified and recorded.

**NOTE** *Multiple modes of transport can be used by pedestrians, cyclists and equestrians as part of a longer trip.*

4.11.1 Access to and from multi-modal transport services, interchanges and facilities should be assessed in the context of the proposed highway scheme.

4.11.2 Destinations for multi-modal transport services, together with their frequencies and interchange facilities, should be identified and assessed as part of the assessment.

#### **Key trip generators and local amenities**

4.12 The assessment shall include an analysis of local trip generators and amenities in the WCHAR study area to identify likely desire lines for pedestrians, cyclists and equestrians.

4.12.1 The assessment should include an assessment of committed future development in the WCHAR study area, including any improvements to multi-modal transport services, interchanges and facilities.

#### **Site visits**

4.13 The Lead Assessor shall conduct a site visit to the WCHAR study area during the assessment.

4.13.1 The scope of a site visit should be determined by the Lead Assessor.

*NOTE It is not necessary to include a site visit to all routes within the WCHAR study area where there is no relevance to the highway scheme or crossing points.*

4.13.2 The Lead Assessor should be accompanied by any additional assessor(s) that have been appointed.

*NOTE A site visit allows the Lead Assessor and assessor(s) to identify opportunities that can be missed from online mapping or other sources of desktop data collection and are therefore an important part of the assessment.*

4.13.3 The specific timing of a site visit should be determined by the Lead Assessor.

4.13.4 The specific timing of a site visit should be influenced by the proximity of certain trip generators such as schools where the morning and afternoon peak periods are more relevant (due to higher anticipated user flows).

*NOTE A site visit during hours of darkness can be beneficial in identifying additional hazards and issues, particularly on urban commuter routes which are likely to be in darkness in the winter months at peak commuting times.*

#### **Liaison with key stakeholders**

4.14 The assessment report shall contain a record of liaison with key stakeholders to understand their specific needs and concerns.

4.14.1 Liaison with key stakeholders should include representatives for walking, cycling and horse-riding from all local authorities for which the highway scheme is within or extends across their boundaries.

4.14.2 Liaison with key stakeholders other than local authorities should be determined by the Lead Assessor in the context of the highway scheme.

*NOTE Key stakeholders other than local authorities can include walking, cycling and horse-riding organisations as well as disability groups, local businesses and transport operators.*

#### **Existing walking, cycling and horse-riding facilities**

4.15 An assessment of the existing walking, cycling and horse-riding facilities within the WCHAR study area shall be undertaken.

4.15.1 The assessment of the existing walking, cycling and horse-riding facilities should include the current condition and effectiveness where these are deemed relevant to the highway scheme in the Lead Assessor's professional opinion.

*NOTE It is not necessary to report on the condition of all facilities within the WCHAR study area where these are not relevant to the highway scheme.*

- 4.15.2 The existing walking, cycling and horse-riding facilities deemed relevant to the highway scheme, in the Lead Assessor's professional opinion, should be assessed in isolation for each mode of travel.

*NOTE The interaction of each mode can be studied at the review phase of the process.*

- 4.16 The assessment of existing walking, cycling and horse-riding facilities shall include information on all of the main walking, cycling and horse-riding strategic networks within or connecting to the WCHAR study area for large highway schemes.

*NOTE Assessment of strategic walking, cycling and horse-riding networks can include a county-wide or a town/city-wide area for large highway schemes.*

- 4.17 Where gaps in existing walking, cycling and horse-riding strategic networks are identified within the WCHAR study area for large highway schemes, these shall be recorded so that opportunities for improvement and/or betterment can be identified.

*NOTE 1 Walking, cycling and horse-riding strategic networks can include National Cycle Network (NCN) routes, public rights of way, bridleways and byways open to all traffic.*

*NOTE 2 A crucial element of the strategic network assessment is to establish the longer term plans for county-wide and town/city-wide strategic networks.*

#### **Walking, cycling and horse-riding survey data for a large highway scheme**

- 4.18 The assessment report for a large highway scheme shall contain an analysis of any existing walking, cycling and horse-riding survey data where this is available within the WCHAR study area (and if collected within the previous 12-month period).

*NOTE The survey data can provide information such as likely desire lines and usage figures that can assist in the completion of the assessment.*

- 4.19 Where walking, cycling and horse-riding survey data collected within the previous 12 month period does not already exist, it shall be obtained for a large highway scheme.

- 4.19.1 Walking, cycling and horse-riding survey data should include usage figures for pedestrians, cyclists and equestrians.

- 4.19.2 The Lead Assessor should determine the type of survey data to be collected.

- 4.19.3 The Lead Assessor should assess the latent demand potential by examining existing usage patterns and likely trip generators in the WCHAR study area and through local key stakeholder liaison.

#### **Liaison with local user groups and wider public for a large highway scheme**

- 4.20 The assessment report for a large highway scheme shall include records of local group liaison relevant to the WCHAR study area except where wider public or local user group involvement is not, in the Lead Assessor's professional opinion, deemed appropriate.

- 4.20.1 Where the Lead Assessor deems it relevant to liaise with the wider public, this should be undertaken during the assessment.

#### **Reporting of different user groups**

- 4.21 The assessment report shall demonstrate that the needs of all user groups have been identified and evaluated.

#### **Report approval**

- 4.22 The assessment report shall be signed by both the Lead Assessor and the design team leader.

*NOTE 1 The Lead Assessor signs the assessment report to confirm that it contains appropriate walking, cycling and horse-riding information for the development of the highway scheme design, and has been completed in accordance with this document.*

**NOTE 2**     *The design team leader signs the assessment report to confirm that the process has been completed at the appropriate time and that the competency of the Lead Assessor has been reviewed in accordance with Section 3 of this document.*

4.23        The signed assessment report shall be kept on the highway scheme file.

**NOTE**        *The assessment report is not forwarded for approval to the Overseeing Organisation.*

## 5. Walking, cycling and horse-riding review

### General

- 5.1 The review shall be undertaken as an ongoing process during the design stages of the highway scheme (but after the completion of the assessment report).
- 5.2 The assessment and review team shall record the design decisions relating to the provision of walking, cycling and horse-riding facilities.
- 5.3 The minimum output of the review shall be in accordance with Table 5.3.

**Table 5.3 Minimum WCHAR review outputs**

<b>Large highway schemes</b>	Two review reports: 1) a review report at the end of the preliminary design stage and before commencement of detailed design; followed by 2) a review report at the end of the detailed design phase (before construction commences).
<b>Small highway schemes</b>	A single review report at the end of the detailed design phase (before construction commences) that contains a record of all decisions from the preliminary and detailed design stages.

**NOTE** A review report template can be found in Appendix C.

- 5.3.1 Where the Lead Assessor deems it necessary, in their professional opinion, an additional review report may be produced at the preliminary design stage of small highway schemes.

**NOTE** Identification of opportunities for improvement of walking, cycling and horse-riding facilities at the review phase do not always need to be restricted to those that can be delivered within the context of the highway scheme.

- 5.4 Where a highway scheme is delayed by more than 12 months between the assessment and review phases, the assessment report shall be revisited and re-issued to take account of any changes prior to the review being undertaken.
- 5.4.1 As the assessment and review team can change between the assessment and review phases of the process, the following items should be confirmed by the Lead Assessor in order for the review to be able to take place:
- 1) completion of an assessment report within the last 12 months since the commencement of the review phase;
  - 2) the stated highway scheme size is still relevant; and
  - 3) the assessment report has been signed by the Lead Assessor and the design team leader.

### Walking, cycling and horse-riding review report - information

#### Review of assessment report

- 5.5 Opportunities for improvement identified in the assessment report shall be reviewed during the review phase(s) and included within the review report.

#### Review of previous review report

- 5.6 For large highway schemes, opportunities for improvement identified in the preliminary design stage review report shall be reviewed during the detailed design stage and included within the detailed design stage review report.

**Review of highway scheme proposal**

- 5.7 Highway scheme design drawings and associated information shall be reviewed at the preliminary and/or detailed design stages to:
- 1) ensure that previously identified opportunities at the assessment phase have been taken into account and implemented where achievable; and
  - 2) identify opportunities for improvement for pedestrians, cyclists and equestrians as a result of the developing highway scheme design.
- 5.7.1 Each mode of travel (walking, cycling and horse-riding) should be reviewed in isolation and then in the context of other users.

**Liaison with key stakeholders**

- 5.8 The Lead Assessor shall determine the need for further liaison with key stakeholders during the review phase and record the outcomes in the review report.
- 5.8.1 Liaison with key stakeholders at the review phase should be targeted in order to prevent unnecessary delay to a highway scheme or a repetition of liaison at the assessment phase.
- NOTE Liaison with key stakeholders at the review phase can be useful in identifying new opportunities and reviewing any opportunities resulting from the progression of the highway scheme design.*

**Site visits**

- 5.9 A further site visit to the study area shall be undertaken if this is deemed necessary by the Lead Assessor.

**Actions taken to implement opportunities**

- 5.10 Where opportunities to improve or introduce new facilities for pedestrians, cyclists or equestrians have resulted in changes to the highway scheme design, the actions taken to implement the opportunities shall be recorded in the review report.
- 5.11 Where opportunities to improve or introduce new facilities for pedestrians, cyclists or equestrians have been identified but not implemented, the reasoning for this shall be recorded in the review report.

**Reporting of different user groups**

- 5.12 The review report shall include a section for each user group (pedestrians, cyclists and equestrians as well as sub-groups within each group) to demonstrate that the needs of those groups identified in the assessment report have been addressed.

**Report approval**

- 5.13 The review report shall be signed by both the Lead Assessor and the design team leader.
- NOTE 1 The Lead Assessor signs the review report to confirm that opportunities for users and improvements to applicable facilities have been reviewed throughout the design process, and that it has been produced in accordance with this document.*
- NOTE 2 The design team leader signs the review report to confirm that the process has been completed at the appropriate time and that the competency of the Lead Assessor has been reviewed in accordance with Section 3 of this document.*
- 5.14 The signed review report(s) shall be kept on the highway scheme file.
- NOTE The review report(s) is not forwarded for approval to the Overseeing Organisation.*

6. Normative references

The following documents, in whole or in part, are normative references for this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

Ref 1.N	Highways England. GG 101, 'Introduction to the Design Manual for Roads and Bridges'
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Appendix A. Exemption file note

A1 Exemption file note

Highway scheme name:

Table A.1 Highway scheme description

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A1.1 Exemption statement

In accordance with GG 142 walking, cycling and horse-riding assessment and review I have examined the potential presence of pedestrians, cyclists and equestrians within the extents of the highway scheme and any potential user impact outside the scheme extents (as a result of the highway scheme).

For the reasons set out below, this highway scheme is considered exempted from the assessment and review phases of the WCHAR process:

Table A.2 Reasons for exemption from the assessment and review

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Table A.3 Design team leader approval

Name of design team leader	
Job title of design team leader	
Organisation	
Signed	
Date	

## Appendix B. Assessment report template

### B1 Background and highway scheme description

#### B1.1 Background

Provide a statement of the Lead Assessor's justification for the highway scheme size (large or small). In addition, provide an explanation of the design stages at which a walking, cycling and horse-riding review will be undertaken and when the associated report(s) will be delivered.

Provide a brief statement about the existing highway layout (if applicable).

#### B1.2 Proposed highway scheme

Provide a brief explanation of the proposed highway scheme and include any specific elements that are intended to improve the existing situation for walking, cycling and horse-riding.

#### B1.3 WCHAR study area

Provide a statement confirming the Lead Assessor's decision about the extent of the WCHAR study area.

Provide a plan to clearly define the WCHAR study area.

### B2 WCHAR assessment

This section summarises the findings of the assessment as set out in Section 4 of GG 142. The findings under each topic area are summarised in an individual table below and any potential opportunities for improvements are noted in each table and then summarised later in sub-section B3. This information does not have to be presented in a tabular format.

**Table B.1 Assessment of walking, cycling & horse-riding policies and strategies**

Assessment of walking, cycling & horse-riding policies and strategies
Provide a list of the walking, cycling and horse-riding policies and strategies analysed as part of the assessment.
Provide a summary of key or relevant points of each policy and strategy.

**Table B.2 Collision data**

Collision data
Provide details of collision data within the study area that is judged to be relevant to the highway scheme.
Provide a summary of the pedestrian, cyclist and equestrian collisions within the study area.

**Table B.3 Multi-modal transport services and interchange information**

Multi-modal transport services and interchange information
Provide a list of transport services, locations of associated interchanges and service frequencies within the study area.
Provide details of access to, and facilities at, interchanges that are related to walking, cycling and horse-riding - e.g. cycle parking facilities.

**Table B.4 Trip generators**

<b>Trip generators</b>
Provide a list of trip generators within the study area that may influence levels of walking, cycling and horse-riding and the associated desire lines.
Provide a plan of the key trip generators (this does not have to be all trip generators within the study area).

**Table B.5 Site visit**

<b>Site visit</b>
Provide details of the site visit carried out as part of the assessment - attendees, times, dates and facilities visited.
Provide a summary of the site visit findings including the standard and condition of existing facilities where appropriate/relevant.

**Table B.6 Liaison with key stakeholders**

<b>Liaison with key stakeholders</b>
Provide details of liaison with key stakeholders - including organisation details of those contacted.
Provide a summary of stakeholder discussions. e.g. agreed meeting minutes or opportunities of interest identified by each stakeholder.

**Table B.7 Existing pedestrian, cyclist and equestrian facilities**

<b>Existing pedestrian, cyclist and equestrian facilities</b>
Provide a plan of the existing facilities within the WCHAR study area.
Provide a summary assessment of the condition of the key existing facilities for walking, cycling and horse-riding (this does not have to be exhaustive and will mostly be informed by the site visit).
For large highway schemes - provide a summary assessment of the strategic networks.

**Table B.8 Liaison with local user groups and wider public**

<b>Liaison with local user groups and wider public</b>
Provide details of liaison with local user groups and the wider public - including organisation details of those contacted.
Provide a summary of discussions. e.g. agreed meeting minutes, or opportunities of interest identified by each stakeholder, details of exhibitions held and feedback received.

## **B3 User opportunities**

The opportunities highlighted below are deemed to be relevant to the highway scheme and should be considered by the design team leader throughout the progression of the highway scheme design in addition to any further opportunities that may arise through the ongoing development of the design phase(s).

**Table B.9 Identified user opportunities**

<b>General</b>
Provide details of identified opportunities that are general to the highway scheme and user type - this could include opportunities for matched funding projects with key stakeholders.
<b>Strategic opportunities</b>
Provide details of identified opportunities that are strategic in nature - such as completion of missing links that would benefit the wider strategic user networks such as the National Cycle Network and the public rights of way network.
<b>Pedestrian specific opportunities</b>
Provide details of identified opportunities that would benefit pedestrians within the study area.  Examples: This could include new facilities or improvements to footways, footpaths and upgraded pedestrian crossings.
<b>Cyclist specific opportunities</b>
Provide details of identified opportunities that would benefit cyclists within the study area.  Examples: This could include improvements to on and off-carriageway cycle routes, upgrading of footways to shared use paths and upgrading existing crossings to provide for cyclists. This could also include associated infrastructure such as cycle parking.
<b>Equestrian specific opportunities</b>
Provide details of identified opportunities that would benefit equestrians within the study area.  Examples: This could include improvements to bridleways, upgraded crossings to better provide for equestrians and improvements to existing shared use facilities to accommodate equestrian use.

**B4 Walking, cycling and horse-riding assessment team statement**

As Lead Assessor, I confirm that this walking, cycling and horse-riding assessment report has been compiled in accordance with DMRB GG 142. The walking, cycling and horse-riding assessment was undertaken by the following assessment and review team:

**Table B.10 Walking, cycling and horse-riding Lead Assessor**

<b>Name</b>	Name of Lead Assessor
<b>Position</b>	Job title of Lead Assessor
<b>Organisation</b>	Organisation of Lead Assessor
<b>Signed</b>	
<b>Date</b>	

**Table B.11 Walking, cycling and horse-riding assessor (where appointed)**

<b>Name</b>	Name of assessor
<b>Position</b>	Job title of assessor
<b>Organisation</b>	Organisation of assessor

As the design team leader, I confirm that the assessment has been undertaken at the appropriate stage of the highway scheme development.

I confirm that in my professional opinion the appointed Lead Assessor has the appropriate experience for the role making reference to the expected competencies contained in GG 142.

**Table B.12 Design team leader**

<b>Name</b>	Name of design team leader
<b>Position</b>	Job title of design team leader
<b>Organisation</b>	Organisation of design team leader
<b>Signed</b>	
<b>Date</b>	

## Appendix C. Review report template

### **C1 Background and highway scheme description**

#### **C1.1 Background**

Provide a statement to confirm that the size of the highway scheme (large or small) judged at the assessment stage is still correct or note any change in scheme size. Provide details of any completed or planned future walking, cycling and horse-riding review(s).

Provide a brief statement about the existing highway layout (where applicable).

#### **C1.2 Proposed highway scheme**

Provide a brief explanation of the proposed highway scheme and include any specific elements that are intended to improve the situation for walking, cycling and horse-riding.

#### **C1.3 Review team**

Provide details of the walking, cycling and horse-riding review team and note any changes that may have occurred since the preceding assessment or review.

#### **C1.4 WCHAR study area**

Provide a statement confirming the Lead Assessor's decision about the extent of the WCHAR study area.

Provide a plan to clearly show the WCHAR study area.

### **C2 Review of walking, cycling and horse-riding assessment opportunities**

This section provides a summary of the opportunities identified as part of the assessment report and the actions taken or outcomes related to these during the preliminary design phase of the highway scheme. They are provided verbatim from the review report issued at the end of the preliminary design phase of the highway scheme.

**Table C.1 Opportunities identified during the assessment**

<b>General opportunities</b>
Provide details of each opportunity from the assessment report.
Provide the actions taken to address each opportunity.
<b>Strategic opportunities</b>
Provide details of each opportunity from the assessment report.
Provide the actions taken to address each opportunity.
<b>Pedestrian specific opportunities</b>
Provide details of each opportunity from the assessment report.
Provide the actions taken to address each opportunity.
<b>Cyclist specific opportunities</b>
Provide details of each opportunity from the assessment report.
Provide the actions taken to address each opportunity.
<b>Equestrian specific opportunities</b>
Provide details of each opportunity from the assessment report.
Provide the actions taken to address each opportunity.

### **C3 Preliminary design stage walking, cycling and horse-riding review opportunities (for large highway schemes)**

This section documents any user related opportunities identified during the preliminary design phase (after the assessment report has been issued). They have been developed through discussions between the Lead Assessor and the wider design team and recorded here (along with actions taken / outcomes).

**Table C.2 Opportunities identified during the preliminary design phase**

<b>General opportunities</b>
Provide details of each opportunity identified in the preliminary design phase.
Provide the actions taken to address each opportunity.
<b>Strategic opportunities</b>
Provide details of each opportunity identified in the preliminary design phase.
Provide the actions taken to address each opportunity.
<b>Pedestrian specific opportunities</b>
Provide details of each opportunity identified in the preliminary design phase.
Provide the actions taken to address each opportunity.
<b>Cyclist specific opportunities</b>
Provide details of each opportunity identified in the preliminary design phase.
Provide the actions taken to address each opportunity.
<b>Equestrian specific opportunities</b>
Provide details of each opportunity identified in the preliminary design phase.
Provide the actions taken to address each opportunity.

#### **C4 Detailed design stage walking, cycling and horse-riding review**

This section records any user-related opportunities identified during the detailed design phase (after the assessment report and preliminary design phase review report, where applicable, has been issued). They have been developed through discussions between the Lead Assessor and the wider design team and recorded here (along with actions taken / outcomes).

For small highway schemes, record decisions made during the entire design phase here without reference to a previous review report unless one has been produced.

It also includes new opportunities for improvement identified as a result of the developing design.

**Table C.3 Opportunities identified during the detailed design phase**

<b>General opportunities</b>
Provide details of each opportunity identified in the detailed design phase.
Provide the actions taken to address each opportunity.
<b>Strategic opportunities</b>
Provide details of each opportunity identified in the detailed design phase.
Provide the actions taken to address each opportunity.
<b>Pedestrian specific opportunities</b>
Provide details of each opportunity identified in the detailed design phase.
Provide the actions taken to address each opportunity.
<b>Cyclist specific opportunities</b>
Provide details of each opportunity identified in the detailed design phase.
Provide the actions taken to address each opportunity.
<b>Equestrian specific opportunities</b>
Provide details of each opportunity identified in the detailed design phase.
Provide the actions taken to address each opportunity.

## C5 Walking, cycling and horse-riding review team statement

As Lead Assessor, I confirm that this walking, cycling and horse-riding review report has been compiled in accordance with DMRB GG 142 and thus records all design team deliberations and decisions relating to walking, cycling and horse-riding issues and opportunities.

The walking, cycling and horse-riding review was undertaken by the following team:

**Table C.4 Walking, cycling and horse-riding Lead Assessor**

<b>Name</b>	Name of Lead Assessor
<b>Position</b>	Job title of Lead Assessor
<b>Organisation</b>	Organisation of Lead assessor
<b>Signed</b>	
<b>Date</b>	

**Table C.5 Walking, cycling and horse-riding assessor (where appointed)**

<b>Name</b>	Name of assessor
<b>Position</b>	Job title of assessor
<b>Organisation</b>	Organisation of assessor

As design team leader, I confirm that the assessment has been undertaken at the appropriate stage of the highway scheme development.

I confirm that in my professional opinion the appointed Lead Assessor has the appropriate experience for the role making reference to the expected competencies contained in DMRB GG 142.

**Table C.6 Design team leader**

<b>Name</b>	Name of design team leader
<b>Position</b>	Job title of design team leader
<b>Organisation</b>	Organisation of design team leader
<b>Signed</b>	
<b>Date</b>	

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Appendix E: DMRB GG119 Road Safety Audit



General Principles and Scheme Governance  
General information

# GG 119

## Road safety audit

(formerly HD 19/15)

Revision 2

### Summary

This document provides the requirements for road safety audit for highway schemes on the trunk road and motorway network.

### Application by Overseeing Organisations

Any specific requirements for Overseeing Organisations alternative or supplementary to those given in this document are given in National Application Annexes to this document.

### Feedback and Enquiries

Users of this document are encouraged to raise any enquiries and/or provide feedback on the content and usage of this document to the dedicated Highways England team. The email address for all enquiries and feedback is: [Standards\\_Enquiries@highwaysengland.co.uk](mailto:Standards_Enquiries@highwaysengland.co.uk)

**This is a controlled document.**

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## Release notes

Version	Date	Details of amendments
2	Jan 2020	Revision 2 (January 2020) is for an update to superseded references. Revision 1 (January 2019) was for the removal of the health and safety plus equality, diversity and inclusion clauses that are now covered in GG 101. Revision 0 (October 2018) GG 119 replaces HD 19/15. This full document has been re-written to make it compliant with the new Highways England drafting rules. Technical content changes have also been incorporated throughout where relevant.

## **Foreword**

### **Publishing information**

This document is published by Highways England.

This document supersedes HD 19/15, which is withdrawn.

### **Contractual and legal considerations**

This document forms part of the works specification. It does not purport to include all the necessary provisions of a contract. Users are responsible for applying all appropriate documents applicable to their contract.

## Introduction

### Background

The objective of the road safety audit process is to provide an effective, independent review of the road safety implications of engineering interventions for all road users.

The Overseeing Organisations attach great importance to the improvement of road safety on the motorway and trunk road network. The application of DMRB requirements, that are based on road safety considerations, help achieve this objective.

However, even with the careful application of design standards by competent professionals, the design process will not remove all hazards for road users.

The road safety audit process, as set out in this document, helps manage the interaction of different design requirements for highway schemes.

The objective of road safety audit is to identify aspects of engineering interventions that could give rise to road safety problems and to suggest modifications that could improve road safety. It is important to note that road safety audit is not intended to be a technical check of compliance with design requirements.

Although road safety has always been considered during design, road safety audit has existed for a number of years to provide an independent check that the design characteristics do not contribute to collisions and/or incidents on highway schemes.

Road safety audit is undertaken by staff with experience of collision data analysis, road safety engineering experience and a reasonable understanding of highway design principles such as design requirements and best practice. 2008/96/EC [Ref 1.N] has mandated the road safety audit process and associated qualification requirements across the European Community. It is undertaken at key stages in the design, construction and early operation of a highway scheme.

Although Overseeing Organisations and design teams do not necessarily contain staff with collision data analysis and road safety engineering experience, these organisations play an equally important role alongside road safety audit teams in achieving the objectives of the process. The road safety audit process does not change the Overseeing Organisation's duty to manage safety for all populations and undertake an appropriate level of risk assessment.

This document is sub-divided into sections aimed at the different parties in the road safety audit process. It is expected that all parties will work in partnership (where appropriate) to identify, manage and mitigate the hazards in the most appropriate way.

### Assumptions made in the preparation of this document

The assumptions made in GG 101 [Ref 2.N] apply to this document.

It is assumed that the Overseeing Organisation involved in the road safety audit process will provide the appropriate staff resources and technical support to undertake the process. This may include seeking advice from other appropriate individuals.

It is assumed that staff with the appropriate competency and authority within the Overseeing Organisation will be involved in the decision-making process when responding to RSA and deciding upon subsequent actions.

It is assumed that RSA teams have an awareness of the principles of road design.

It is assumed that RSA teams have an awareness of the principles of road safety risk assessments, and that identified RSA actions will be subject to formal design organisation risk assessments prior to implementation.

It is assumed that the design organisation may not be present to assist in stage 4 road safety audits.

**Mutual Recognition**

Where there is a requirement in this document for compliance with any part of a "British Standard" or other technical specification, that requirement may be met by compliance with the mutual recognition clause in GG 101 [Ref 2.N].

## Abbreviations

### Abbreviations

Abbreviation	Definition
TERN	Trans-European Road Network
RSA	Road Safety Audit

## Terms and definitions

### Terms

Term	Definition
Collision data analysis	The collection and examination of historical road traffic collision data over a period of time in order to identify common trends and factors which can justify corrective action.
Design organisation	The organisation(s) commissioned to undertake various phases of scheme preparation. NOTE 1: At some stages of road safety audit, this can be the contractor.
Exemption file note	A note held on file, produced by the Overseeing Organisation, which includes the reasons why road safety audit is not applicable to a highway scheme. NOTE 1: An exemption file note is not a substitute for the production of a departure from standard where road safety audit is applicable but the process is not applied. NOTE 2: An exemption file note template can be found in Appendix A.
Highway scheme	All works that involve construction of new highway or permanent change to the existing highway layout or features. This is also considered to include the EC Directive 2008/96/EC 2008/96/EC [Ref 1.N] term "Infrastructure Project". NOTE 1: Road safety audit is not applicable to all highway schemes and applicability is determined by the Overseeing Organisation. NOTE 2: The applicability requirements for road safety audit can be found in section 2. NOTE 3: The term highway scheme includes road schemes in Scotland.
Interim road safety audit	The application of the road safety audit process to the whole or part of a highway scheme at any time during its design and construction. Interim road safety audit is neither mandatory nor a substitute for the stage 1, 2, 3 and 4 road safety audits.
Like for like maintenance highway schemes	A highway scheme proposed as maintenance works, that solely involves the replacement or refurbishment of a highway feature with a corresponding feature, which as a minimum, will appear the same, be located in the same position, perform the same and be constructed of comparable materials as the feature it replaces.
Maintaining agent	The organisation responsible for the ongoing maintenance of the motorway and all-purpose trunk road network at the highway scheme location.

**Terms (continued)**

<b>Term</b>	<b>Definition</b>
Overseeing Organisation specialist	<p>A person from the Overseeing Organisation that has the appropriate training, skills and experience in the road safety discipline.</p> <p>NOTE 1: For Highways England, this will be an appropriate person from the Safer Roads-Design team.</p> <p>NOTE 2: For Transport Scotland this will be the Head of Standards.</p> <p>NOTE 3: For Welsh Government this would be a specialist within the Network Management Division of the Transport Department.</p> <p>NOTE 4: For the Department for Infrastructure Northern Ireland this will be a specialist within the Engineering Directorate.</p>
Road safety audit	<p>The review of highway schemes at the completion of preliminary design, completion of detailed design, the completion of construction and as a post opening monitoring exercise.</p> <p>NOTE 1: At stages 1, 2 and 3 the aim is to identify relevant road safety matters and communicate these in the form of road safety audit problems and recommendations.</p> <p>NOTE 2: At stage 4 the aim is to communicate road safety audit problems and recommendations based on collision data analysis.</p>
Road safety audit action	An agreed action recorded in the road safety audit decision log in response to each road safety audit problem raised.
Road safety audit brief	The instructions to the road safety audit team defining the scope and details of the highway scheme to be subject to road safety audit, including sufficient information for the stage of road safety audit to be undertaken.
Road safety audit decision log	A table within the road safety audit response report to record the road safety audit problems and recommendations, the design organisation and Overseeing Organisation responses and agreed road safety audit actions to road safety audit problems.
Road safety audit problem	<p>An identified road safety matter together with a resultant potential road traffic collision type, identified highway scheme location and summary.</p> <p>NOTE 1: This can include road user injuries where there is no identifiable road traffic collision type.</p> <p>NOTE 2: This includes existing road safety matters where the proposed highway scheme impacts the existing road safety matter or vice versa.</p>
Road safety audit recommendation	<p>A proportionate and viable suggestion for improvement to eliminate or mitigate an identified road safety audit problem.</p> <p>NOTE 1: In some circumstances, the recommendation can include further work to be undertaken by the design organisation to establish an appropriate mitigation measure or improvement.</p>

**Terms (continued)**

<b>Term</b>	<b>Definition</b>
Road safety audit report	The report produced by the road safety audit team describing any road safety problems identified by the road safety audit team and the associated road safety recommendations.
Road safety audit response report	<p>A report produced by the design organisation following road safety audit stages 1, 2 and 3. The report includes both a design organisation and Overseeing Organisation response to each problem and recommendation raised in the road safety audit report.</p> <p>NOTE 1: The road safety audit decision log is part of the road safety audit response report.</p> <p>NOTE 2: The road safety audit response report is produced collaboratively by the design organisation and Overseeing Organisation.</p> <p>NOTE 3: A road safety audit response report is not produced for stage 4 road safety audits.</p>
Road safety audit site visit	A visit to the location of a proposed or completed highway scheme by the road safety audit team and other invitees.
Road safety audit team	<p>A team that works together on all aspects of the road safety audit, independent of the highway scheme conception, design, construction and operation.</p> <p>NOTE 1: The road safety audit team comprises a road safety audit team leader and at least one road safety audit team member.</p> <p>NOTE 2: The road safety audit team observer is not part of the road safety audit team.</p> <p>NOTE 3: The individuals within the road safety audit team can be drawn from different organisations including the Overseeing Organisation and the design organisation.</p>
Road safety audit team leader	<p>A person with the appropriate training, skills and experience who is approved for a particular highway scheme and road safety audit stage by the Overseeing Organisation.</p> <p>NOTE 1: The road safety audit team leader is responsible for leading the road safety audit team through the process and managing the production of the road safety audit report.</p>
Road safety audit team member	A member of the road safety audit team with the appropriate training, skills and experience necessary for a particular highway scheme and road safety audit stage, working with the road safety audit team leader.
Road safety audit team observer	<p>A person with the appropriate training, skills and experience accompanying the road safety audit team to gain experience of the road safety audit process and/or highway scheme type.</p> <p>NOTE 1: The road safety audit team observer is encouraged to contribute to the road safety audit team discussions.</p>

**Terms** (continued)

<b>Term</b>	<b>Definition</b>
Road safety engineering	The design and implementation of highway schemes intended to reduce the number and severity of collisions involving road users, drawing on the results of collision data analysis.
Road safety matters	An element of the existing road environment or proposed road environment that could potentially contribute to a road traffic collision or features that could present a risk of injuries to road users.
Road traffic collision	As defined as personal-injury road traffic accident in Reported Road Casualties in Great Britain STATS19 [Ref 3.I].
Specialist advisor	A person approved by the Overseeing Organisation to provide specialist independent advice to the road safety audit team where the scheme includes features outside the experience of the road safety audit team. NOTE 1: Features can include complex traffic signal controlled junctions or smart motorway technology.
Strategic decision	A decision agreed by the Overseeing Organisation on an element that already reflects an appropriate balance of a number of factors including road safety. NOTE 1: This can include items such as route choice, junction type and standard of provision.
Third party organisation	Organisations that are not working on behalf of the Overseeing Organisation and are promoting a highway scheme on the Overseeing Organisation's highway network. NOTE 1: A third party organisation can be a government department, government owned company, developer, local authority, statutory undertaker, private individual, private organisation or consultant working for any of these parties.

## 1. Scope

### Aspects covered

- 1.1 This document shall be used to implement road safety audit on highway schemes on motorways and all-purpose trunk roads.

*NOTE 1 Highway schemes include:*

- 1) work carried out under agreement with the Overseeing Organisation resulting from developments that affect the trunk road and motorway network; or*
- 2) a highway scheme being promoted by third party organisations.*

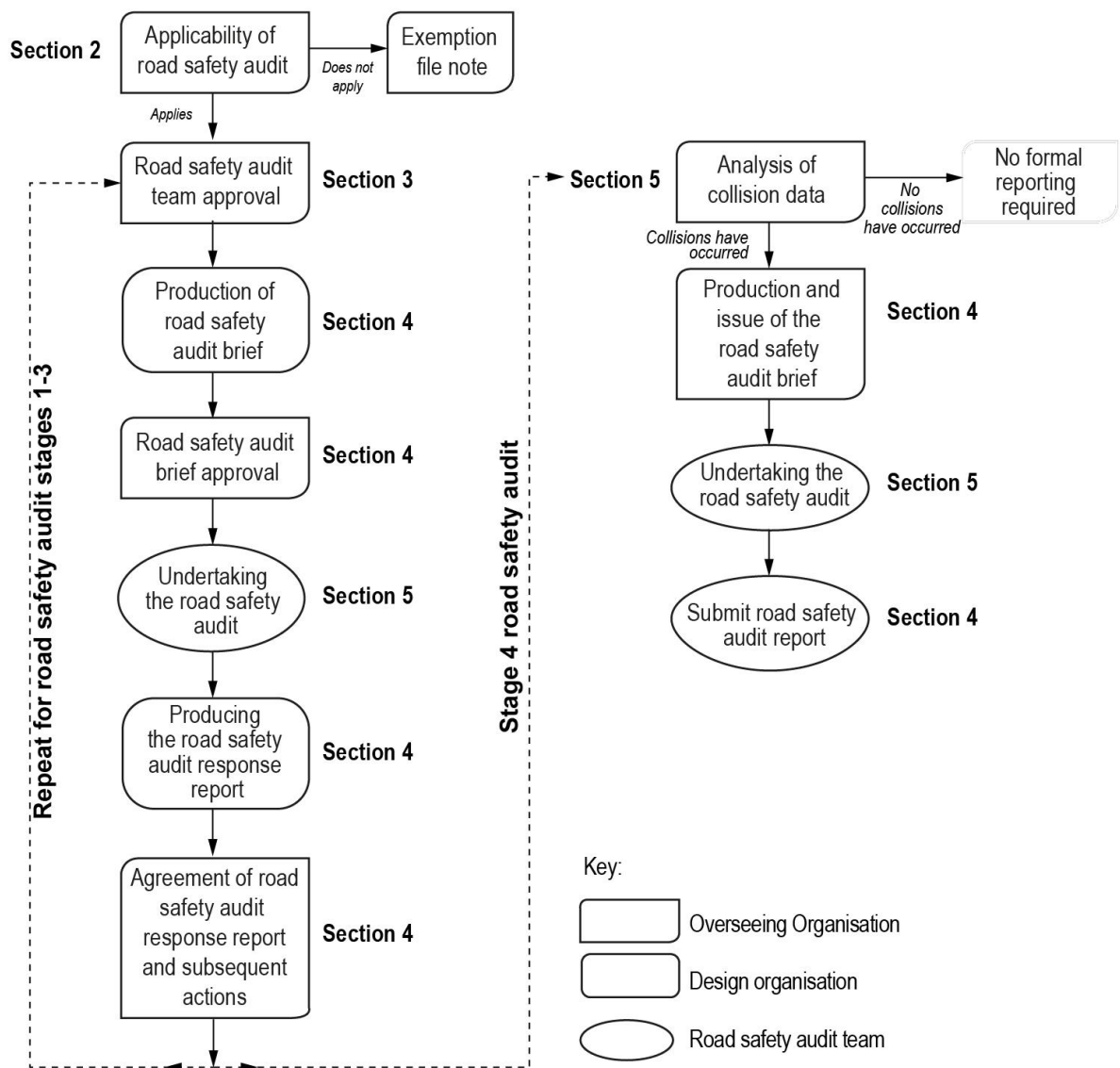
*NOTE 2 The operational safety of temporary traffic management for the construction of highway schemes is covered by chapter 8 of the Traffic Signs Manual TSM Chapter 8 [Ref 3.N].*

- 1.2 The Overseeing Organisation shall determine the applicability of road safety audit to highway schemes using section 2 of this document.

- 1.3 Where road safety audit is applied to a highway scheme, it shall be undertaken at each of the following stages:

- 1) Stage 1 - Completion of preliminary design.
- 2) Stage 2 - Completion of detailed design.
- 3) Stage 3 - Completion of construction.
- 4) Stage 4 - Post opening monitoring.

Figure 1.3 Road safety audit process overview



NOTE Figure 1.3 provides an overview of the road safety audit process and the relevant sections of this document.

Implementation

1.4 This document shall be implemented forthwith on all highway schemes on the Overseeing Organisations' motorway and all-purpose trunk roads according to the implementation requirements of GG 101 [Ref 2.N].

NOTE 1 Like for like maintenance highway schemes are excluded from road safety audit.

NOTE 2 An exemption file note is not required for like for like maintenance highway schemes.

Use of GG 101

1.5 The requirements contained in GG 101 [Ref 2.N] shall be followed in respect of activities covered by this document.

## 2. Applicability of road safety audit

### Trunk road and motorway network

- 2.1 Where there are physical changes to the highway impacting on road user behaviour or resulting in a change to the outcome of a collision on the trunk road and motorway network, road safety audit (RSA) shall apply, regardless of the procurement method.

*NOTE Temporary traffic management and temporary changes to the highway not associated with the construction of a highway scheme, and that last longer than 6 months in duration, are considered to be physical changes to the highway.*

- 2.2 RSA shall not apply where a physical change to the highway will not impact on road user behaviour, or change the outcome of a collision on the trunk road and motorway network.

- 2.3 The Overseeing Organisation shall produce an exemption file note to be kept on the scheme file (or equivalent) where there is no need to apply RSA on the trunk road and motorway network.

*NOTE An exemption file note template is provided in appendix A.*

### Trans-European Road Network (TERN)

- 2.4 In accordance with the European Directive on Road Infrastructure Safety Management 2008/96/EC [Ref 1.N], RSA must be applied to highway schemes on the TERN.

### 3. Road safety audit team requirements

#### RSA team structure

- 3.1 At all RSA stages the RSA team shall be comprised of the RSA team leader and at least one RSA team member.
- 3.1.1 RSA team observers may observe the RSA team to gain experience in carrying out RSA.
- 3.2 The number of RSA team observers shall be limited to a maximum of two.
- 3.3 The RSA team shall be independent from the highway scheme conception, design, construction and operation.

#### Specialist advisors

- 3.4 Where required by the RSA team, specialist advisors shall be approved by the Overseeing Organisation.
- 3.5 A specialist advisor shall be independent of the RSA team and highway scheme conception, design, construction and operation.

#### Audit team approval

- 3.6 The Overseeing Organisation shall approve the proposed RSA team before the RSA is undertaken.
- 3.6.1 The Overseeing Organisation may ask the design organisation to propose a RSA team on their behalf for approval by the Overseeing Organisation.
- 3.7 RSA team approval shall be recorded within the highway scheme file and communicated to the RSA team.
- 3.7.1 Approvals of the RSA team are scheme and RSA stage-specific and the use of personnel or organisations on previous RSAs should not guarantee their suitability to undertake a RSA on other schemes.
- 3.8 Proposed members of the RSA team shall demonstrate their competency by means of a road safety specific curriculum vitae (CV) detailing training, continuing professional development (CPD) and experience.
- 3.8.1 Experience should be relevant to the type of scheme being subject to RSA and identified in the proposed RSA team members' CV.

**NOTE 1** *The CPD record in the CV used to demonstrate competence for a proposed member of the RSA team can include other areas such as highway design, traffic management and highway maintenance.*

**NOTE 2** *Relevant CPD does not have to take the form of formal training courses.*

**NOTE 3** *Outcome-based structured reading, the preparation and presenting of relevant material and work based learning can all form part of a CPD record.*

- 3.8.2 Table 3.8.2 should be used for reference when reviewing the training, CPD and experience of the RSA team:

Table 3.8.2 RSA team competency

	RSA team observer	RSA team member	RSA team leader
<b>Training</b>	10 days of formal collision data analysis or road safety engineering/road design training	10 days of formal collision data analysis or road safety engineering/road design training	10 days of formal collision data analysis or road safety engineering/road design training
<b>CPD</b>	N/A	A minimum of 2 days CPD in the field of RSA, collision data analysis or road safety engineering in the last 12 months	A minimum of 2 days CPD in the field of RSA, collision data analysis or road safety engineering in the last 12 months
<b>Experience</b>	1 year of collision data analysis or road safety engineering/road design experience	2 years of collision data analysis or road safety engineering/road design experience	4 years of collision data analysis or road safety engineering/road design experience
	N/A	5 RSAs completed within the last 24 months as team leader, member or observer	5 RSAs completed within the last 12 months as team leader or member

- NOTE 1*     *Whilst it is not intended that the RSA team have extensive detailed design knowledge, it is important to include RSA team members with experience or training in road design.*
- NOTE 2*     *Experienced road safety professionals who are proposed for the RSA team can have developed their careers from a range of backgrounds.*
- NOTE 3*     *RSA team observers are not part of the RSA team.*
- 3.8.3        Proposed members of the RSA team with the recommended experience of collision data analysis and road safety engineering should not be accepted where this is not evident within the previous 24 months.
- 3.9            At least one individual within the RSA team undertaking RSA on the motorway and/or trunk road network must hold a certificate of competency in RSA in accordance with the requirements of the European Directive on Road Infrastructure Safety Management 2008/96/EC [Ref 1.N], acquired according to appendix G of this document.

## 4. RSA process requirements

- 4.1 The Overseeing Organisation shall initiate the RSA process at all stages, allowing time for all parties to complete the full RSA process.

### Producing the RSA brief

- 4.2 The design organisation shall prepare the RSA brief for submission to the Overseeing Organisation for stage 1, 2 and 3 RSAs.
- 4.3 The Overseeing Organisation shall have responsibility for approving and issuing the RSA brief to the RSA team.
- 4.4 For stage 4 RSAs, and where there is no design organisation available, the Overseeing Organisation shall prepare and approve the RSA brief for submission to the RSA team.

*NOTE A RSA brief template is provided in appendix C.*

- 4.5 Where the RSA team has identified that the RSA brief is insufficient for their purpose, a request for further information shall be made to the Overseeing Organisation.
- 4.5.1 Any information requested but not supplied to the RSA team should be identified in the introduction to the RSA report.

### Producing the RSA report

- 4.6 The RSA team leader shall be responsible for leading the RSA team through the process and managing the production of the RSA report.
- 4.7 The RSA team shall produce and issue a RSA report directly to the Overseeing Organisation for all stages.
- 4.8 Any misinterpretations of the highway scheme proposals shall be identified by the Overseeing Organisation and discussed with the RSA team.
- 4.9 Anything agreed to be outside of, or not covered by the RSA process or RSA brief shall be identified by the Overseeing Organisation and discussed with the RSA team.
- 4.10 Where changes are agreed to a RSA report between the RSA team and Overseeing Organisation, a revised version of the RSA report shall be produced by the RSA team and issued to the Overseeing Organisation.

*NOTE A RSA report template for RSA stages 1, 2 and 3 is provided in appendix D.*

### Producing the RSA response report

- 4.11 A RSA response report shall be produced for stage 1, 2 and 3 RSAs.

*NOTE A RSA response report is not be required for stage 4 RSAs.*

- 4.12 The design organisation shall manage the production of the RSA response report in collaboration with the Overseeing Organisation.
- 4.13 The RSA response report shall include a summary of the scheme, the stage of RSA, the RSA report document reference and date of the RSA report it relates to.
- 4.14 The RSA response report shall contain details of the representatives from the design organisation who prepared the RSA response report.
- 4.15 The RSA response report shall contain a RSA decision log to include a reiteration of each road safety problem and recommendation made in the RSA report.
- 4.16 The design organisation shall, for each RSA problem and recommendation, do one of the following:
- 1) accept the RSA problem and recommendation made by the RSA team;

- 2) accept the RSA problem raised, but suggest an alternative solution, giving appropriate reasoning; or
- 3) disagree with the RSA problem and recommendation raised, giving appropriate reasoning for rejecting both.

4.17 The RSA response report shall contain a response from the Overseeing Organisation and a RSA action for each problem agreed between the design organisation and Overseeing Organisation.

4.18 The RSA response report shall be signed by the Overseeing Organisation and design organisation to indicate their agreement on the RSA actions.

4.18.1 The RSA response report should be produced and finalised within one month of the issue of the RSA report.

*NOTE Appendix F shows a RSA response report and RSA decision log template.*

4.19 For each RSA action, either the design organisation or Overseeing Organisation shall be responsible for its implementation.

### **Subsequent actions**

4.20 The Overseeing Organisation shall keep a record of all RSA reports and RSA response reports on the highway scheme file.

4.20.1 The Overseeing Organisation should provide electronic copies of the RSA reports and RSA response reports to the Overseeing Organisation specialist.

4.20.2 The Overseeing Organisation should provide an electronic copy of the RSA response report to the RSA team for information.

### **Repeating a RSA stage**

4.21 Where the Overseeing Organisation deems a repeat RSA to be necessary, the repeated RSA shall only be concerned with the elements of the scheme that have been changed.

*NOTE The design organisation or Overseeing Organisation can request a RSA stage to be repeated where multiple changes or significant changes to the highway scheme are likely to have an impact on road user behaviour or the outcome of a collision.*

4.22 Stage 1 and stage 2 RSAs shall be repeated if the previous RSA for the relevant stage is more than 5 years old.

### **Communication**

4.23 The design organisation and Overseeing Organisation shall agree an appropriate method of communication with the RSA team to maintain the RSA team independence.

4.23.1 All communication should be recorded, including minutes of meetings if these are held.

## 5. Undertaking the road safety audit

### Scope of road safety audit

5.1 RSA shall only be concerned with road safety matters.

*NOTE 1 RSA is not a technical check that the design conforms to standards and/or best practice guidance.*

*NOTE 2 RSA is not a check that the scheme has been constructed in accordance with the design.*

*NOTE 3 RSA does not consider structural safety.*

*NOTE 4 RSA does not cover health and safety issues concerning road workers during the construction, maintenance and operation of the road.*

5.2 Road safety matters resulting from the operation of facilities for highway maintenance that affect road users shall be included in the scope of RSA.

5.3 The needs of all road users shall be assessed when undertaking the RSA.

### Road safety audit brief

5.4 The RSA brief shall define the scope of the RSA to be undertaken.

5.5 Where the design of the highway scheme includes strategic decisions, this shall be clearly identified within the RSA brief.

5.5.1 The Overseeing Organisation should give sufficient notice to the RSA team of when the scheme will be ready for RSA and the date by which the RSA report will be required.

5.6 A RSA brief shall be stage-specific.

5.6.1 The RSA brief should contain the relevant information for each stage as identified within appendix C.

### Road safety audit report

5.7 At all stages, the RSA team shall prepare a written RSA report.

5.8 The RSA report shall contain a separate statement for each identified RSA problem describing the location and nature of the problem and the type of collisions or road user injuries likely to occur as a result of the problem.

5.9 Each RSA problem shall be followed by an associated RSA recommendation.

5.10 The RSA team shall provide proportionate and viable RSA recommendations to eliminate or mitigate the identified RSA problems.

5.11 RSA recommendations including the words "consider" and "must" shall not be used.

*NOTE The use of the word 'must' in RSA recommendations has the potential to be misinterpreted as an instruction from the RSA team.*

5.12 Recommendations to 'monitor' shall only be made where a need to supplement the stage 4 RSA is specifically identified in terms of frequency and incidence of particular vehicle manoeuvres or collision contributory factors and the monitoring task can be specifically allocated.

5.13 RSA reports shall include:

- 1) identification of the RSA stage including a unique document reference number and any details of revisions;
- 2) a brief description of the highway scheme including details of its location and its objectives;
- 3) details of who supplied the RSA brief, who approved the RSA brief and who approved the RSA team;
- 4) identification of the RSA team membership as well as the names of others contributing such as the police, maintaining agent and specialist advisors;

- 5) details of who was present at the site visit, the date and time period(s) when it was undertaken and what the site conditions were on the day of the visit (weather, traffic congestion, etc.);
- 6) a location plan based on the scheme plan(s), marked up and referenced to problems and if available, photographs of the problems identified;
- 7) a statement, signed by both the RSA team leader and the RSA team member(s) in the format given in appendix D;
- 8) a list of information provided to the RSA team.

5.14 The RSA team shall not include any issues in the RSA report that have no implications on road user safety or any other items not covered by the RSA brief.

**NOTE** *Examples of inappropriate issues include maintenance defects observed during site visits and health and safety issues.*

5.15 The RSA team leader shall report any comments on issues that are not covered by the RSA brief directly to the Overseeing Organisation.

5.15.1 Maintenance defects noted during site visits should be immediately reported directly to the maintaining agent and the Overseeing Organisation.

### **Stages of road safety audit**

5.16 Highway schemes shall be subject to RSA at stages 1, 2, 3 and 4.

**NOTE 1** *General aspects to be addressed at RSA stages 1, 2 and 3 are provided in the lists in appendix B of this document.*

**NOTE 2** *The lists provided in appendix B are not intended to be exhaustive and provide a prompt for optional supplementary checks.*

**NOTE 3** *A RSA report template is shown in appendix D for stages 1, 2 and 3 and a stage 4 RSA report template is contained in appendix E.*

5.16.1 Interim RSA may be applied at stages 1, 2 and 3.

### **Stage 1 road safety audit - Completion of preliminary design**

5.17 Stage 1 RSA shall be undertaken at the completion of preliminary design, (for example at the order publication report stage) before publication of draft orders.

**NOTE** *The end of the preliminary design stage is often the last occasion at which land requirements can have the potential to be changed.*

5.17.1 Stage 1 RSA should include road safety matters which have a bearing upon land take, licence or easement before the draft orders are published or planning consent is applied for.

5.17.2 Where preliminary design is not undertaken, a stage 1 RSA may be combined with a stage 2 RSA at the detailed design stage.

5.18 The RSA team shall review the preliminary design information provided with the RSA brief.

**NOTE** *Aspects that typically form the focus of the stage 1 RSA are included as appendix B.*

5.19 Site visits shall be carried out in accordance with the requirements under section 5 road safety audit site visits.

### **Stage 2 road safety audit - Completion of detailed design**

5.20 Stage 2 RSA shall be undertaken at the completion of the detailed design stage.

**NOTE** *At stage 2, the RSA team focuses on the more detailed aspects of the highway scheme.*

5.21 The RSA team shall review the detailed design information provided with the RSA brief.

**NOTE** *Aspects that typically form the focus of the stage 2 RSA are included as appendix B.*

5.22 The stage 2 RSA shall include a review of the RSA actions in the stage 1 RSA response report.

5.23 RSA problems and recommendations relating to incomplete RSA actions in the stage 1 RSA shall be reiterated at the stage 2 RSA.

5.24 Site visits shall be carried out in accordance with the requirements under section 5 road safety audit site visits.

### **Stage 3 road safety audit - Completion of construction**

5.25 The stage 3 RSA shall be undertaken when the highway scheme construction is complete.

5.25.1 The stage 3 RSA should be undertaken before the scheme has opened to avoid the need for the RSA team to traverse the site when fully open to traffic.

5.25.2 Where the stage 3 RSA cannot be undertaken before opening, alternative arrangements should be agreed with the Overseeing Organisation.

**NOTE** *Alternative arrangements include the RSA being carried out a short time after opening or in phases where a scheme is subject to phased completion and opening.*

5.25.3 The RSA team leader should discuss any alterations recommended at the stage 3 RSA with the Overseeing Organisation to give the opportunity for modifications to be undertaken before opening.

**NOTE** *Early implementation of alterations recommended at the stage 3 RSA has the potential to provide a safer working environment for the workforce and minimise delays to road users.*

5.26 Stage 3 RSAs shall be carried out within 1 month of opening unless otherwise agreed with the Overseeing Organisation.

5.27 RSA problems and recommendations raised in the stage 1 and stage 2 RSA shall be reviewed at the stage 3 RSA and reiterated if the associated RSA actions are not complete.

5.28 The RSA team shall review the information provided with the RSA brief.

**NOTE** *Aspects that typically form the focus of the stage 3 RSA are included as appendix B.*

5.29 Site visits shall be carried out in accordance with the requirements under section 5 Road safety audit site visits.

5.29.1 Where there is an accessibility issue that restricts the RSA team from accessing areas of the site, reference to this should be included in the introduction of the RSA report.

**NOTE** *An example of an accessibility issue is an area of live motorway that cannot be accessed on foot.*

5.30 The RSA team shall examine the highway scheme from the viewpoints of all road users.

5.30.1 The RSA team may decide to drive, walk, cycle and/or ride a horse through the scheme to assist their evaluation.

5.31 The RSA team shall visit the site together in daylight and during the hours of darkness.

**NOTE** *The purpose of a site visit during darkness is to identify hazards specific to night time operation.*

### **Stage 4 road safety audit - Post-opening monitoring**

5.32 The Overseeing Organisation shall arrange for stage 4 RSA to be undertaken.

**NOTE** *The stage 4 RSA is an evidence-led review of road traffic collisions that have occurred in the vicinity of the highway scheme.*

5.33 Stage 4 RSA shall be carried out using 12 months of validated post highway scheme-opening road traffic collision data.

- NOTE 1** *Stage 4 RSAs are carried out so that any post highway scheme-opening road safety matters can be identified and remedial action taken.*
- NOTE 2** *The lag in availability of validated road traffic collision data means the RSA can occur later than 12 months from the opening of the highway scheme.*
- NOTE 3** *The availability of validated road traffic collision data varies depending on the individual Overseeing Organisation.*
- 5.34 A stage 4 RSA report shall be produced where road traffic collisions have been recorded in the vicinity of the highway scheme over the 12 month period of validated road traffic collision data.
- NOTE** *A stage 4 RSA report is not needed where no road traffic collisions have been recorded in the vicinity of the highway scheme over the 12 month period of post-opening validated road traffic collision data.*
- 5.35 If the Overseeing Organisation decides not to proceed further with the stage 4 RSA reporting, this decision shall be recorded, and kept on the highway scheme file (or equivalent).
- 5.36 Where a stage 4 RSA report is required, a RSA brief shall be prepared and issued to the RSA team by the Overseeing Organisation.
- 5.36.1 The production of the RSA brief may be delegated to the design organisation where they are retained post highway scheme completion.
- 5.36.2 Where there have been highway layout changes following the period the scheme first became operational, the stage 4 RSA brief should make reference to these changes.
- 5.36.3 Where operational data exists, this should be provided with the RSA brief to enable the RSA team to understand the implications of any road safety matters that have not resulted in reported collisions.
- 5.37 The stage 4 RSA report shall include any RSA problems indicated by the road traffic collision data analysis and operational data, and where necessary, include RSA recommendations for remedial action.
- NOTE** *A stage 4 RSA report template is provided in appendix E.*
- 5.38 During the stage 4 RSA, road traffic collision data shall be analysed in detail by the RSA team to identify:
- 1) higher than expected numbers of road traffic collisions that have occurred since the scheme became operational (when compared to control data);
  - 2) locations at which road traffic collisions have occurred; and
  - 3) road traffic collisions that appear to arise from similar causes or show common factors or trends.
- 5.38.1 The analysis of road traffic collision data should include identification of changes in the collision trends in terms of number, rate (taking account of any traffic flow changes), types and other collision variables, and comparisons with control data.
- 5.39 The RSA team shall visit the sites of highway schemes if characteristics within the road traffic collision data show:
- 1) higher than expected numbers of road traffic collisions have occurred since the scheme became operational (when compared to control data); or
  - 2) the road traffic collision rate or severity has increased since the scheme became operational; or
  - 3) common trends (e.g. a high frequency of road traffic collisions during the hours of darkness or on a wet road surface); or
  - 4) road safety matters related to vulnerable road users.
- 5.39.1 Where a site visit is needed, the RSA team should decide if the road traffic collision data analysis justifies an inspection during a particular time period and record their decision making within the RSA report.
- NOTE** *A particular time period could be during the hours of darkness or a peak period.*

### Road safety audit site visits

5.40 Site visits shall be carried out by all members of the RSA team together.

5.41 Site visits shall be limited to a maximum of 6 people.

**NOTE** *Site visit numbers include the RSA team and any additional specialist advisors, police and maintaining agent representatives.*

5.42 Table 5.42 shall be used for determining site visit requirements for each RSA stage:

**Table 5.42 RSA site visit requirements**

RSA stage	Visits	Attendees	Invitees
<b>Stage 1</b>	Daytime	RSA team	As determined by RSA team
<b>Stage 2</b>	Daytime		
<b>Stage 3</b>	Daytime and darkness		Police representative Maintaining agent representative
<b>Stage 4</b>	As required by clause 5.39 (section 5, stage 4 road safety audit - post-opening monitoring)	RSA team	As determined by RSA team

**NOTE** *Police and maintaining agent representation can be included at all stages of RSA if deemed beneficial and approved by the Overseeing Organisation.*

5.43 The RSA team shall determine the need to vary the time of the site visit to observe specific traffic conditions at all stages of RSA.

**NOTE** *Specific traffic conditions can include peak periods, the beginning or end of the school day or during frequent events.*

### Interim RSA

5.44 The Overseeing Organisation shall decide whether to undertake an interim RSA.

**NOTE 1** *Interim RSA can provide the benefit of early identification of potential road safety problems leading to savings in both programme and design costs.*

**NOTE 2** *Interim RSA is particularly beneficial to larger projects with accelerated programmes, such as highway schemes involving early contractor involvement.*

**NOTE 3** *Interim RSA supplements the RSA at stages 1, 2 and 3.*

**NOTE 4** *Interim RSA does not replace a particular stage of RSA.*

5.45 The RSA process for an interim RSA shall be completed in accordance with the requirements of the relevant RSA stage.

5.45.1 Interim RSA may be undertaken during the construction process with the agreement of the Overseeing Organisation.

5.45.2 Elements of the constructed scheme may be subjected to interim RSA, when works are partially complete or when individual elements or sections of the scheme are complete and opened to road users in stages.

### Third party organisation-led RSA

5.46 Where third party organisation-led schemes have the potential to result in highway schemes on the trunk road and motorway network, the process set out in this document shall be followed for all stages of RSA including appointment and approval of the RSA team.

*NOTE        The highway scheme can be designed by an organisation working for the third-party organisation rather than an organisation working for the Overseeing Organisation.*

5.46.1      A stage 1 RSA report should be undertaken before planning consent is applied for as this demonstrates that the potential for road user safety issues has been addressed.

*NOTE        The third party organisation-led scheme is submitted for planning approval to the local planning authority and, where there are highway implications, the highway or Overseeing Organisation is consulted.*

## 6. Certificate of competency curriculum

### Training and assessment

- 6.1 The curriculum core modules provided in appendix G shall be used to provide appropriate RSA certificate of competency training and assessment.

*NOTE 1 There are two routes through which a certificate of competency can be obtained – a portfolio of evidence route or a training route.*

*NOTE 2 Details of the two routes are also provided in appendix G.*

### Authorisation of certificate of competency

- 6.2 Organisations wishing to offer a certificate of competency shall have their assessment and certification processes reviewed and accepted in writing by the Highways England Safer Roads-Design team.

*NOTE Highways England's Safer Roads-Design team fulfils this role on behalf of the other Overseeing Organisations.*

- 6.3 Organisations offering a certificate of competency training course shall be independent of the candidate's employer.

- 6.4 Prior to the issue of a certificate of competency, organisations offering a training course shall assess the candidate's suitability as RSA team member and RSA team leader against the training, skills and experience guidance in section 3.

### Certificate of competency validity

- 6.5 The certificate of competency shall not have a finite validity period.

*NOTE It is not intended that holding a certificate of competency will require a mandatory membership of an organisation.*

### Certificates of competency awarded before implementation of EC Directive

- 6.6 Certificates of competency awarded before the implementation of the 2008/96/EC [Ref 1.N] shall be recognised.

- 6.6.1 Certificates of competency in RSA awarded in other European Union countries outside the UK may be acceptable.

## 7. Normative references

The following documents, in whole or in part, are normative references for this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

Ref 1.N	2008/96/EC, 'Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management '
Ref 2.N	Highways England. GG 101, 'Introduction to the Design Manual for Roads and Bridges'
Ref 3.N	The Stationery Office. TSM Chapter 8, 'Traffic Signs Manual Chapter 8 - Road works and temporary situations'

## 8. Informative references

The following documents are informative references for this document and provide supporting information.

Ref 1.I	The Stationery Office. Legislation.gov.uk. CM&CHA 2007, 'Corporate Manslaughter and Corporate Homicide Act (2007)'
Ref 2.I	The National Archives. legislation.gov.uk. Highways Act 1980, 'Highways Act 1980'
Ref 3.I	gov.uk. STATS19, 'Reported road casualties in Great Britain'
Ref 4.I	National Policing Improvement Agency. Association of Chief Police Officers. RDIM, 'Road Death Investigation Manual'
Ref 5.I	The National Archives. legislation.gov.uk. Road Traffic Act 1988, 'Road Traffic Act 1988'
Ref 6.I	The Stationery Office. Roads(S) 1984, 'Roads (Scotland) Act 1984'
Ref 7.I	Highways England. GG 142, 'Walking, cycling and horse-riding assessment and review'

Appendix A. Exemption file note template

A1 Highway scheme details

Details of the highway scheme proposed for exemption from the road safety audit process are provided below.

Table A.1 Highway scheme name, location and description

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A2 Exemption statement

In accordance with GG 119 road safety audit I have examined the details of the above highway scheme.

For the reason/s set out below, the highway scheme is considered exempt from road safety audit as there is no impact on road user behaviour for all potential road users in this location and there will be no adverse changes to the outcome of a collision.

Table A.2 Reasons for exemption

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A3 Overseeing Organisation approval

The Overseeing Organisation approval for the exemption from the road safety audit process is provided below.

Table A.3 Overseeing Organisation approval

Name:	
Role:	
Organisation:	
Signature:	
Date:	

## **Appendix B. Road safety audit checklists**

Road safety audit checklists are outlined on the next page.

**Table B.1 LOCAL ALIGNMENT**

Stage 1	Stage 2	Stage 3
<b>Visibility</b>		
Are horizontal and vertical alignments consistent with required visibility? Will sight lines be obstructed by permanent or temporary features e.g. bridge abutments and parked vehicles?	Are sight lines obstructed by: 1. safety fences; 2. boundary fences; 3. street furniture; 4. parking facilities; 5. signs; 6. landscaping; 7. structures; 8. environmental barriers; 9. crests; 10. features such as buildings, plant or materials outside the highway boundary? Is the forward visibility of at-grade crossings sufficient to ensure they are conspicuous?	Are the sight lines clear of obstruction?
<b>New/existing road interface</b>		
Will the proposed scheme be consistent with the standard of provision on adjacent lengths of road and if not, is this made obvious to the road user? Does interface occur near any potential hazard, i.e. crest, bend after steep gradient?	Where a new road scheme joins an existing road, or where an on-line improvement is to be constructed, will the transition give rise to potential hazards? Where the road environment changes (e.g. urban to rural, restricted to unrestricted) is the transition made obvious by appropriate signing and carriageway markings?	Is there a need for additional signs and/or road markings?
<b>Vertical alignment</b>		
Are climbing lanes to be provided? Will the vertical alignment cause any "hidden dips"?		

**Table B.2 GENERAL**

Stage 1	Stage 2	Stage 3
<b>Departures from standards</b>		
What are the road safety implications of any approved departures from standards or relaxations? (Are these strategic decisions within the scope of the RSA?)	Consider road safety aspects of any departures granted since the stage 1 RSA.	Are there any adverse road safety implications of any departures from standard granted since the stage 2 RSA?
<b>Cross sections and cross-sectional variation</b>		
How safely do the cross-sections accommodate drainage, ducting, signing, fencing, lighting and pedestrian, cyclist and equestrian routes?  Could the scheme result in the provision of adverse camber?  What are the road safety implications if the standard of the proposed scheme differs from adjacent lengths of highway?		
<b>Landscaping</b>		
Could areas of landscaping conflict with sight lines (including during windy conditions)?	Could planting (new or when mature) encroach onto the carriageway or obscure signs or sight lines (including during windy conditions)? Could earth bunds obscure signs or visibility? Could trees (new or when mature) be a hazard to an errant vehicle? Could planting affect lighting or shed leaves on to the carriageway?	Could planting obscure signs or sight lines (including during periods of windy weather)? Do earth bunds obscure signs or visibility? Could trees (new or when mature) be a potential hazard to an errant vehicle? Could planting affect lighting or shed leaves onto the carriageway?
<b>Climatic conditions</b>		
	Is there a need for specific provision to mitigate effects of fog, wind, sun glare, snow, and ice?	Are any extraordinary measures required?

Table B.2 GENERAL (continued)

Stage 1	Stage 2	Stage 3
<b>Drainage</b>		
<p>Will the new road drain adequately, or could areas of excess surface water result?</p> <p>Could excess surface water turn to ice during freezing conditions?</p> <p>Could excessive water drain across the highway from adjacent land?</p>	<p>Do drainage facilities (e.g. gully spacing, gully locations, flat spots, crossfall, ditches) appear to be adequate?</p> <p>Are features such as utility covers or gullies located within footpaths, cycle routes or equestrian routes?</p> <p>Are features such as utility covers or gullies located in the likely wheel tracks for motorcyclists or cyclists?</p> <p>Do they give concern for motorcyclist/cyclist stability?</p> <p>Is surface water likely to drain across a carriageway and increase the risk of aquaplaning under storm conditions?</p>	<p>Does drainage of roads, cycle routes and footpaths appear adequate?</p> <p>Are drainage features such as utility covers or gullies located within footpaths, cycle routes or equestrian routes?</p> <p>Are features such as utility covers or gullies located in the likely wheel tracks for motorcyclists or cyclists?</p> <p>Do they give concern for motorcyclist/cyclist stability?</p>
<b>Lay-bys</b>		
<p>Has adequate provision been made for vehicles to stop off the carriageway including picnic areas?</p> <p>How will parked vehicles affect sight lines?</p> <p>Could lay-bys be confused with junctions?</p> <p>Is the lay-by located in a safe location (e.g. away from vertical crests or tight horizontal alignments with limited visibility)?</p>	<p>Have lay-bys been positioned safely? Could parked vehicles obscure sight lines?</p> <p>Are lay-bys adequately signed?</p> <p>Are picnic areas properly segregated from vehicular traffic?</p>	

Table B.2 GENERAL (continued)

Stage 1	Stage 2	Stage 3
<b>Public utilities/services apparatus</b>		
<p>Could utility apparatus be struck by an errant vehicle?</p> <p>Could utility apparatus obscure sight lines?</p>	<p>Can maintenance vehicles stop clear of traffic lanes? If so, could they obscure signs or sight lines?</p> <p>Are boxes, pillars, posts and cabinets located in safe positions away from locations that may have a high potential of errant vehicle strikes?</p> <p>Do they interfere with visibility?</p> <p>Has sufficient clearance to overhead cables been provided?</p> <p>Have any special accesses/parking areas been provided and are they safe?</p> <p>Are there any utility inspection chambers in live traffic lanes and/or wheel tracks including those of motorcyclists or cyclists?</p> <p>Do they give concern for motorcyclist/ cyclist stability?</p>	<p>Can maintenance vehicles stop clear of traffic lanes?</p> <p>If so, could they obscure signs or sight lines?</p> <p>Are boxes, pillars, posts and cabinets located in safe positions away from locations that may have a high potential for errant vehicle strikes?</p> <p>Do they interfere with visibility?</p> <p>Are any special accesses/parking areas provided safe?</p> <p>Are there any utility inspection chambers in live traffic lanes and/or wheel tracks?</p> <p>Has any loose material around utility covers or gullies located in the verge been compacted down and made level with the surrounding ground?</p>
<b>Access</b>		
<p>Can all accesses be used safely?</p> <p>Can multiple accesses be linked into one service road?</p> <p>Are there any conflicts between turning and parked vehicles?</p>	<p>Is the visibility to/from accesses adequate?</p> <p>Are the accesses of adequate length to ensure all vehicles clear the main carriageway?</p> <p>Do all accesses appear safe for their intended use?</p>	<p>Is the visibility to/from accesses adequate?</p> <p>Are the accesses of adequate length to ensure all vehicles clear the main carriageway?</p>
<b>Skid resistance</b>		
	<p>Are there locations where high skid resistance surfacing (such as on approaches to junctions and crossings) would be beneficial?</p> <p>Do surface changes occur at locations where they could adversely affect motorcycle stability?</p> <p>Is the colour of any high friction surfacing appropriate?</p>	<p>Do any joints in the surfacing appear to have excessive bleeding or low skid resistance?</p> <p>Do surface changes occur at locations where they could adversely affect motorcycle stability?</p>
<b>Emergency vehicles</b>		
<p>Has provision been made for safe access and egress by emergency vehicles?</p>		

Table B.2 GENERAL (continued)

Stage 1	Stage 2	Stage 3
<b>Future widening</b>		
Where a single carriageway scheme is to form part of a future dual carriageway, is it clear to road users that the road is for two-way traffic?		
<b>Agriculture</b>		
	Have the needs of agricultural vehicles and plant been taken into consideration (e.g. room to stop between carriageway and gate, facilities for turning on dual carriageways)? Are such facilities safe to use and are they adequately signed?	
<b>Fences and road restraint systems</b>		
	Is there a need for road restraint systems to protect road users from signs, gantries, parapets, abutments, steep embankments or water hazards? Do the road restraint systems provided give adequate protection? Are the road restraint systems long enough? Are specific restraint facilities required for motorcyclists? In the case of wooden post and rail boundary fences, are the rails placed on the non-traffic side of the posts? If there are roads on both sides of the fence is an interlocking-design necessary to prevent impalement on impact?	Is the restraint system adequate? In the case of wooden post and rail boundary fences, are the rails placed on the non-traffic side of the posts? Have specific restraint facilities been provided for motorcyclists?

**Table B.2 GENERAL** (continued)

Stage 1	Stage 2	Stage 3
<b>Adjacent development</b>		
Does adjacent development cause interference/confusion? (e.g. lighting or traffic signals on adjacent roads may affect a road user's perception of the road ahead) Is screening required to avoid headlamp glare between opposing carriageways, or any distraction to road users?	Has screening been provided to avoid headlamp glare between opposing carriageways, or any distraction to road users? Are there any safety issues relating to the provision of environmental barriers or screens?	Have environmental barriers been provided and do they create a potential hazard?
<b>Basic design principles</b>		
Are the overall design principles appropriate for the predicted level of use for all road users?		
<b>Bridge parapets</b>		
	Are parapet heights appropriate for the adjacent road user groups?	Is the projection of any attachment to the parapet likely to be struck by road users?
<b>Network management</b>		
		Have appropriate signs and/or markings been installed in respect of Traffic Regulation Orders?
<b>Specific road users</b>		
Is specific provision required for vulnerable groups? (i.e. the young, older users, mobility and visually impaired, motorcyclists.)	Are gradients appropriate for mobility scooters? Are timings at controlled crossings sufficient for all users? Do surface changes or excessive use of carriageway markings occur at locations where they could adversely affect motorcycle stability? Are specific restraint facilities required for motorcyclists? Are features such as traffic calming, utility covers or gullies located in the likely wheel tracks for motorcyclists or cyclists? Do they give concern for motorcyclist/cyclist stability?	Are the following adequate for specific and vulnerable groups? 1. visibility; 2. signs; 3. surfacing; 4. other guardrails; 5. drop kerbing/flush surfaces; 6. tactile paving; 7. gradients; 8. lighting levels; 9. restraint systems; 10. positioning of utility covers/gullies.

**Table B.3 JUNCTIONS**

Stage 1	Stage 2	Stage 3
<b>Layout</b>		
<p>Is provision for right turning vehicles required?</p> <p>Are acceleration/deceleration lanes required?</p> <p>Are splitter islands required on minor arms to assist pedestrians or formalise road users' movements to/from the junction?</p> <p>Are there any unusual features that affect road safety?</p> <p>Are widths and swept paths adequate for all road users?</p> <p>Will large vehicles overrun pedestrian or cycle facilities?</p> <p>Are there any conflicts between turning and parked vehicles?</p> <p>Are any junctions sited on a crest?</p> <p>Is the junction type appropriate for the traffic flows and likely vehicle speeds?</p>	<p>Are the junctions and accesses adequate for all vehicular movements?</p> <p>Are there any unusual features, which may have an adverse effect on road safety?</p> <p>Have guardrails/safety fences been provided where appropriate?</p> <p>Do any roadside features (e.g. guard rails, safety fences, traffic bollards signs and traffic signals) intrude into drivers' line of sight?</p> <p>Are splitter islands and bollards required on minor arms to assist pedestrians or formalise road users' movements to/from the junction?</p> <p>Are parking or stopping zones for buses, taxis and public utilities vehicles situated within the junction area?</p> <p>Are they located outside visibility splays?</p> <p>Are any utility covers or gullies located in the likely wheel tracks of motorcyclists or cyclists?</p>	<p>Have guard rails/safety fences been provided where appropriate?</p> <p>Do any roadside features (e.g. guard rails, safety fences, traffic bollards signs and traffic signals) intrude into drivers' line of sight?</p> <p>Have bollards been provided to assist pedestrians or formalise road user movements?</p>
<b>Visibility</b>		
<p>Are sight lines adequate on and through junction approaches and from the minor arm?</p> <p>Are visibility splays adequate and clear of obstructions such as street furniture and landscaping?</p> <p>Will the use of deceleration or acceleration lanes obscure junction visibility?</p>	<p>Are the sight lines adequate at and through the junctions and from minor roads?</p> <p>Are visibility splays clear of obstruction?</p>	<p>Are all visibility splays clear of obstructions?</p>
<b>T, X, Y - junctions</b>		
	<p>Have ghost island right turn lanes and refuges been provided where required?</p> <p>Do junctions have adequate stacking space for turning movements?</p> <p>Can staggered crossroads accommodate all vehicle types and movements?</p>	<p>Are priorities clearly defined?</p> <p>Is signing adequate?</p>

**Table B.3 JUNCTIONS** (continued)

Stage 1	Stage 2	Stage 3
<b>All roundabouts</b>		
	<p>Are the deflection angles of approach roads adequate for the likely approach speed?</p> <p>Are splitter islands necessary?</p> <p>Is visibility on approach adequate to ensure drivers can perceive the correct path through the junction?</p> <p>Where chevron signs are required, have they been correctly sited?</p> <p>Are dedicated approach lanes required? If provided, will the road markings and signs be clear to all users?</p> <p>Are any utility covers or gullies located in the likely wheel tracks of motorcyclists or cyclists?</p>	<p>Can the junction be seen from appropriate distances and is the signing adequate?</p> <p>Where chevron signs are required, have they been correctly sited?</p>
<b>Mini roundabouts</b>		
	<p>Are the approach speeds for each arm likely to be appropriate for a mini roundabout?</p> <p>Is the centre island visible from all approaches?</p>	

**Table B.3 JUNCTIONS** (continued)

Stage 1	Stage 2	Stage 3
<b>Traffic signals</b>		
	<p>Will speed discrimination equipment be required? Is the advance signing adequate? Are signals clearly visible in relation to the likely approach speeds? Is "see through" likely to be a problem? Would lantern filters assist? Is the visibility of signals likely to be affected by sunrise/sunset? Would high intensity signals and/or backing boards improve visibility? Would high-level signal units be of value? Is the stopline in the correct location? Are any pedestrian crossings excessively long? Are the proposed tactile paving layouts correct? Are the markings for right turning vehicles adequate? Is there a need for box junction markings? Is the phasing appropriate? Will pedestrian/ cyclist phases be needed? Does the number of exit lanes equal the number of approach lanes? If not is the taper length adequate? Is the required junction intervisibility provided?</p>	<p>Can the traffic signals be seen from appropriate distances? Can drivers see traffic signal heads for opposing traffic? For the operation of signals: Are the signal phases working correctly, are unnecessary delays being created? Do pedestrian and cycle phases give adequate crossing time? Can pedestrians or cyclists mistakenly view the "green man" signal for other pedestrian or cycle phases?</p>

**Table B.4 WALKING, CYCLING AND HORSE RIDING**

Stage 1	Stage 2	Stage 3
<b>Adjacent land</b>		
Will the scheme have an adverse effect on safe use of adjacent land?	Are accesses to and from adjacent land/properties safe to use? Has adjacent land been suitably fenced?	Has suitable fencing been provided?
<b>Pedestrians</b>		
<p>Have pedestrian routes been provided where required?</p> <p>Do shared facilities take account of the needs of all user groups?</p> <p>Can verge strips dividing footways/cycleways and carriageways be provided?</p> <p>Where footpaths have been diverted, will the new alignment permit the same users free access?</p> <p>Are footbridges/subways sited to attract maximum use?</p> <p>Is specific provision required for special and vulnerable groups? (i.e. the young, older users, mobility and visually impaired?)</p> <p>Are tactile paving, flush kerbs and guard railing proposed? Is it specified correctly and in the best location?</p> <p>Have all walking needs been considered, especially at junctions?</p> <p>Are these routes clear of obstructions such as signposts, lamp columns etc.?</p>	<p>Have the needs of pedestrians been considered especially at junctions and roundabouts?</p> <p>Are any proposed drop kerbs flush with the adjacent highway?</p> <p>Is tactile paving proposed?</p> <p>Is it specified correctly and in the best location?</p>	<p>Are the following adequate?:</p> <ol style="list-style-type: none"> <li>1. visibility;</li> <li>2. signs;</li> <li>3. surfacing;</li> <li>4. other guardrails;</li> <li>5. drop kerbing or flush surfaces;</li> <li>6. tactile paving</li> </ol>

**Table B.4 WALKING, CYCLING AND HORSE RIDING** (continued)

Stage 1	Stage 2	Stage 3
<b>Cyclists</b>		
<p>Have cycle routes been provided where required? Do shared facilities take account of the needs of all user groups? Can verge strips dividing footways/cycleways and carriageways be provided? Is specific provision required for special and vulnerable groups? (i.e. the young, older users, mobility impaired?) Have all cycling needs been considered, especially at junctions? Are these routes clear of obstructions such as signposts, lamp columns etc.?</p>	<p>Have the needs of cyclists been considered especially at junctions and roundabouts? Are cycle lanes or segregated cycle tracks required? Does the signing make clear the intended use of such facilities? Are cycle crossings adequately signed? Has lighting been provided on cycle routes? Are any proposed drop kerbs flush with the adjacent highway? Are any parapet heights sufficient? Is tactile paving proposed? Is it specified correctly and in the best location?</p>	<p>Do the following provide sufficient levels of road safety for cyclists on, or crossing the road?</p> <ol style="list-style-type: none"> <li>1. visibility;</li> <li>2. signs;</li> <li>3. guardrails;</li> <li>4. drop kerbing or flush surfaces;</li> <li>5. surfacing;</li> <li>6. tactile paving.</li> </ol>
<b>Equestrians</b>		
<p>Have equestrian needs been considered? Does the scheme involve the diversion of bridleways?</p>	<p>Should bridleways or shared facilities be provided? Does the signing make clear the intended use of such paths and is sufficient local signing provided to attract users? Have suitable parapets/rails been provided where necessary?</p>	<p>Do the following provide sufficient levels of road safety for equestrians?</p> <ol style="list-style-type: none"> <li>1) visibility;</li> <li>2) signs;</li> <li>3) guardrails.</li> </ol>

**Table B.5 TRAFFIC SIGNS, CARRIAGEWAY MARKINGS AND LIGHTING**

Stage 1	Stage 2	Stage 3
<b>Signs</b>		
<p>Is there likely to be sufficient highway land to provide the traffic signs required?</p> <p>Are sign gantries needed?</p> <p>Have traffic signs been located away from locations where there is a high strike risk?</p>	<p>Do destinations shown align with signing policy?</p> <p>Are signs easy to understand?</p> <p>Are the signs located behind safety fencing and out of the way of pedestrians and cyclists?</p> <p>Is there a need for overhead signs?</p> <p>Where overhead signs are necessary is there sufficient headroom to enable designated walking, cycling and horse riding usage?</p> <p>Has sign clutter been considered?</p> <p>Is junction signing adequate, consistent with adjacent signing and easily understood?</p> <p>Have the appropriate warning signs been provided?</p> <p>Are signs appropriately located and of the appropriate size for approach speeds?</p> <p>Are sign posts and sign structures passively safe or protected by safety barriers where appropriate?</p> <p>Are traffic signs illuminated where required and the correct reflectivity provided?</p> <p>Are traffic signs located in positions that minimise potential strike risk?</p> <p>Is the mounting height of sign faces appropriate?</p> <p>Are traffic signs orientated correctly to ensure correct visibility and reflectivity?</p>	<p>Are the visibility, locations and legibility of all signs (during daylight and darkness) adequate?</p> <p>Are signposts protected from vehicle impact or passively safe?</p> <p>Will signposts impede the safe and convenient passage of pedestrians and cyclists?</p> <p>Have additional warning signs been provided where necessary?</p>
<b>Variable message signs (VMS)</b>		
	<p>Are the legends relevant and easily understood?</p> <p>Are signs passively safe or located behind safety fencing?</p>	<p>Can VMS be read and easily understood at distances appropriate for vehicle speeds?</p> <p>Are they adequately protected from vehicle impact or passively safe?</p>

**Table B.5 TRAFFIC SIGNS, CARRIAGEWAY MARKINGS AND LIGHTING** (continued)

Stage 1	Stage 2	Stage 3
<b>Lighting</b>		
<p>Is the scheme to be street lit?</p> <p>Has lighting been considered at new junctions and where adjoining existing roads?</p> <p>Are lighting columns located in the best positions? (e.g. behind safety fences)</p>	<p>Has lighting been considered at new junctions and where adjoining existing roads?</p> <p>Is there a need for lighting, including lighting of signs and bollards?</p> <p>Are lighting columns passively safe?</p> <p>Are lighting columns located in the best positions e.g. behind safety fences and not obstructing walking, cycling and horse riding routes?</p>	<p>Does the street lighting provide adequate illumination of roadside features, road markings and non-vehicular users to drivers?</p> <p>Is the level of illumination adequate for the road safety of walkers, cyclists and horse riders?</p> <p>Is lighting obscured by vegetation or other street furniture?</p>
<b>Poles/columns</b>		
<p>Will poles/columns be appropriately located and protected?</p>	<p>Are poles and columns passively safe?</p> <p>Are poles and columns protected by safety fencing where appropriate?</p>	
<b>Carriageway markings</b>		
<p>Are any road markings proposed at this stage appropriate?</p>	<p>Do the carriageway markings clearly define routes/priorities?</p> <p>Are the dimensions of the road markings appropriate for the speed limit/design speed of the road?</p> <p>Have old road markings and road studs been adequately removed?</p> <p>Are road markings appropriate to the location?</p> <ol style="list-style-type: none"> <li>1. centre and edge lines;</li> <li>2. hatching;</li> <li>3. road studs;</li> <li>4. text/destinations;</li> <li>5. approved and/or conform to the Regulations.</li> </ol>	<p>Are all road markings/studs clear and appropriate for their location?</p> <p>Have all superseded road markings and studs been removed adequately?</p> <p>Do the carriageway markings clearly define routes and priorities?</p> <p>Have all superseded road markings and studs been removed adequately?</p>

## Appendix C. Road safety audit brief template

**Table C.1 Project Summary**

<b>Date:</b>	Insert date
<b>Document reference:</b>	Insert unique document reference
<b>Prepared by:</b>	Insert design organisation
<b>On behalf of:</b>	Insert Overseeing Organisation
<b>AUTHORISATION SHEET</b>	
<b>Project:</b>	Insert highway scheme name
<b>Report title:</b>	Include RSA stage
<b>PREPARED BY:</b>	
<b>Name:</b>	Insert author of brief
<b>Signed:</b>	
<b>Organisation:</b>	Insert design organisation
<b>Date:</b>	Insert date
<b>I APPROVE THE RSA BRIEF AND INSTRUCT THE RSA TO TAKE PLACE ON BEHALF OF THE OVERSEEING ORGANISATION:</b>	
<b>Name:</b>	
<b>Signed:</b>	
<b>Organisation:</b>	Insert Overseeing Organisation
<b>Date:</b>	

**Table C.2 General Details**

<b>General details</b>				
<b>Highway scheme name and road number:</b>		Insert scheme title and road number/name		
<b>Type of scheme:</b>	e.g. new road scheme, smart motorway, junction improvement, traffic signs and road markings improvement, traffic calming scheme, etc.			
<b>RSA stage tick as appropriate.</b>	1	2	3	4
	Interim			
<b>Overseeing Organisation details</b>		<b>Design organisation details</b>		
Insert details		Insert details		
<b>Police contact details</b>		<b>Maintaining agent contact details</b>		
(Required for stage 3 RSAs)		Insert details		
<b>RSA team membership</b>				
Insert details of the approved RSA team and any specialist advisors and observers where appropriate.				
<b>Terms of reference</b>				
Make reference to relevant DMRB documents and other guidance where appropriate.				

**Table C.3 Scheme Details**

<b>Scheme description/objective</b>
<b>General</b>
Define the extents of the RSA, include a brief scheme description, the scheme objectives, a start date for construction if known and a completion date. In addition, for stage 4 RSAs, confirm when all related traffic management has been removed.
<b>Design standards applied to the scheme design</b>
For example, DMRB.
<b>Design speeds</b>
Provide details of applied and/or existing design speeds.
<b>Speed limits</b>
State whether mandatory or advisory, available speed data.
<b>Existing traffic flows/queues</b>
To include current automatic traffic counter (ATC) data, up-to-date turning count and queue information etc.
<b>Forecast traffic flows</b>
Where available and relevant, provide future traffic flow data including vehicle proportions.
<b>Pedestrian, cyclist and equestrian desire lines</b>
Include details of pedestrian, cyclist and equestrian movements in the vicinity of the scheme and, when applicable the relevant walking, cycling and horse riding assessment and review reports GG 142 [Ref 7.]
<b>Environmental constraints</b>
Include all environmental constraints within the scheme extents, for example sites of special scientific interest (SSSI), conservation areas, listed properties etc.

**Table C.4 Locality**

<b>Description of locality</b>
Include all environmental constraints within the scheme extents, for example sites of special scientific interest (SSSI), conservation areas, listed properties etc.
<b>General description</b>
Include road network, road type, relevant land uses etc.
<b>Relevant factors which may affect road safety</b>
Factors known to the design organisation and considered as part of the design. This should also include anything that would not be immediately obvious to the RSA team – such as school crossing patrols and large events, for example.

**Table C.5 Analysis**

<b>Collision data analysis</b>
At stages 1, 2, and 3 provide a summary of road traffic collision data covering both the extent of the scheme and the adjoining sections of highway. As a minimum the most recent 36 months of data. At stage 4, provide 12 months of post-opening validated road traffic collision data. Raw data should be provided as an appendix.
<b>Departures from standards</b>
Include status details, i.e. approved/pending/rejected, and any design strategy records produced for improvements to existing trunk roads and motorways.
<b>Previous road safety audit stage reports, road safety audit response reports and evidence of agreed actions</b>
Attach previous reports to the RSA brief, or provide an explanation where these are not available.
<b>Strategic decisions</b>
Includes items outside the scope of this RSA which will not change irrespective of the RSA, for example route choice, junction type, approved departures from standard.
<b>List of included documents and drawings</b>
<b>Documents</b>
<b>Reference and revision..... Title..... Date.....</b>
For example: previous RSA reports; design responses; departures; road traffic collision data; walking, cycling and horse riding assessment and reviews. This could include any relevant operational data such as damage-only collision data or incident logs. This list could be included as an attachment to the RSA brief or a hyperlink to a shared electronic location where the RSA brief information has been collated.
<b>Drawings</b>
<b>Drawing no. and revision..... Title.....</b>
This list could be included as an attachment to the RSA brief or a hyperlink to a shared electronic location where the RSA brief information has been collated.

**Table C.6 Checklist**

<b>Tick all that are included and provide reasons for those that are not included</b>			
Site location plan		Scale layout plans	
Departures and relaxations from standards		Construction/ typical details	
Previous RSA reports		Previous RSA response reports and evidence of agreed actions	
Collision data and collision data analysis		Road traffic collision plot	
Traffic signal staging		Traffic counts	
Speed surveys		Pedestrian, cyclist and horse riding desire lines and volumes	
Walking, cycling and horse riding assessment and reviews		Items outside the scope of the RSA/ strategic decisions	
Other factors that may impact on road safety		Design speeds/ speed limits	
Design standards used		Adjacent land uses	

## Appendix D. Stages 1, 2 and 3 Road safety audit report template

### D1 Project details

Provide:

**Table D.1 Project details**

<b>Report title:</b>	Include stage of RSA
<b>Date:</b>	Insert date
<b>Document reference and revision:</b>	Insert unique document reference
<b>Prepared by:</b>	Insert RSA team organisation
<b>On behalf of</b>	Insert Overseeing Organisation

### D2 Introduction

Provide:

- 1) a description of the proposed highway scheme including details of its location and its objectives. Make reference to any strategic decisions and confirm that any recommendations to make significant changes in relation to these elements are unlikely to be acceptable.
- 2) details of who supplied the RSA brief, who approved the RSA brief and who approved the RSA team.
- 3) identification of the RSA team membership as well as the names of other contributors such as the police, maintaining agent and specialist advisors.
- 4) details of who attended the site visit, the date, time periods when the audit was undertaken and the weather/traffic conditions on the day of the visit. Include the state of completion of the works at the stage 3 RSA.
- 5) the terms of reference of the RSA confirmation and that the RSA team has examined and reported only on the road safety implications of the scheme as presented and has not examined or verified the compliance of the designs to any other criteria.

### D3 Items raised at previous road safety audits

Report any of the RSA actions in the RSA response report for the previous stage that have been agreed for action but not completed. Where the RSA action is not completed, or an RSA response report is not provided, outstanding problems and recommendations will be repeated here.

Where the circumstances have changed it may be necessary to revise the earlier problem and recommendation and this will be included only in section 4.

**D4 Items raised at this road safety audit**

Complete the information below. This does not have to be in the form of a table.

**Table D.2 Items raised at this road safety audit**

<b>PROBLEM</b>	
<b>Location:</b>	Insert the location of the problem and reference to a scheme drawing.
<b>Summary:</b>	Provide a short summary of the problem.
Describe the nature of the problem supported by background reasoning and include the type of collisions and/or road user injuries likely to occur.	
<b>RECOMMENDATION</b>	
Provide a proportionate and viable recommendation, based on the RSA stage, to eliminate or mitigate the identified RSA problem.	

**D5 Audit team statement**

Include the following statement to be signed by the RSA team leader and RSA team member(s):

**Table D.3 Audit team statement**

<b>We certify that this road safety audit has been carried out in accordance with GG 119.</b>	
<b>ROAD SAFETY AUDIT TEAM LEADER</b>	
Name:	
Signed:	
Position:	
Organisation:	
Date:	
<b>ROAD SAFETY AUDIT TEAM MEMBER(S)</b>	
Name:	
Signed:	
Position:	
Organisation:	
Date:	

**D6 Problem location plan**

Insert as an appendix to the RSA report.

## Appendix E. Stage 4 Road safety audit report template

### E1 Project details

Provide:

**Table E.1 Project details**

<b>Report title</b>	Stage 4 RSA report
<b>Date</b>	Insert date
<b>Document reference and revision:</b>	Insert unique document reference
<b>Prepared by:</b>	On behalf of: Insert RSA team organisation
<b>On behalf of:</b>	On behalf of: Insert Overseeing Organisation

### E2 Introduction

Provide a brief description of the highway scheme including details of its location and its objectives.

Include details of who supplied the RSA brief, who approved the RSA brief and who approved the RSA team.

Identification of the RSA team membership as well as the names of other contributors.

Details of who attended the site visit, the date, time periods when the audit was undertaken and the weather/traffic conditions on the day of the visit.

### E3 Scheme details

Provide details of the highway scheme, its location and when it was completed.

Clarify the dates of previous RSAs.

### E4 Collision data analysis

Analyse the road traffic collisions recorded since the scheme became operational using 12 months of validated post-scheme opening data.

Compare the road traffic collision data with relevant control data.

Identify any post-opening road traffic collision problems.

### E5 Items raised at stage 3 road safety audit

Report any of the RSA actions in the RSA response report for the previous stage that have not been completed. Where the RSA action is not completed, or an RSA response report is not provided, outstanding problems and recommendations will be repeated here.

Where collisions have occurred related to previous problems, regardless of the RSA response report, a revised problem and recommendation will be included in section 6.

### E6 Items raised at this stage 4 road safety audit

In this section identify any road safety audit problems indicated by the collision data analysis and provide road safety audit recommendations for remedial action where appropriate. This does not have to be in the form of a table.

**Table E.2 Items raised at this stage 4 road safety audit**

<b>PROBLEM</b>	
<b>Location:</b>	Insert the location of the problem and reference to a scheme drawing
<b>Summary:</b>	Provide a short summary of the problem
Describe the nature of the problem supported by background reasoning and include the type of collisions or road user injuries that have occurred	
<b>RECOMMENDATION</b>	
Provide a proportionate and viable recommendation to eliminate or mitigate the identified RSA problem. This could include recommendations to provide further monitoring where insufficient information can be gathered from the available data.	

**E7 Audit team statement**

Include the following statement to be signed by the RSA team leader and RSA team member(s):

**Table E.3 Audit team statement**

<b>We certify that this road safety audit has been carried out in accordance with GG 119.</b>	
<b>ROAD SAFETY AUDIT TEAM LEADER</b>	
Name:	
Signed:	
Position:	
Organisation:	
Date:	
<b>ROAD SAFETY AUDIT TEAM MEMBER(S)</b>	
Name:	
Signed:	
Position:	
Organisation:	
Date:	

**E8 Problem location plan**

Insert as an appendix to the report.

## Appendix F. Road safety audit response report template for stages 1, 2 and 3 only

### F1 Project details

Provide:

**Table F.1 Project details**

<b>Report title:</b>	Include stage of RSA
<b>Date:</b>	Insert date
<b>Document reference and revision:</b>	Insert unique document reference
<b>Prepared by:</b>	Insert design organisation
<b>On behalf of:</b>	Insert Overseeing Organisation

**Table F.2 Authorisation sheet**

<b>Project:</b>	
<b>Report title:</b>	
<b>Prepared by:</b>	
Name:	
Position:	
Signed:	
Organisation:	
Date:	
<b>Approved by:</b>	
Name:	
Position:	
Signed:	
Organisation:	
Date:	

### F2 Introduction

Include a summary of the scheme, the stage of the RSA and the date or reference of the RSA report it relates to.

Provide details of the representatives from the design organisation who prepared the RSA response report.

### F3 Key personnel

Provide:

**Table F.3 Key personnel**

<b>Overseeing Organisation:</b>	Insert details of the personnel from the Overseeing Organisation
<b>RSA team:</b>	Insert details of the personnel from the RSA team
<b>Design organisation:</b>	Insert details of the design organisation

## F4 Road safety audit decision log

Insert RSA decision log. This can be a spreadsheet appended to the RSA response report.

**Table F.4 Road safety audit decision log**

<b>RSA problem</b>	<b>RSA recommendation</b>	<b>Design organisation response</b>	<b>Overseeing Organisation response</b>	<b>Agreed RSA action</b>
Insert the original problem from the RSA report.	Insert the original recommendation from the RSA report.	Insert the design organisation's response.	Insert the Overseeing Organisation's response.	Insert the design organisation's and the Overseeing Organisation's agreed action to the problem.

## F5 Design organisation and Overseeing Organisation statements

Include the following statements to be signed by the design organisation and the Overseeing Organisation.

**Table F.5 Design organisation statement**

<b>On behalf of the design organisation I certify that:</b>	
<b>1) the RSA actions identified in response to the road safety audit problems in this road safety audit have been discussed and agreed with the Overseeing Organisation.</b>	
Name:	
Signed	
Position:	
Organisation:	
Date:	

**Table F.6 Overseeing Organisation statement**

<b>On behalf of the Overseeing Organisation I certify that:</b>	
<b>1) the RSA actions identified in response to the road safety audit problems in this road safety audit have been discussed and agreed with the design organisation; and</b>	
<b>2) the agreed RSA actions will be progressed.</b>	
Name:	
Signed:	
Position:	
Organisation:	
Date:	

## Appendix G. Routes to obtaining a certificate of competency and outline training curriculum

### G1 Training routes

Table 1 summarises the two routes by which a certificate of competency in road safety audit is obtained; the portfolio of evidence route and the training route. It is envisaged that a training course covering the core modules in the training curriculum in table 2 will be of the order of two days duration.

**Table G.1 Routes to obtaining a Certificate of Competency**

Portfolio of evidence route	Training course route
<p>Evidence to be included in the portfolio:</p> <p>Details of how the candidate meets the RSA team training, skills and experience guidance contained in section 3 of this document.</p> <p>Example RSA reports with details of the candidate's contribution to the road safety audit process and production of the road safety audit reports.</p> <p>A witness statement from an appropriate person vouching for the content of the candidate's portfolio submission and that the candidate has an acceptable level of understanding of the core modules identified in this appendix. The witness to hold a recognised qualification in the field of road safety, civil engineering or transportation planning or hold a senior professional position within a relevant company or organisation.</p> <p>The portfolio of evidence is signed by the candidate and submitted to an independent professional organisation or company who have had their certification process accepted by Highways England on behalf of all the Overseeing Organisations. This professional organisation or company is responsible for reviewing candidate's submissions and, where appropriate, issuing the Certificate of Competency in road safety audit.</p>	<p>Prior to completion of the training course and issue of a certificate of competency, the candidate submits the following to the training provider:</p> <p>Details of how the candidate meets the RSA team training, skills and experience guidance contained in section 3 of this document.</p> <p>Example RSA reports with details of the candidate's contribution to the road safety audit process and production of the road safety audit reports.</p> <p>A witness statement, from an appropriate person which vouches for the content of the above submissions. This witness to hold a recognised qualification in the field of road safety, civil engineering or transportation planning or hold a senior professional position within a relevant company or organisation.</p> <p>The course provider assesses the candidates regarding their understanding of the content of the training course and verifies the evidence submitted.</p> <p>Where a candidate has demonstrated to the training provider that they meet the training, skills and experience guidance and understood the content of the training course, the training provider is responsible for issuing the certificate of competency in RSA.</p>

### G2 Core modules

Table 2 summarises the core modules to be included in the training curriculum.

**Table G.2 Core modules of training curriculum**

Core module		Example module content
1	Road safety legal issues, legislation and policy	<p>Review of the reasons why RSA is undertaken, in terms of the 1980 Highways Act Highways Act 1980 [Ref 2.I]; 1988 Road Traffic Act Road Traffic Act 1988 [Ref 5.I]; and Roads (Scotland) Act 1984 Roads(S) 1984 [Ref 6.I] where appropriate.</p> <p>Introduction to the 2007 Road Death Investigation Manual RDIM [Ref 4.I] The Corporate Manslaughter and Corporate Homicide Act 2007 CM&amp;CHA 2007 [Ref 1.I]</p> <p>The 2008/96/EC [Ref 1.N]</p> <p>The Manslaughter by Gross Negligence Common Law</p> <p>Road safety policies, targets and strategies</p>
2	Collision investigation focused on the strategic road network or comparable roads	<p>Understanding and applying collision investigation techniques.</p> <p>Update on any developments in collision trends.</p>
3	Road safety audit	<p>Improvement and clarification of known potential issues, focused on the strategic road network or comparable roads, to cover:</p> <p>Roles and responsibilities</p> <p>RSA administration and practice RSA reporting</p>

**Table G.2 Core modules of training curriculum (continued)**

Core module		Example module content
4	Road safety engineering/ road design	<p>This module includes development in road safety engineering and its influence on road design, with focus on the trunk road and motorway network.</p> <p>The 2008/96/EC [Ref 1.N] specifically requires training or experience in road design. Road safety auditors should have an understanding of the Design Manual for Roads and Bridges (DMRB) design standards, and how good design principles reduce collision risk. The module could include the following:</p> <p>Road/junction geometry and design:</p> <ol style="list-style-type: none"> <li>1) Design speed;</li> <li>2) Horizontal and vertical alignment, including cross sections, drainage, stopping sight distances and adverse camber;</li> <li>3) Appropriateness of junction type;</li> <li>4) Visibility;</li> <li>5) Road surfaces, including the use of high friction surfacing.</li> </ol> <p>Roadside features:</p> <ol style="list-style-type: none"> <li>1) Passive infrastructure;</li> <li>2) Road restraint systems and guard railing;</li> <li>3) Landscaping;</li> <li>4) Highway lighting.</li> </ol> <p>Facilities for vulnerable road users:</p> <ol style="list-style-type: none"> <li>1) Pedestrian/cycling/equestrian facilities;</li> <li>2) Mobility and visually impaired;</li> <li>3) Motorcyclists.</li> </ol>

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write to the **Information Policy Team, The National Archives, Kew, London TW9 4DU**,  
or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Appendix F: TR110 Dated 26 March 2015

**Kim TyrrellCurtis**

---

**From:** Jacobs, Keith <Keith.Jacobs@highways.gsi.gov.uk>  
**Sent:** 27 March 2015 11:00  
**To:** Planning E-mail Address  
**Cc:** Jacobs, Keith; Mark Cathcart; Drewett, Felicity  
**Subject:** RR/2014/1608/P - Rother Valley Railway, Northbridge Street, Robertsbridge to Junction Road,Bodium - Reinstatement of line  
**Attachments:** TR110 RVR 2 .pdf

FAO Mark Cathcart

Dear Mr Cathcart,

The Highways Agency (HA) on behalf of the ~~Secretary of State for Transport~~ is responsible for managing and operating a safe and efficient Strategic Road Network (SRN) ie the Trunk Road and Motorway Network in England, To ensure this we assess proposals affecting the SRN carefully to ensure that any safety or capacity issues are properly assessed and mitigation provided where required. As per our comments in the local plan we do not in principle support installation of level crossings on our network. We are working with Network Rail to remove them for safety reasons and to relieve obstructions to the free flow of traffic.

We have previously directed that the planning approval should not be granted for the reinstatement of the RVR line and in particular the installation of a level crossing over the A21 trunk road, until we have had the opportunity to review the further details requested from the promoters in the HA letter to Rother DC, dated 14 August 2014 and detailed in letters to Mr Hart at Rother Valley Railway dated 05 December 2013 and 20 May 2014. This holding direction is due to expire on 30 March 2015 and to date we have not received the full information we requested. However as we change to become a new organisation called Highways England we are no longer permitted to issue holding directions and have to issue you with a final response.

We would have preferred consideration of other options such as a bridge across the A21. However we do appreciate that the limited nature of a level crossing for a heritage railway, will have less of an impact than a crossing for a main line railway.

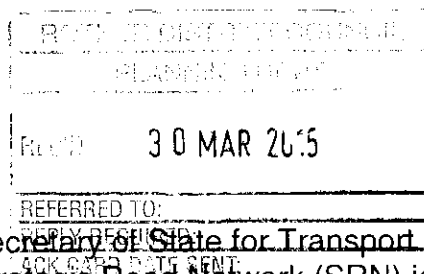
If you are minded to grant permission for the reinstatement of the line we direct the attached conditions to be included in the grant of such permission.

We should also mention that we have not carried out any assessment of the impact on air quality of traffic queuing at the level crossing and you should satisfy yourselves that this is not an issue in this location.

Regards

**Felicity Drewett**

Highways Agency,Bridge House,1 Walnut Tree Close  
Guildford, Surrey, GU1 4LZ  
Tel: +44 (0) 300 470 1088  
Web: <http://www.highways.gov.uk>



Safe roads, reliable journeys, informed travellers  
Highways Agency, an executive agency of the Department

**Keith Jacobs, Asset Manager**

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**Tel:** +44 (0) 1306 878219

**Web:** <http://www.highways.gov.uk>

**GTN:** 3904 8219

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Highways Agency, an executive agency of the Department for Transport.

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**Developments Affecting Trunk Roads and Special Roads  
Highways Agency Response to an Application for Planning Permission**

From: Divisional Director, Network Delivery and Development, *South East Region*, Highways Agency.

To: Rother District Council (FAO Case Officer: Mark Cathcart)

Council's Reference: RR/2014/1608/P

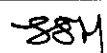
Location: Rother Valley Railway Northbridge Street, Robertsbridge to  
Junction Road, Bodiam

Proposal: Reinstatement of the Rother Valley Railway

Referring to the notification of a planning application dated 28 July 2014, your reference RR/2014/1608/P, in connection with the above development in the vicinity of the A21 at Robertsbridge, East Sussex, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:-

- ~~a) offers no objection;~~
- ~~b) advises that planning permission should either be refused, or granted only subject to conditions~~
- c) directs conditions to be attached to any planning permission which may be granted;
- ~~d) directs that planning permission is not granted for an indefinite period of time;~~
- ~~e) directs that planning permission not be granted for a specified period (see Annex A).~~

**Signed by authority of the Secretary of State for Transport**

Date	26 March 2015	Signature:	
Name: John Henderson		Position: Asset Manager	
Highways Agency, Bridge House, Walnut Tree Close, Guildford, GU1 4LZ			

**Condition(s) to be attached to any grant of planning permission:**

**1) A21 Construction Site Access**

No part of the development hereby permitted shall be commenced until a site access drawing is submitted to and approved by the local planning department, who shall consult with the Highways Agency on behalf of the Secretary of State for Transport.

The access shall be designed and constructed in accordance with the Design Manual for Roads and Bridges and the Department for Transport Specification for Highway Works

The plans and particulars submitted in accordance with this condition shall make provision for:

- a) Access and Egress arrangements
- b) Vehicle turning on site.
- c) Security arrangements fencing and gates
- d) the dimensions and extents of the visibility splays
- e) Construction materials for access road
- f) Temporary signs and road marking details
- g) Temporary works

Upon completion of the reinstatement of the line and level crossing the construction site access shall be removed and permanently closed off with fencing (as approved prior to commencement of the site access). The site access shall be returned to its former ground condition prior to the use of the reinstated line by rail traffic.

**Reason(s) for the direction**

In the reasonable interests of road safety

**2) Construction Traffic Management Plan**

No part of the development hereby permitted shall be commenced until a Traffic Management Plan (TMP) is submitted to and approved by the local planning department, who shall consult with the Highways Agency on behalf of the Secretary of State for Transport.

The TMP shall provide details of at least the following:-

- a) number of daily and hourly lorry movements
- b) Routeing of vehicles Including details of roadside signs erected to direct or control construction related vehicles travelling to or from the site.

- c) Measures to deal with dust and debris nuisance
- d) Scheme proposals for wheel washing and road cleaning
- e) Planned diversion routes during construction
- f) Arrangements throughout the construction period whereby the public may communicate with the contractor.

Construction works shall only be carried out in accordance with the approved Traffic Management Plan unless otherwise agreed in writing by the local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

**Reason(s) for the direction**

In the reasonable interests of road safety and to enable the road network to continue to operate without unreasonable delay.

**3) Delivery times**

No deliveries to the construction site shall be made from the Strategic Road Network except between the hours of 09.00 and 16.00 Mondays to Fridays inclusive or between the hours of 08.00 and 13.00 on Saturdays, or as otherwise approved in advance in writing by the local planning authority . No deliveries shall be made via public roads on Bank or Public Holidays, unless otherwise approved in advance and in writing by the local planning authority.

**Reason(s) for the direction**

To ensure that the A21 trunk road continues to be a safe and effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980, particularly during peak hours.

**4) Queue Length Monitoring**

The developer shall be required to monitor queue lengths for a period of 3 years from the opening date of full opening. If in the reasonable opinion of the highway authority the queues are exceeding those predicted on a regular basis then the operator will be required to install a system of automated advanced warning signs on the highway to advise drivers of queues ahead

**Reason(s) for the direction**

In the interests of road safety to ensure that actual queues and delays are consistent with those predicted by the applicant and on which safety assessments were made

## **5) Level Crossing Operational Maintenance Plan**

No works shall commence on site until an Operational Maintenance Plan has been submitted to and approved in writing by the local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The Plan should indicate the frequency of routine maintenance expected to safely operate the level crossing. It shall also provide details of the traffic management proposals and any alternative diversion routes proposed during the periods of maintenance.

The Operational Maintenance Plan shall also address Emergency Procedures in the event of a serious failure in the level crossing equipment and make provision for rapid response to deal with any such emergency.

All Operational Maintenance shall be programmed to comply with the Highways Agency's procedures for third party works to the Strategic Road Network. All costs shall be met by the level crossing owner and or operator.

The Plan is to be reviewed on an annual basis with the Highways agency, local highway authority and any other interested parties to discuss the previous years operations and to inform the development of the next years management plan.

### **Reason(s) for the direction**

To ensure that the A21 trunk road continues to be a safe and effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980.

## **6) Level Crossing Design & Departures from Standard**

No part of the development hereby permitted shall be commenced until a design drawing is submitted to and approved by the local planning department, who shall consult with the Highways Agency on behalf of the Secretary of State for Transport.

The plans and particulars submitted in accordance with this condition shall be sufficiently developed to outline design standard in accordance with the Design Manual for Roads and Bridges, the Department for Transport Specification for Highway Works and the ORR design guide to indicate requirements in respect of any Departures from Standard.

### **Reason(s) for the direction**

In the interests of road safety to ensure that the level crossing design is in accordance with the relevant standards.

## **7) Restrictions on the Level Crossing Operating Times**

Movement of trains across the A21 shall only be permitted outside of the morning and evening peak travel times which, for the purposes of this condition are 07.00 – 09.00 for the morning period and 17.00 to 19.00 for the evening period.

Such periods shall apply from Monday to Friday and also apply to bank holidays.

### **Reason(s) for the direction**

To ensure that the A21 trunk road continues to be a safe and effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980, particularly during peak hours.

## **8) Requirements in respect of Insurance**

The owners and or operators of the crossing shall at all times maintain sufficient insurance cover to permit complete removal of the crossing installation and reinstatement of existing surfaces in the event that the Rother Valley Railway or other owner or operator of the level crossing ceases to operate. Such policy shall be produced on request by the local planning authority or relevant highway authority.

The owners and or operators shall maintain adequate insurance at all times to indemnify the Secretary of State or relevant highway authority from any legal action involving the use of the level crossing. Where the Secretary of State or highway authority is made a party to any action to support such action as the Secretary of State or highway authority may take in that action and recover the costs of doing so from the owners or operators of the crossing. Such policy shall be produced on request by the local planning authority or relevant highway authority.

### **Reason(s) for the direction**

In order that the Secretary of State or relevant highway authority is suitably indemnified from any future costs associated with the crossing.

## **9) Safety Auditing**

The owner and or operator of the level crossing shall carry out Stage 3 and Stage 4 Road Safety Audits in accordance with the Design Manual for Roads and Bridges at the relevant point in time. Any subsequent recommendations made for road safety reasons shall be implemented by and financed by the level crossing owner and or operator.

### **Reason(s) for the direction**

To ensure that the impact on road safety is as predicted prior to installation and to address any safety issues which may arise. To ensure compliance with the requirements for safety within the Design Manual for Roads and Bridges.

The Highways Agency 'Informatives' dated 26 January 2015 in respect of planning application RR/2014/1608/P relating to the development known as Rother Valley Railway Northbridge Street, Robertsbridge to Junction Road, Bodiam, are attached and should be appended to any subsequent planning permission.

### **Informative 1**

**26 January 2015, Planning Application RR/2014/1608/P**

This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and the Secretary of State for Transport . Planning permission in itself does not permit these works. It is the applicants responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Asset Delivery Manager , Highways Agency, Bridge House, Walnut Tree Close, Guildford, GU1 4LZ  
Email [landform@highways.gov.uk](mailto:landform@highways.gov.uk) Tel: 0300 123 5000

### **Informative 2**

**26 January 2015 , Planning Application RR/2014/1608/P**

**This development involves work to the public highway which will require a review in respect of safety of both the level crossing construction works and the provision of temporary access for site construction purposes. It is a requirement of the Design Manual for Roads and Bridges Standard HD 19/03 for Road Safety Audits carried out on the Strategic Road Network to have the audit brief and audit team CV's approved by the HA in advance of the audit being undertaken. The audit brief shall reference any Departures from Standard which must be agreed with the Highways Agency BEFORE the Safety Audit is carried out.**

### **Informative 3**

**26 January 2015 , Planning Application RR/2014/1608/P**

**The Highways Agency and its successors do not intend to carry out any works or adopt any infrastructure associated with the proposed development. Should any works or adoption subsequently be required the costs associated with this will be sought from the applicant. The applicant should be aware that this will also attract a commuted sum towards future maintenance in accordance with DfT financial policy. This commuted sum is payable in advance and can sometimes be substantial.**

Appendix G: DMRB GG101: Introduction to the Design Manual Roads and Bridges



General Principles and Scheme Governance  
General information

## GG 101

# Introduction to the Design Manual for Roads and Bridges

(formerly GD 01/15)

Revision 0

### Summary

This document provides information on the use of the Design Manual for Roads and Bridges.

### Application by Overseeing Organisations

Any specific requirements for Overseeing Organisations alternative or supplementary to those given in this document are given in National Application Annexes to this document.

### Feedback and Enquiries

Users of this document are encouraged to raise any enquiries and/or provide feedback on the content and usage of this document to the dedicated Highways England team. The email address for all enquiries and feedback is: [Standards\\_Enquiries@highwaysengland.co.uk](mailto:Standards_Enquiries@highwaysengland.co.uk)

**This is a controlled document.**

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## Release notes

Version	Date	Details of amendments
0	Jun 2018	GG 101 replaces GD 01/15. The full document has been re-written to make it compliant with the new Highways England drafting rules.

## **Foreword**

### **Publishing information**

This document is published by Highways England.

This document supersedes GD 01/15 Introduction to the Design Manual for Roads and Bridges, which is withdrawn.

This document sets the context for the use of the documents contained in the Design Manual for Roads and Bridges.

### **Contractual and legal considerations**

This document forms part of the works specification. It does not purport to include all the necessary provisions of a contract. Users are responsible for applying all appropriate documents applicable to their contract.

## **Introduction**

### **Background**

The Design Manual for Roads and Bridges (DMRB) is a suite of documents which contains requirements and advice relating to works on motorway and all-purpose trunk roads for which one of the Overseeing Organisations is highway or road authority.

The DMRB embodies the collective experience of the Overseeing Organisations, their agents and designers. It provides requirements and advice resulting from research, practical experience of constructing and operating motorway and all-purpose trunk roads, and from delivering compliance to legislative requirements.

### **Assumptions made in the preparation of the DMRB**

#### **Competence**

The DMRB has been prepared for use by competent practitioners, typically qualified professionals able to work independently in relevant fields, who are expected to apply their own skill and judgement when making decisions involving the information that the DMRB contains.

#### **Link with regulation and legislation**

DMRB documents are not statutory or regulatory documents or training manuals; neither do they cover every point in exhaustive detail.

In general the DMRB does not duplicate National, UK and European legislative requirements. Anyone engaged in works on or relating to the Overseeing Organisations' motorway and all-purpose trunk roads should understand and comply with the relevant legislation.

#### **Link with the MCHW**

The requirements and advice given in DMRB documents are provided on the basis that the works are constructed in accordance with the Manual of Contract Documents for Highway Works (MCHW).

### **Verbal forms used in the DMRB**

The verb 'must' indicates a statutory or legislative requirement.

The verb 'shall' indicates a requirement of the Overseeing Organisation.

The verb 'should' indicates advice expressed as a recommendation.

The verb 'may' indicates advice expressed as a permissible approach.

The verb 'can' or verbs expressed in the present tense other than 'must', 'shall', 'should' and 'may' are used to introduce notes, which provide a short clarification of a concept or statement of fact.

In the DMRB the expression of requirements and advice can differ between new documents (i.e. documents issued with the new style, format and coding system introduced by this document) and old documents (i.e. those still in the old style, format and numbering system found in GD 01/15) and can not be consistent with the verb forms listed above. For example, in the old documents the terms 'must' or 'shall' are used interchangeably for requirements of the Overseeing Organisations and some documents use black boxes to highlight requirements.

Appendix A provides information about the old and new structure and coding system used within DMRB documents. Appendix B provides information about the new clause numbering system used within DMRB documents.

## **Mutual recognition**

Where there is a requirement in the DMRB for compliance with any part of a British Standard or other technical specification, that requirement may be met by compliance with:

- 1) a standard or code of practice of a national standards body or equivalent body of any EEA state or Turkey;
- 2) any international standard recognised for use as a standard or code of practice by any EEA state or Turkey;
- 3) a technical specification recognised for use as a standard by a public authority of any EEA state or Turkey; or
- 4) a European Technical Assessment issued in accordance with the procedure set out in regulation (EU) No. 305/2011;

provided that the relevant standard enables an equivalent level of performance and safety to be achieved to that provided for by the stated British Standard or technical specification.

## Abbreviations and Symbols

### Abbreviations

Abbreviation	Definition
DMRB	Design Manual for Roads and Bridges
EEA	European Economic Area
MCHW	Manual of Contract Documents for Highway Works
NAA	National Application Annex

## Terms and Definitions

Term	Definition
British Standards	Any standard published by the British Standards Institution including adopted European or other international standards.
Bulk departure	Departure where the same non-standard method or material is proposed for use at more than one location in certain clearly defined circumstances.
Departure	Variation or waiving of a requirement carried out in accordance with the Overseeing Organisation's procedures. NOTE: Section 2 provides examples of when an application for a departure can be made.
Motorway and all-purpose trunk roads	Collective term to indicate those parts of the UK highway and road network for which one of the Overseeing Organisations is highway or road authority.
Overseeing Organisation	The following organisations (or their successors): 1. Highways England Company Limited; 2. Transport Scotland; 3. The Welsh Government; 4. Department for Infrastructure (Northern Ireland). NOTE 1: Where any document within the DMRB refers to the Highways Agency, this can be taken to mean Highways England or its successors. NOTE 2: Where a local highway/road authority decides to use the DMRB in whole or part for development of its own highway/road network, the Overseeing Organisation is defined in accordance with their own procedures.

## 1. Scope

### Aspects covered

- 1.1 The DMRB provides requirements which shall be applied to the appraisal, design, maintenance, operation and disposal of motorway and all-purpose trunk roads for which one of the Overseeing Organisations is highway or road authority.

*NOTE DMRB requirements can be applied to other roads with the approval of the specific highway or local authority acting as the Overseeing Organisation.*

- 1.1.1 Where DMRB requirements are applied to other roads, the specific highway or local road authority acting as the Overseeing Organisation should decide on the extent to which the requirements are appropriate in any given situation.

- 1.2 Users of the DMRB shall be responsible for identifying and using current requirements and advice documents.

*NOTE Overseeing Organisations can issue interim documents to supplement or supersede part(s) of the DMRB as an interim measure prior to the DMRB being formally updated.*

### Implementation

- 1.3 Individual documents shall be implemented as soon as they are published in the DMRB except:

- 1) where otherwise stated in a particular DMRB document;
- 2) where the contract has reached a stage that, in the opinion of the Overseeing Organisation, use of a new or revised document would result in significant additional expense or delay;
- 3) where an existing contract has terms which apply specifically to the implementation of new requirements.

- 1.4 Where the contract has reached a stage that, in the opinion of the Overseeing Organisation, use of a new or revised document would result in significant additional expense or delay, the decision whether to use a new or revised document shall be recorded in accordance with the Overseeing Organisation's procedure.

### Health and safety

- 1.5 Where undertaking any activity that does or can have an impact on safety, either directly or indirectly, for any of the populations on the Overseeing Organisations' motorway and all-purpose trunk roads, risk assessment and management shall be carried out in accordance with the legislation and the procedures set out by the Overseeing Organisations.

### Equality, diversity and inclusion

- 1.6 An equality impact assessment (EqIA) screening shall be carried out to determine the applicability of a full EqIA.
- 1.7 Where the EqIA screening indicates that a full EqIA is needed, an EqIA shall be carried out.
- 1.8 Where EqIA indicates that people with protected characteristics can be disadvantaged or put at additional risk, solutions to mitigate that risk shall be proposed.
- 1.8.1 Consultation and engagement with affected people and groups should be carried out to identify solutions or mitigation.

## 2. Application of the DMRB

2.1 All works undertaken on motorway and all-purpose trunk roads shall comply with requirements in the DMRB and MCHW.

*NOTE Where necessary, requirements are supplemented by advice to assist in delivering the requirements.*

### **National Application Annexes of the Overseeing Organisations**

2.2 Where a National Application Annex (NAA) exists, the users shall comply with the requirements contained in it.

*NOTE 1 NAAs allow Overseeing Organisations to complement, supplement or replace the requirements and advice contained in the main DMRB document.*

*NOTE 2 The NAAs attached to the DMRB documents are developed by the following Overseeing Organisations or their successors:*

- 1) Highways England Company Limited;
- 2) Transport Scotland;
- 3) The Welsh Government;
- 4) Department for Infrastructure (Northern Ireland).

*NOTE 3 Other highway authorities or local authorities can develop their own application annexes to complement, supplement or replace the requirements and advice contained in the main DMRB document.*

*NOTE 4 Application annexes developed by other highway authorities or local authorities are not part of the DMRB document set.*

### **Departures**

#### **Scope**

2.3 Statutory and legislative requirements must always be followed.

*NOTE Departures are not applicable to statutory and legislative requirements.*

2.4 Where requirements of the Overseeing Organisations are not met, a departure application shall be submitted in accordance with the procedures required by the relevant Overseeing Organisation and approved:

- 1) before the design is finalised; and
- 2) prior to their incorporation into the works.

2.4.1 Departures may be applied for in a variety of situations, including:

- 1) where it can be justified that a requirement is inappropriate in a particular situation;
- 2) where the application of a requirement would have unintended adverse consequences;
- 3) where innovative methods or materials are to be proposed;
- 4) where a requirement not in the DMRB, NAA or MCHW can be adopted if more appropriate in a particular situation; or
- 5) where an aspect not covered by requirements is identified.

*NOTE 1 An approved departure can be quoted to support a new and similar submission.*

*NOTE 2 Departure applications are approved on a location-specific basis and relate to the particular circumstances identified in each submission.*

2.4.2 Bulk departure applications should be submitted in preference to a number of individual departures, which share non-standard methods or materials.

- 2.5 Each departure application shall be approved in accordance with the Overseeing Organisation's procedures before the design is finalised and prior to its incorporation into the works.

*NOTE An approved departure is deemed to meet the Overseeing Organisation's requirements for that element of the works, provided that any mitigation measures proposed or conditional to that approval are also incorporated into the design and works.*

#### **Interactions with local roads**

- 2.6 Where works that will subsequently be adopted by a local highway/road authority are to be carried out by an Overseeing Organisation, any departure applications shall first be submitted to the Overseeing Organisation.

#### **Departure applications for aspect not covered by requirements**

- 2.7 Where an aspect of the works is not covered by existing requirements, a departure application for an aspect not covered by requirements shall be submitted.

- 2.7.1 Where an aspect of the works is not covered by existing requirements, the principles of current and relevant guidance should be followed.

#### **Non-compliance with requirements**

- 2.8 Where it is discovered that works have been undertaken that are not in accordance with the requirements of the DMRB or the requirements of a departure, the party responsible for undertaking such works shall amend the works to rectify the non-compliance, unless otherwise agreed with the Overseeing Organisation.

#### **Relaxations**

- 2.9 Relaxations of a requirement shall only be applied where they are explicitly permitted in a DMRB, NAA or MCHW document.

- 2.10 A departure application shall be submitted for any proposed variation beyond the limits permitted by a relaxation.

- 2.11 Adoption of a relaxation and its justification shall be recorded.

- 2.12 The Overseeing Organisation shall be notified when a relaxation is to be incorporated into the design in the following circumstances:

- 1) where a submission for a departure has the potential to be affected by the relaxation;
- 2) where there is the potential for a cumulative effect of multiple relaxations and/or the interaction between relaxations and nearby departures;
- 3) where specifically required by the Overseeing Organisation.

## Appendix A. DMRB structure and coding system

### A1 Old DMRB structure and coding system

The current DMRB is made up of separate volumes with each being divided into a number of sections. Most sections are further sub-divided into parts. Documents are allocated to a volume, section and (for documents issued since 1992) part according to their subject matter.

Each document is given a reference number prefixed by a series code, i.e. BD, BA, GD, GA, HD, HA, TD, TA, nominally:

- 1) "B" for bridges and structures;
- 2) "G" for general;
- 3) "H" for highways; and
- 4) "T" for traffic engineering and control,

followed by:

- 1) "D" for design document; or
- 2) "A" for advice note.

The series codes BE ("Technical Memoranda - Bridges") and SH ("Scottish Technical Memoranda - Highways") are also retained until such time as all these older-style documents become superseded.

The full document reference is suffixed by "/" and two digits indicating the year of publication (e.g. "/08" for documents published in 2008). Where the year suffix has been omitted, it should be assumed that the current iteration of the document should be used.

The DMRB also includes certain older documents that have not yet been assigned a document reference and will be retained until superseded.

The documents assigned to each volume, section and (where appropriate) part are also given a decimal reference to facilitate the location of specific documents within the DMRB. For example: DMRB 2.3.1 indicates the document contained in Volume 2, Section 3, Part 1.

New DMRB documents (including this one) will be published under a new structure and coding system, which is introduced in the next section.

### A2 New DMRB structure and coding system

The new DMRB volumes and related digits are as follows:

- 1) General Information "G";
- 2) Appraisal "A";
- 3) Design "D";
- 4) Construction "C";
- 5) Maintenance and Operation "M";
- 6) Inspection and Assessment "S";
- 7) Disposal "Z".

The new document parts and related digits are as follows:

- 1) General Principles and Scheme Governance "G";
- 2) Sustainability and Environment "L";
- 3) Civil Engineering "C" (comprising road layout, pavement, structures and bridges, geotechnics and drainage);
- 4) Technology "T" (comprising control and communications technology and road lighting).

The new document reference comprises five digits, of which the first two are based on the location of the document within the structure (i.e. combination of volume and document part digits) and the final three are a number allocated by the policy group responsible for the part to which the document is allocated.

To support a smooth transition from the current volume set to the new one, DMRB documents will continue to be published into the current volumes for an interim period. However, in due course all documents DMRB will be published into the new structure.

## Appendix B. Clause numbering system in new DMRB documents

The numbering system presented in Table B.1 is used in DMRB documents published from this point onwards to make a clear distinction between requirements and advice.

**Table B.1 Clause numbering system in new DMRB documents**

Format	Number format	Example
<b>X. Section</b>	1-level number	<b>6. Key Stage 1: Initial review of project</b>
<b>Sub-headings(s)</b>	No number	<b>General features</b>
X.X Requirement	2-level number	6.1 The format of the statement of intent given in Appendix B shall be used.
NOTE Advice (factual statement)	No number but associated with requirement	NOTE The statement of intent is typically a brief document.
X.X.X Advice (recommended or permissible method for fulfilling requirement)	3-level number	6.1.1. The statement of intent should form part of any commissioning report.
NOTE Advice (factual statement)	No number but associated with requirement	NOTE For many projects the statement of intent takes the form of a letter.

Sections are the highest level of subdivision and have a numbered heading, i.e. 1-level number.

Sub-headings are provided to group linked requirements under a specific section and are not numbered.

Requirements are numbered sequentially with a primary 2-level system of numbering, i.e. 5.2, 7.3, etc.

Advice is always associated to a specific requirement and is numbered sequentially with a secondary 3-level system of numbering e.g. 5.2.1, 7.3.1 etc.

Notes provide information assisting users in understanding and contextualising a specific requirement. They are placed immediately after the requirement or advice which they refer to and do not require numbering, unless more than one note applies to the same clause. In such a case, the numbering is NOTE 1, NOTE 2 etc.

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Appendix H: DMRB GG104 – Requirements for Safety Risk Assessment



General Principles and Scheme Governance  
General information

## GG 104

# Requirements for safety risk assessment

(formerly GD04/12 and IAN 191/16)

Revision 0

### Summary

This document sets out the approach for safety risk assessment to be applied when undertaking any activity that does or can have an impact on safety on Highways England's motorway and all-purpose trunk roads, either directly or indirectly. It provides a framework for identifying hazards, assessing, evaluating and managing safety risks and assuring safety risk governance. This document only applies to Highways England.

### Application by Overseeing Organisations

Any specific requirements for Overseeing Organisations alternative or supplementary to those given in this document are given in National Application Annexes to this document.

### Feedback and Enquiries

Users of this document are encouraged to raise any enquiries and/or provide feedback on the content and usage of this document to the dedicated Highways England team. The email address for all enquiries and feedback is: [Standards\\_Enquiries@highwaysengland.co.uk](mailto:Standards_Enquiries@highwaysengland.co.uk)

**This is a controlled document.**

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## Release notes

Version	Date	Details of amendments
0	Jun 2018	GG 104 replaces GD 04/12 and IAN 191/16. The full document has been re-written to make it compliant with the new Highways England drafting rules.

## **Foreword**

### **Publishing information**

This document is published by Highways England.

This document supersedes GD04/12 and IAN 191/16, which are withdrawn.

### **Contractual and legal considerations**

This document forms part of the works specification. It does not purport to include all the necessary provisions of a contract. Users are responsible for applying all appropriate documents applicable to their contract.

## Introduction

### Background

Safety is one of Highways England's values and our primary business imperative. The role of safety risk assessment in Highways England's activities has been described in the Health and Safety 5 year plan [Ref 1.], by Jim O'Sullivan, CEO:

"We can't eliminate all of the risk on our road network or in the things that we do. However, we can recognise it, assess it correctly and ensure that people are protected from it".

This document sets out the framework and approach for safety risk assessment to be applied when undertaking any activity that does or can have an impact on safety on Highways England's motorway and all-purpose trunk roads, either directly or indirectly.

Activities that do or can have an impact on safety risk for any of the populations on the motorway and all-purpose trunk roads include:

- 1) planning, preparing, designing, constructing, operating, maintaining, modifying and disposing of assets (examples of direct influences on safety risk);
- 2) revising Highways England requirements and directions and all procedures, policies and strategies (examples of indirect influences on safety risk).

The framework presented in this document requires that the safety of all road populations is taken into consideration in safety risk assessments, in order to achieve the optimal safety outcome for everyone. It acknowledges that this may lead to having to balance competing safety risks for different motorway and all-purpose trunk roads populations.

These populations include:

- 1) everyone who works for Highways England on our road network;
- 2) everyone travelling on our road network, including people who work for someone else; and
- 3) people who are neither working on nor using it but are affected by it, such as those who live adjacent to the road network.

Compliance with this document will provide the means to demonstrate proactive, transparent decision making that will show rigour and withstand scrutiny if challenged to protect the business.

By providing a framework safety risk assessment process rather than a rigid process, the requirements provide flexibility for safety risk assessments to be as simple or as complex as the activity being risk assessed requires and can be applied appropriately for the many and varied activities undertaken across the business.

Safety risk assessments support decision making. Safety risk decisions on the viability of activities to be undertaken, including decisions to 'do nothing', need to be supported by a safety risk assessment. The presumption that to do something is always necessary does not guarantee the optimal safety outcome for everyone.

When an activity is initiated through problem identification, a safety risk assessment will help determine the nature and extent of any safety risk and the most effective way to proceed to reach the optimal safety outcome for everyone.

With regard to road projects, the requirements support safety risk assessments throughout the entire project life-cycle including option selection, the design and departure processes, all aspects for which the application of the Construction (Design and Management) Regulations 2015 [Ref 4.] is required, the handover into operations, and maintenance and for the continuing safe operation of completed schemes.

The requirements are clear on the need to document the scope of the safety risk assessment and any evidence used in it. This is to ensure that a thorough audit trail is provided and there is no ambiguity around the decisions made.

The application of these requirements will ensure that safety risk decisions are aligned with Highways England objectives, policies, duties and responsibilities, are demonstrably evidence led, transparent, and deliver value for money.

The framework contained in these requirements sets out existing process, requirements and best practice that Highways England and any of its suppliers should already be following.

### **Assumptions made in the preparation of the document**

The assumptions made in GG 101 [Ref 4.N] apply to this document.

The requirements and advice given in this document are provided on the basis that an appropriate governance process is in place and the outputs of the safety risk assessment process and decisions are used to assure it.

In this document the term as low as is reasonably practicable (ALARP) is used in preference to the term so far as is reasonably practicable (SFAIRP), which is used in the Health and Safety at Work etc. Act [Ref 2.N]. ALARP is the normal parlance of health and safety, and risk specialists, and duty-holders are more likely to know it. In the view of the Health and Safety Executive, the two terms are interchangeable except when drafting formal legal documents when the correct legal phrase is to be used.

## Abbreviations and Symbols

### Abbreviations

Abbreviation	Definition
ALARP	As low as is reasonably practicable
BCR	Benefits and costs ratio
ERIC	Eliminate, reduce, isolate, control
ETM	Emergency traffic management
FWI	Fatalities and weighted injuries
HASAWA	Health and Safety at Work etc. Act 1974 [Ref 2.N]
HSE	Health and Safety Executive
NSCRG	National Safety Control Review Group
SCRG	Safety control review group
SFAIRP	So far as is reasonably practicable

## Terms and Definitions

Term	Definition
Activity/activities	The function(s) carried out by individuals or groups in meeting the Highways England obligations as a strategic highways company appointed by the Secretary of State under section 1 of the Infrastructure Act 2015 [Ref 5.I].
Governance	The processes for making, recording and implementing decisions.
Hazard	A source of potential harm, loss or failure.
Rigour	The quality of being extremely thorough and careful.
Safety baseline	Level of safety against which the safety objectives are set and measured.
Safety objective	A statement describing what, if any, contribution an activity will deliver from a safety perspective.
Safety risk	The expected consequence of a specified hazard being realised with the combination of the likelihood and expected severity of the outcome. NOTE: Safety risk is a measure of harm or loss associated with an activity.
Safety risk assessment	Identification, analysis and evaluation of safety risk.
Safety risk assessment process	Overarching process surrounding safety risk assessment that includes planning and preparation through to monitoring and review.
Sub-population	A part, identifiable fraction or subdivision of a larger population.
Motorway and all-purpose trunk roads	Collective term to indicate those parts of the highway and road network for which Highways England is highway or road authority.

## 1. Scope

### Aspects covered

- 1.1 The approach set out in this document shall be applied to determine the level of complexity of any activity that does or can have an impact on safety risk, either directly or indirectly, for any of the populations on the motorway and all-purpose trunk roads.
- NOTE 1** *Activities that do or can have an impact on safety risk for any of the populations on the motorway and all-purpose trunk roads include:*
- 1) *planning, preparing, designing, constructing, operating, maintaining and disposing of assets (examples of direct, with nothing or no one in between influences on safety risk);*
  - 2) *revising Highways England requirements and advice documents and all procedures, policies and strategies (examples of indirect influences on safety risk).*
- NOTE 2** *The approach set out in this document can be applied to carry out safety risk assessments to support departure applications.*
- 1.2 The approach set out in this document shall be applied to establish the relative rigour of the safety risk assessment.
- NOTE** *The degree of rigour required for a safety risk assessment is proportionate to how simple or complex the activity being risk assessed is.*
- 1.3 Populations on the motorway and all-purpose trunk roads shall be classified as shown in Table 1.3.

**Table 1.3 Populations on the motorway and all-purpose trunk roads**

Population	Classification
People directly employed by Highways England and who work on the motorway and all-purpose trunk roads either permanently e.g. traffic officers, or periodically e.g. those undertaking site visits; AND People in a contractual relationship with Highways England, including our national vehicle recovery contract operatives, all workers engaged in traffic management activities and incident support services, and any other activities where traffic is present, such as persons carrying out survey and inspection work.	Workers
All road users, including the police and emergency services, equestrians, cyclists and pedestrians, as well as those others, who are at work but are not in a contractual relationship with Highways England such as privately contracted vehicle recovery and vehicle repair providers.	Users
Other parties includes any person or persons who could be affected by the Highways England motorway and all-purpose trunk roads, but who are neither using it, nor working on it i.e. living or working adjacent to the motorway and all-purpose trunk roads, using other transport networks that intersect with the motorway and all-purpose trunk roads.	Other parties

- 1.4 This document shall be applicable throughout an activity and to all potential options for undertaking an activity.

### Implementation

- 1.5 This document shall be implemented forthwith on all activities that do or can have an impact on safety risk, either directly or indirectly, for all populations on the motorway and all-purpose trunk roads according to the implementation requirements of GG 101 [Ref 4.N].
- NOTE 1** *Throughout this document the framework for the safety risk assessment process has been illustrated by a series of flowcharts which provide a visual representation of the requirements. The full flowchart can be found in Appendix A.*

*NOTE 2 Explanation of the tasks required to undertake a safety risk assessment is provided in Appendix B.*

*NOTE 3 Explanation of safety risk assessment ownership, approval and acceptance arrangements is provided in Appendix C.*

### **Equality, diversity and inclusion**

- 1.6 An equality impact assessment (EqIA) screening shall be carried out to determine the applicability of a full EqIA.
- 1.7 Where the EqIA screening indicates that a full EqIA is needed, an EqIA shall be carried out.
- 1.8 Where the EqIA indicates that people with protected characteristics can be disadvantaged or put at additional risk, solutions to mitigate that risk shall be proposed.
- 1.8.1 Consultation and engagement with affected people and groups should be carried out to identify solutions or mitigation.

## 2. Safety risk assessment process

2.1 The framework safety risk assessment process presented in Appendix A of this document shall be followed throughout the safety risk assessment process.

**NOTE** *The initial planning and preparation prior to undertaking the risk assessment is summarised in Figure 2.1N.*

**Figure 2.1N Safety risk assessment planning process**



### Safety risk assessment planning

2.2 The tasks required to carry out the safety risk assessment using the framework safety risk assessment process presented in Appendix A shall be defined before beginning a safety risk assessment.

2.3 The tasks required to carry out the safety risk assessment shall be documented in accordance with the governance arrangements for the business area in which the activity is undertaken.

2.4 A safety risk assessment shall start by clearly defining and recording the question(s) that it is seeking to address.

2.5 Where there are a number of alternative approaches to undertaking an activity, each of these approaches, known as options, shall be the subject of a safety risk assessment.

2.5.1 Option selection should be made based on the outputs of the safety risk assessments.

**NOTE** *Option preferences formed ahead of the safety risk assessment process evaluation stage can lead to unconscious bias influencing the outcome of the safety risk assessment process.*

### Categorisation of the activity type

2.6 The scope and complexity of the safety risk assessment shall be determined by categorisation of the activity type in category A, B or C in accordance with table 2.6.

Table 2.6 Categorisation of activity type

Feature	Selection criteria	
	Type	Indicator
<p>Extent of prior experience of activity.</p> <p>The degree of knowledge available from undertaking the activity previously or the degree to which knowledge is available from the activity being undertaken by other industries or organisations.</p>	A	Activities for which there is significant experience within Highways England. Previous safety studies and data are available, and some activity features are codified in a standard or formal procedure.
	B	<p>Activities for which there is limited experience within Highways England but there is transferable experience elsewhere in the UK or internationally.</p> <p>Activities for which there is limited experience in Highways England but there is experience elsewhere in the UK or internationally, including in different industries, which is deemed sufficiently similar to the activity in question to be deemed relevant.</p> <p>Activities for which there is experience within Highways England but that experience is in a different application of the activity and some adaptation will be required. There might also be local and site specific issues to take into account that can affect the relevance of the available experience.</p>
	C	Activities for which there is no previous applicable experience from either Highways England or other industries.

Table 2.6 Categorisation of activity type (continued)

Feature	Selection criteria	
	Type	Indicator
<p>Statutory and formal processes and procedures (including standards and legislation).</p> <p>Consideration of the applicability of current standards, formal processes or procedures, guidance and legislation.</p>	A	<p>The activity is substantially or entirely within the scope of existing standards, guidance, formal processes or procedures and applicable legislation.</p> <p>The activity requires minimal or no safety related departures from standard or safety related changes to formal processes or procedures (including any legislation).</p>
	B	<p>The activity is largely within the scope of existing standards, guidance, formal processes or procedures. There can be some safety related departures from standards needed and/or safety related changes to formal processes or procedures.</p> <p>The activity can need minor changes to existing legislation.</p>
	C	<p>Activities that are not within the scope of existing standards, formal processes or procedures and require new ones to be developed.</p> <p>Activities for which significant departures from standards, formal processes or procedures are required.</p> <p>Activities which require significant changes to existing legislation or new legislation to be written.</p> <p>Whilst the number of safety departures from standards, formal processes or procedures can affect the categorisation, the most important element in determining this is the nature and type of the departures. For example, a large number of safety departures that can be addressed straightforwardly will have less impact on feature type than a single safety departure that cannot and requires a detailed risk assessment to support it.</p>

Table 2.6 Categorisation of activity type (continued)

Feature	Selection criteria	
	Type	Indicator
<p>Impact on the organisation.</p> <p>The effect that the activity will have on current Highways England processes, procedures, structure, roles and responsibilities, competencies, policies and strategy, in addition to contractual and workforce arrangements.</p>	A	<p>The activity has no impact on Highways England.</p> <p>The activity has a minor impact on any of these for a finite period of time. Length of time Highways England is affected by decision to undertake the activity is short term.</p>
	B	<p>The activity can lead to permanent minor changes to any of these. These minor changes can introduce new roles and responsibilities, policies, contractual and workforce arrangements.</p> <p>The activity can require a change to organisational arrangements. Length of time Highways England is affected by decision to undertake the activity is medium term.</p>
	C	<p>The activity has significant impact on any of these.</p> <p>The activity can change core safety roles and responsibilities. Length of time Highways England is affected by decision to undertake the activity is long term.</p>
<p>Activity scale.</p> <p>Consideration of the size and/or scale of the activity.</p> <p>Does or can the activity have an impact on the motorway and all-purpose trunk roads, either directly or indirectly.</p>	A	The impact of the activity is limited in nature or scale.
	B	The impact of the activity is significant in nature or scale.
	C	The impact of the activity is wide ranging across the network, and/or significantly impacts infrastructure, interventions or workforce.
<p>Technical.</p> <p>Measure of technical and/or technological novelty and/or innovation the activity involves.</p>	A	An activity where any processes, techniques, methodologies and/or technologies involved are currently in widespread use and re-examination is unlikely to be needed.
	B	<p>There can be some experience of the processes, techniques, methodologies and/or technologies.</p> <p>The experience can be from use in either another application, or by another road authority, supplier, industry or perhaps from overseas in which case some additional work can be required to adapt them and/or to demonstrate that safety can be assured for the intended application.</p>
	C	Activities that use new processes, techniques, methodologies and/or technologies for which there is no previous experience in the UK or elsewhere.

Table 2.6 Categorisation of activity type (continued)

Feature	Selection criteria	
	Type	Indicator
<p>Stakeholder impact and interest.</p> <p>The quantity and/or impact of stakeholders, their interest in and resulting ability to influence or/impact on the activity.</p> <p>The degree to which the safety issues, as perceived, are capable of being understood and fully addressed.</p>	A	Activities for which the quantity and/or impact of stakeholders, their interest in and resulting ability to influence or impact the activity is low.
	B	Activities that have only a single or a few stakeholders but their impact, in terms of their attitude towards, or ability to influence, and/or interest in the successful achievement of the activities aim can be significant. Alternatively it will represent an activity that has several stakeholders but the amount, or type, of safety issues involved are limited.
	C	Activities for which there are a large number of stakeholders and their impact in terms of their attitude towards, or ability to influence can be significant. Stakeholders with a strong interest in the potential safety impact of the activity on themselves. Activities where there are conflicting needs arising from different stakeholders or stakeholder groups.

2.7 The process for assigning a category to an activity shall follow the steps set out below:

- 1) Review the features of the activity and assign each feature a category in line with table 2.6.
- 2) Once the activity features have been identified and a category assigned to each of them, an overall category type for the activity is determined.

**NOTE** Table 2.7N shows how to determine which category type is assigned.

**Table 2.7N Determining the activity category**

Feature classifications	Type	Comments
All type A.	A	Where all activity features are categorised as type A then the entire activity is type A.
All type B.	B	Where all activity features are categorised as type B then the entire activity is type B.
All type C.	C	Where all activity features are categorised as type C then the entire activity is type C.
Three or more features categorised as Type A.	A	Where three or more features are categorised as type A but the remaining features are categorised as a combination of type B or C, the activity is categorised as type A but the features categorised as B or C require a greater rigour of analysis, assessment and evaluation.
Three or more features categorised as Type B.	B	Where three or more features are categorised as type B but the remaining features are categorised as a combination of type A or C, the activity is categorised as type B but the features categorised as C require a greater rigour of analysis, assessment and evaluation.
Three or more features categorised as Type C.	C	Where three or more features are categorised as type C then the entire activity is of type C.
Equal distribution of categories across features (no majority).	A/B/- C	Where the categorisation of activity features results in an equal distribution between two or more category types the decision on the overall activity categorisation is governed by the importance of each feature relative to the activity. If this results in a decision to select the overall activity categorisation as the lower category type, the features that were identified with the higher category type require a greater rigour of analysis, assessment and evaluation.

2.8 The results of the categorisation process, and the rationale for determining the individual activity features and overall category, shall be documented and supporting evidence recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.

2.9 The results of the categorisation process shall be used to determine if a safety control review group is to be established to approve the category type and endorse the safety risk assessment process.

2.10 Activities categorised as type B or C shall establish a safety control review group.

**NOTE** Appendix C Safety risk governance provides guidance on establishing a safety control review group, the purpose of the group, roles, responsibilities and escalation routes to the National Safety Control Review Group.

2.11 For activities categorised as type A, the categorisation shall be approved by the person responsible for managing the activity.

### Identification of affected populations

2.12 A safety risk assessment shall clearly identify all populations, described in Table 1.3, and record how each is or can be affected by the activity.

*NOTE Sub-populations identified within an overall population as described in Table 1.3 can be affected in different ways because of their inherently different characteristics.*

2.12.1 Where sub-populations to the populations described in Table 1.3 with differing characteristics exist, these should be assessed separately.

2.13 The identification of all affected populations shall be documented and supporting evidence recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.

### Safety risk assessment scope

2.14 The purpose of the activity and how this will be undertaken shall be clearly defined within the scope of the safety risk assessment.

2.15 What is included and what is excluded and all the populations affected by the activity and how it will be undertaken shall be defined and recorded.

*NOTE 1 The point of defining the scope of the safety risk assessment is to understand how the individual and composite features of the activity work together to achieve the overall activity outcome.*

*NOTE 2 Defining the scope of the safety risk assessment supports subsequent safety risk assessment actions by enabling those responsible for undertaking them, to understand how individual features contribute to the achievement of the activity.*

2.16 The scope of the safety risk assessment shall be documented and supporting evidence recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.

### Safety baseline and safety objective

2.17 A safety baseline and safety objective relevant to the activity shall be defined, documented and evidenced, in accordance with the governance procedures for the business area in which the activity is undertaken.

2.18 Safety baselines and safety objectives shall include all populations.

2.19 Safety objectives for road workers shall always be to manage risk as low as is reasonably practicable.

2.20 The safety baseline shall be established from the current or recent historic safety performance of the activity.

2.20.1 The information sources or metrics used to establish the safety baseline and safety objective should be the best available.

*NOTE 1 There are a variety of information sources or metrics that can be used to establish the safety baseline and safety objective depending on what the activity is.*

*NOTE 2 It is important to use the best available information sources or metrics and to understand any limitations there are on what is chosen.*

*NOTE 3 If the activity is new, the information used to establish any safety baseline and safety objective can be sourced from expert opinion.*

2.21 When a safety improvement is not the primary purpose of the activity a safety objective shall still be set for the populations affected.

2.21.1 Safety objectives may be set using individual or collective risk metrics.

2.22 Safety objectives shall be expressed in the same metric that is used to define the baseline.

*NOTE 1 The metrics used do not have to be the same for every population in the safety risk assessment.*

- NOTE 2     The metric used does have to be the same for a population when evaluating any change from the baseline as a result of the activity.*
- NOTE 3     Individual risk is calculated on the safety risk to a single person and is used to represent the statistical risk of any individuals exposed to the risk.*
- NOTE 4     In terms of individual risk the commonest metric is the probability of a typical worker being killed or injured during a year whilst undertaking their work.*
- NOTE 5     Collective risk is used to represent the statistical risk to a group of people, or a population, associated with a particular activity.*
- NOTE 6     In terms of collective risk the commonest metric is the average number of fatalities per year that would be expected to occur for a given activity.*

### 3. Safety risk assessment

3.1 The safety risk assessment process presented in Appendix A of this document and summarised in Figure 3.1N shall be followed throughout the safety risk assessment process.

**NOTE** The safety risk assessment is summarised in Figure 3.1N.

**Figure 3.1N Safety risk assessment**



#### Hazard identification

3.2 All reasonably foreseeable hazards associated with an activity shall be identified.

**NOTE** The identification of all reasonably foreseeable hazards includes understanding;

- 1) who – might be affected by the hazard, which population(s);
- 2) what – is the hazard;
- 3) where – is the hazard limited to specific surroundings or conditions;
- 4) when – is the hazard limited to specific times;
- 5) why – what is it about the population that means it is a hazard for them;
- 6) how – does the hazard have potential to cause harm, loss or failure.

3.3 All steps of hazard identification shall be documented and supporting evidence recorded in accordance with the governance procedures for the business areas.

#### Hazard analysis

3.4 The identified hazards shall be analysed to understand the resulting safety risks and all reasonably foreseeable consequences if those risks are realised.

**NOTE** A simple test of effective hazard, risk and consequence identification is if they can be described in this way: "because of <insert hazard here> <the risk> might occur which would lead to <insert possible events here>".

#### Analysis of safety risk

3.5 The level of detail for any safety risk analyses shall be proportionate to the safety risks being assessed and the activity type categorisation.

- 3.5.1 The analysis of the safety risks for each population should include an assessment of the likelihood of the risk being realised and the most common potential severity of the consequences.
- 3.5.2 The analysis of the safety risks for each population may use a range of evidence sources, including:
- 1) Quantitative data.
  - 2) Qualitative data including:
    - a) Previous experience
    - b) Expert opinion
    - c) Research
  - 3) Combination of quantitative and qualitative data.
- 3.5.3 Values for likelihood and severity of outcomes may be assigned to qualitative data for the purposes of assessment (Appendix D).

### Evaluation of safety risks

- 3.6 Outputs from safety risk analyses shall show the level of the safety risk associated with the activity.
- 3.7 Outputs from safety risk analyses shall be compared to the safety baseline and safety objectives set for the activity.
- 3.8 In addition to evaluating the safety risk against the safety baseline and safety objective, for worker populations and any 'other parties' population affected by the activity, the safety risk must be evaluated against the reasonably practicable principle in HASAWA [Ref 3.N].
- 3.9 During the normal operation of the motorway and all-purpose trunk roads, in addition to evaluating the safety risk against the safety baseline and safety objective, the safety risk to road user populations for any activity shall be evaluated so that a decision can be made on the basis of what is reasonably required.

**NOTE 1** *To demonstrate that something is reasonably required all suitable potential mitigations to reduce safety risks are assessed. Where the cost of a measure identified in the assessment is, in the reasonable opinion of those carrying out the assessment, proportionate to the benefit derived, that measure can be deemed as reasonably required.*

**NOTE 2** *The term normal operation is used to describe when the use of the road is not constrained by Highways England implementing planned roadworks and includes instances when emergency traffic management is deployed.*

**Table 3.9N2 Safety risk decision criteria for normal operations**

Population	Safety risk decision criteria for normal operation including ETM
Workers	ALARP
Users	Reasonably required
Other parties	ALARP

- 3.10 Outside of the normal operation, of the motorway and all-purpose trunk roads, in addition to evaluating the safety risk for any activity against the safety baseline and safety objective, the safety risk to road user populations and any 'other parties' populations affected by the activity, must be evaluated against the reasonably practicable principle in HASAWA [Ref 1.N].

**NOTE** *The term outside of normal operation is used to describe when the use of the road is constrained by Highways England implementing roadworks. Only in this instance is the road not in normal operation and Highways England's responsibility under health and safety legislation changes and during the period of road work activity the safety risk exposure of road user populations is managed differently.*

**Table 3.10N Safety risk decision criteria outside of normal operations**

Population	Safety risk decision criteria outside of normal operation
Workers	ALARP
Users	ALARP
Other parties	ALARP

- 3.11 The evaluation of the safety risk analyses and any decisions on whether a measure is reasonably required shall be documented and supporting evidence recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.

### Safety risk mitigations

- 3.12 Where the outcome of the safety risk assessment evaluation for an option being safety risk assessed, is within the list below, safety risk mitigations shall be explored.

- 1) Shows a safety risk dis-benefit from the safety baseline.
- 2) It does not meet the safety objective.
- 3) Does not accord with ALARP.
- 4) Is less than what is deemed reasonably required.

**NOTE 1** *Safety risk mitigations are measures implemented to reduce the likelihood of a risk being realised or lessen the severity of the potential outcome. Safety risk mitigations are also be known as control measures.*

**NOTE 2** *Highways England can exercise discretion in deciding to provide or omit safety risk mitigations.*

- 3.13 Safety risk mitigation measures shall follow the ERIC hierarchy - Eliminate, Reduce, Isolate and Control for each safety risk.

**NOTE 1** *The ideal option for a safety risk mitigation measure is to eliminate the safety risk.*

**NOTE 2** *Where the elimination of safety risks cannot be achieved or the costs to do so are disproportionate, reducing, isolating or controlling risks are assessed in turn.*

**NOTE 3** *A benefit cost ratio (BCR) for a safety risk mitigation that is > 2 shows a good return on investment for what it costs and can be promoted on safety grounds.*

**NOTE 4** *A BCR for a safety risk mitigation that is < 1 does not show a good return on investment for what it costs and cannot be promoted on safety grounds.*

- 3.13.1 Any safety risk mitigations with BCRs between the range >2 and <1 can be considered alongside all the other options and where a greater benefit can reasonably be achieved by allocation of the cost of that safety risk mitigation elsewhere within the scheme or a wider programme of works, this should be taken into account in deciding which safety risk mitigation is selected.

**NOTE** *The benefits in a BCR will generally be measured against a monetised value for a risk of death i.e. Value of Preventing a fatality (VPF) [Ref 7.1]; depending on the data available other metrics such as Fatalities and Weighted Injuries (FWIs), Killed and Seriously Injured (KSIs), Personal Injury Accidents (PIAs) [Ref 6.1] or incidents can also be used.*

- 3.13.2 A decision to do nothing may be a valid one if it is the proper conclusion of the assessment process outlined in this document.

- 3.13.3 The residual safety risk should be assessed for comparison to the safety baseline and the safety objective for each safety risk mitigation considered.

- 3.14 Safety risks for the activity shall be managed to optimise the safety risk benefits and deliver that which is reasonably required.

3.14.1 In maximising the safety risk benefit of the activity, the HSE approved concept of trade-off may be applied (in accordance with the HSE document 'R2P2 Reducing Risks and Protecting People [Ref 3.1]).

3.14.2 In applying a trade-off, any safety risk dis-benefit to a single population should be out-weighed by a safety risk benefit to one or all of the other populations.

3.15 Where a safety risk dis-benefit occurs to one population to enable a decrease in risk exposure for another population, the residual risk for the sacrificing population shall remain with that which is tolerable.

*NOTE 1 Tolerability of risk is based on the understanding that it is not possible to fully eradicate all risk associated with every activity, and it acknowledges the relationship between the willingness to accept risks to secure benefits.*

*NOTE 2 The concept of tolerability contains boundaries that describe risks as unacceptable, tolerable and broadly acceptable; unacceptable because the benefits secured do not warrant the risk being taken and broadly acceptable because the risk is so low that there is no discernible benefit from reducing it further.*

## 4. Document and maintain the safety risk assessment

- 4.1 The safety risk assessment process presented in Appendix A of this document shall be followed throughout the safety risk assessment process.

**NOTE** *The process for documenting the safety risk assessment process and maintaining that documentation is summarised in Figure 4.1N.*

**Figure 4.1N Document and maintain safety risk assessment process**



- 4.2 All steps of the safety risk assessment shall be documented.
- 4.3 All steps of the safety risk assessment shall have the supporting evidence recorded to demonstrate that an appropriate level of rigour has been applied to assess the expected safety performance and to demonstrate how the design and implementation of the activity can satisfy the safety objective.
- 4.4 The format and extent of the safety risk assessment documentation shall be defined in accordance with the governance arrangements for the business area in which the activity is undertaken.

### Update the safety risk assessment

- 4.5 Safety risk assessments are live documents which shall be reviewed and updated throughout the life of the activity.

**NOTE** *If anything changes that affects the activity or component part(s) of it, a review to check that whatever has changed does not invalidate the safety risk assessment is necessary.*

### Assumption validation and monitoring

- 4.6 The scope of and timescales for a review of the safety risk assessment shall be defined and documented, in accordance with the governance procedures for the business area in which the activity is undertaken.
- 4.7 Where any assumptions were made in relation to the safety risk assessment, these shall be validated as part of the review.
- 4.8 The detail of any residual risks that require active monitoring shall be recorded and an owner assigned.
- 4.9 Monitoring and review arrangements shall be defined in accordance with the governance procedures for the business area in which the activity is undertaken.

**NOTE** *For type A activities (Categorisation of the activity type) it is acceptable for monitoring to be a part of routine performance measurement.*

- 4.10 The monitoring and review arrangements shall be documented and supporting justification recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.

## 5. Normative References

The following documents, in whole or in part, are normative references for this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

Ref 1.N	'Health and Safety at Work etc. 1974 Section 3.1'
Ref 2.N	'Health and Safety at Work etc. Act 1974'
Ref 3.N	'Health and Safety at Work etc. Act 1974 Section 2 and section 3.1'
Ref 4.N	Highways England. GG 101, 'Introduction to the Design Manual for Roads and Bridges'

## 6. Informative References

The following documents are informative references for this document and provide supporting information.

Ref 1.I	Highways England. 'Health and Safety 5 year Action Plan, May 2017'
Ref 2.I	Standards for Highways. 'NSCRG and PSCRG Remit for Organisation and Governance document'
Ref 3.I	Health and Safety Executive Report. 'Reducing Risks, Protecting People.'
Ref 4.I	'The Construction (Design and Management) Regulations 2015'
Ref 5.I	'The Infrastructure Act 2015'
Ref 6.I	'Transport Appraisal Guidance Unit A 4.1 Social Impact Appraisal, section 2.1.5'
Ref 7.I	'Transport Appraisal Guidance Unit A 4.1 Social Impact Appraisal, section 2.2.4'

## Appendix A. Safety risk assessment process

Figure A.1 Framework for safety risk assessment

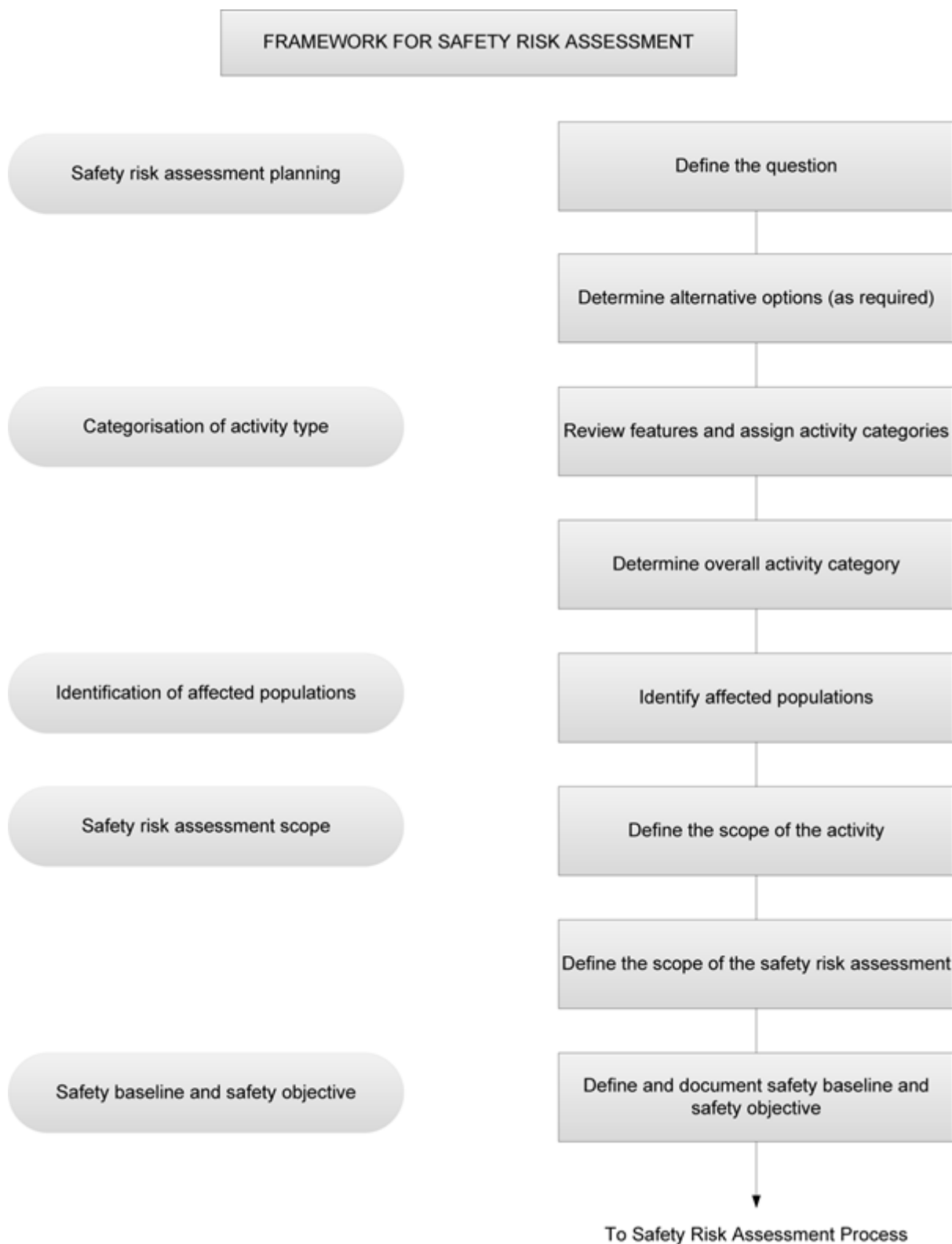


Figure A.2 Safety risk assessment process

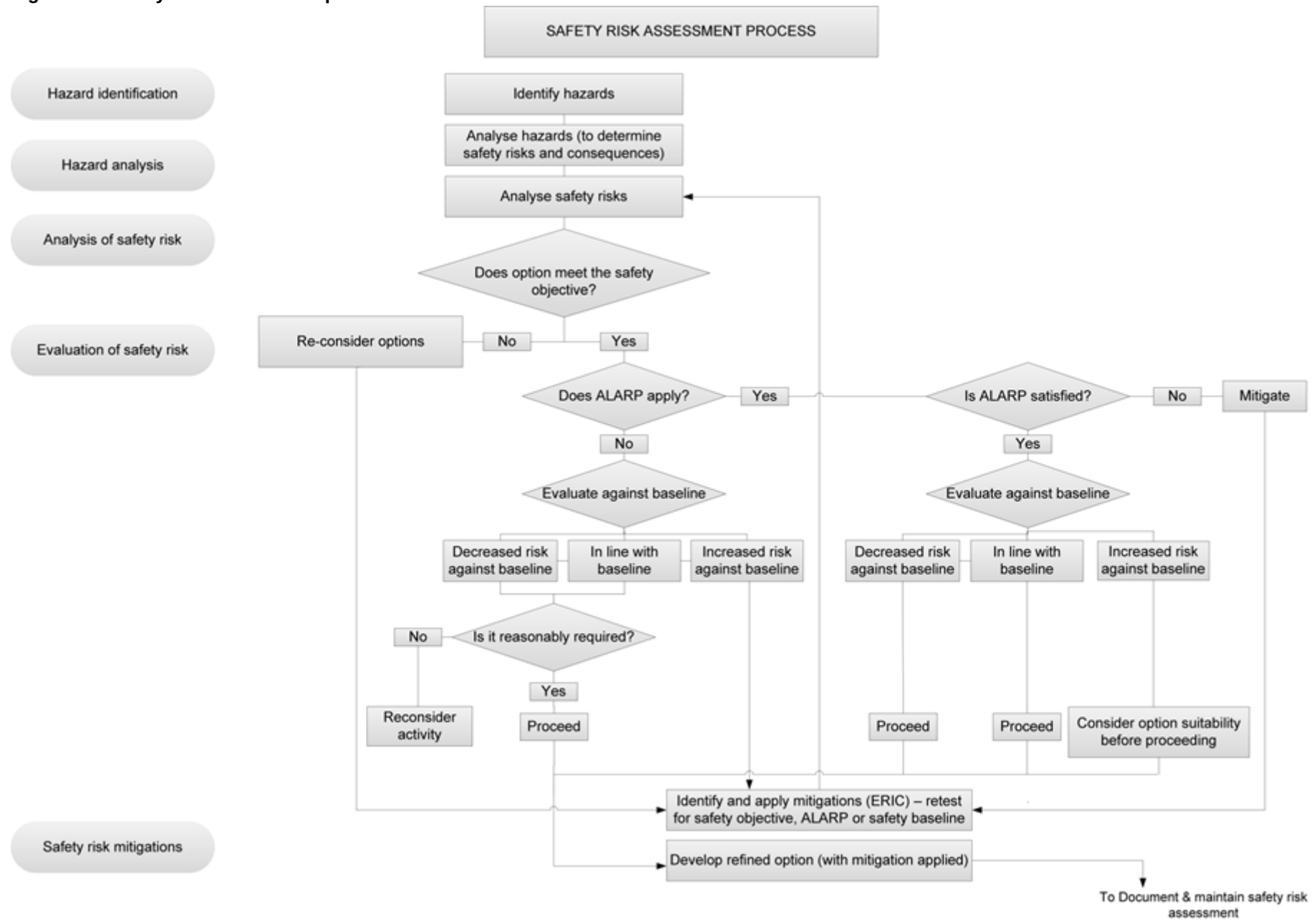
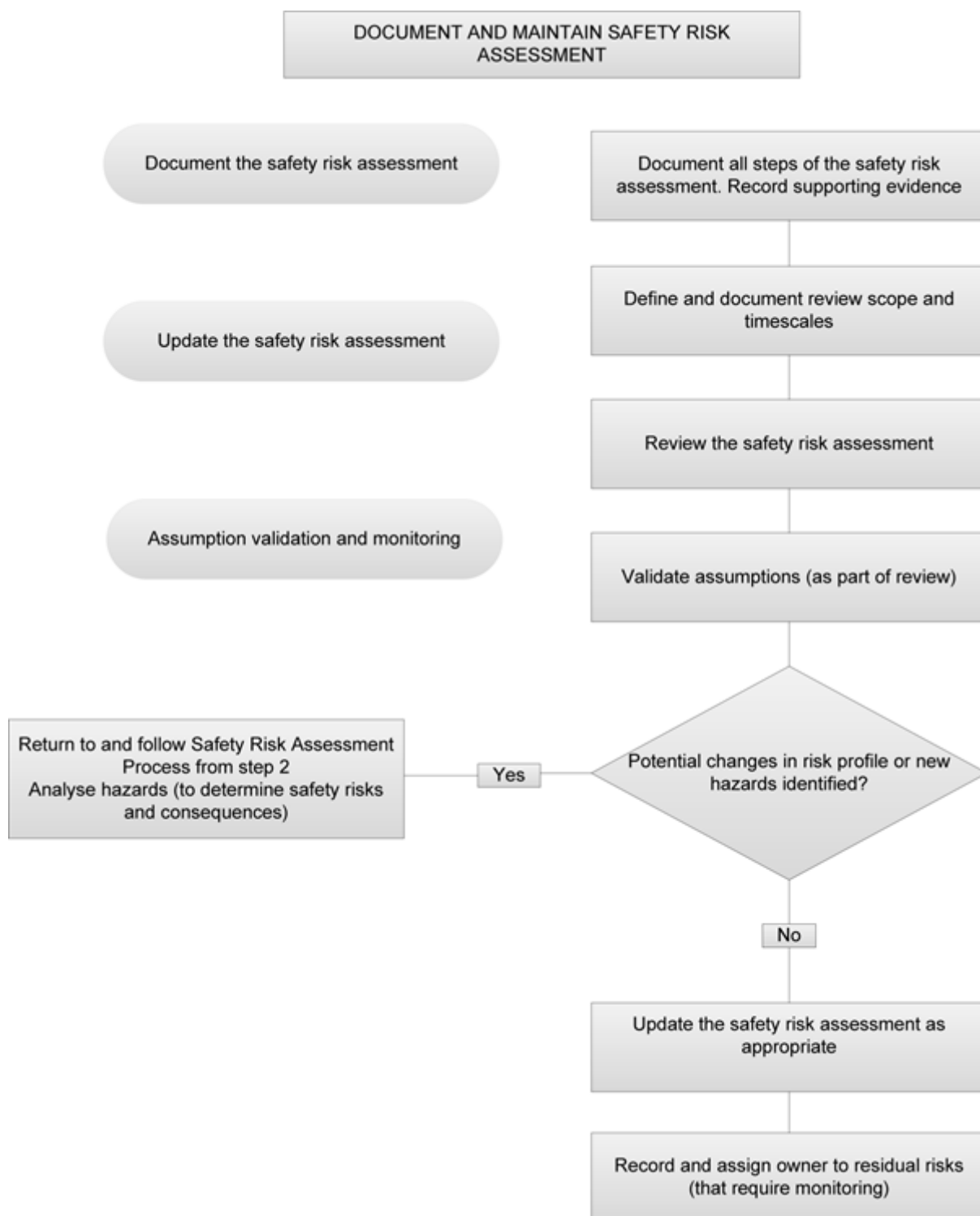


Figure A.3 Document and maintain safety risk assessment



**Appendix B. Safety risk assessment tasks**

Table B.1 (overleaf) lists the tasks for safety risk assessment

**Table B.1 Safety risk assessment tasks**

<b>Framework safety risk assessment process steps</b>	<b>Task</b>	<b>Description of activity</b>	<b>Reason for carrying out the activity</b>
Safety risk assessment planning (Aspects covered:- Safety risk assessment process; Safety risk assessment planning; Categorisation of the activity; Identification of affected populations).	Develop a plan for safety.	Document a clear plan of how safety risk will be managed for all populations throughout the life cycle of the activity. Define the specific safety risk activities that will be undertaken for the activity. In activities categorised as Type B or C establish a safety control review group to endorse the categorisation.	Supports the planning of safety activities and demonstrates that a defined safety risk management approach is being used. Establish roles and responsibilities. Provides a means of communicating to and educating stakeholders as to how the project will achieve its safety objectives.
Safety baseline and objectives.	Define and document the safety baseline and safety objective.	Document a suitable baseline for the activity. Document objectives to cover relevant populations and align with wider Highways England safety and risk objectives.	Allow the effect of the activity to be measured. A safety baseline is required to measure the achievement of the safety objective. Have a clear understanding of the rationale to be pursued for managing safety for the different populations affected by the activity.

Table B.1 Safety risk assessment tasks (continued)

Framework safety risk assessment process steps	Task	Description of activity	Reason for carrying out the activity
Hazard identification and analysis. Analysis and evaluation of safety risk. Safety risk mitigations.	Type A project -Risk assessment.	Identify and document reasonably foreseeable hazards associated with the activity for all populations. Conduct safety risk assessment. Record details of any residual risks, and provide clear guidance on how these will be managed / monitored into the future.	Supports the identification and documentation of the hazards that will affect the activity; enabling them to be appropriately safety risk assessed and subsequently mitigated. To ensure any residual risks are handed over to the appropriate owner within Highways England for ongoing management.
	Type B project -Risk assessment.	As above, and conduct additional, appropriate safety risk assessments. Consider use of sensitivity analysis to support safety risk assessments.	As above. Provides additional detail and rigour to the safety risk assessments and ensures that options are informed by risk assessment. Sensitivity analysis on risk scores will help focus resources on areas where significant safety improvements are required.
	Type C project -Risk assessment.	As above, and conduct additional hazard analysis and appropriate safety risk assessment for all populations which may include: Preliminary hazard analysis (PHA); System hazard analysis (SHA); Sub-system hazard analysis (SSHA); Interface hazard analysis (IHA); Operation and support hazard analysis (OSHA).	Supports the identification of hazards arising from various sources and interfaces, enabling the activity to be thoroughly risk assessed and subsequent mitigations proposed. The management of these hazards will be consolidated in a log of hazards.
Document the safety risk assessment.		Document all safety risk assessment tasks undertaken. Include evidence showing that appropriate safety objectives have been developed and demonstrate how these objectives have been achieved.	To demonstrate that the appropriate level of safety management has been undertaken to assess the expected safety performance.

Table B.1 Safety risk assessment tasks (continued)

Framework safety risk assessment process steps	Task	Description of activity	Reason for carrying out the activity
Update the safety risk assessment.	Updating safety documentation.	Safety risk assessments are live documents which are to be reviewed and updated throughout the life of the activity. If anything changes that affects the activity or component part(s) of it, a review to check that whatever has changed does not invalidate the safety risk assessment will be necessary.	Maintain documentation as a record of status of the safety risk assessment and records ongoing achievement of safety objectives. This activity demonstrates that the activity still meets all of the necessary safety requirements and that appropriate safety risk management is continuing.
Assumption validation and monitoring.	Define and document review scope and timescales.	Verify that the activity has implemented any identified safety requirements and ensure that all planned safety activities have been adequately undertaken. Validate assumptions and meeting safety objectives. This will require post operational monitoring. If any activities have not been completed, or have been completed but not in accordance with the safety plan, then this will be reported to the Highways England Project Manager. Safety risk mitigations will be developed, implemented and recorded.	To demonstrate that the safety requirements have been actioned. Validate that the activity design satisfies its safety objectives. It is important to make it clear what has been done to mitigate issues where activities have not been completed as planned, or outcomes are not as expected.

## Appendix C. Safety risk governance

### C1 Ownership, approval and acceptance arrangements

Throughout the life cycle of an activity, ownership and accountabilities in relation to the safety risk assessment process should be clearly identified and documented, in accordance with the governance procedures for the business area in which the activity is undertaken.

Ownership can transfer during the whole life cycle of an activity. When this occurs, responsibility for continuing to apply the appropriate approach to the safety risk assessment process also transfers to the new owner.

Safety risk assessment process outputs and decisions for type B and C activities require consultation before acceptance and approval can take place. This is required to gain a whole life understanding of how the activity affects Highways England and to gain agreement from across Highways England that it can be implemented safely. This will be activity specific consideration.

- 1) All activities define the roles that are consulted to support the acceptance and approval process.
- 2) Acceptance and approval is undertaken by competent persons.
- 3) Acceptance and approval is recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.
- 4) The acceptance and approval process applies to any changes introduced to the activity and the safety documentation after implementation and is recorded, in accordance with the governance procedures for the business area in which the activity is undertaken.

#### Type A activities

The activity type categorisation and the safety risk assessment process is reviewed and agreed by the activity manager. The activity manager's agreement is documented in accordance with the governance procedures for the business area in which the activity is undertaken.

#### Type B activities

The activity type categorisation and the safety risk assessment process are referred to a safety control review group (SCRG).

#### Type C activities

The activity type categorisation and the safety risk assessment process are referred to the National Safety Control Review Group (NSCRG).

### C1.1 SCRG

An SCRG is formed by the activity manager of any activity categorised as type B or C. The SCRG is formed of representatives of those business areas who are involved in undertaking, or affected by the activity at any stage in the development, implementation and adoption of the activity.

An SCRG is formed for the purpose of consultation on and reviewing, and endorsing of the activity categorisation.

For activities with a categorisation endorsed as type B the SCRG is consulted on, reviews and endorses the safety risk assessment process. The SCRG agrees the outputs of the safety risk assessment process and any decisions made within it.

For activities with a categorisation endorsed as a type C, the SCRG will review the categorisation and submit it to the NSCRG to endorse. If the NSCRG agrees the type C categorisation, the SCRG will undertake the same role for consultation, review and agreement of safety risk assessment process outputs and decisions made within it but it will submit all of these to the NSCRG for their approval.

**C1.2 NSCRG**

NSCRG is a standing committee with membership as defined in the NSCRG and PSCRG Remit for Organisation and Governance document [Ref 2.I]. The key objectives of the NSCRG are to:

- 1) Ensure alignment of safety objectives with Highways England objectives and targets;
- 2) Act as a specialist advisory group providing support to the Chief Highway Engineer;
- 3) Review and advise on complex, unique or contentious safety issues arising on activities;
- 4) Review and advise on safety issues that have a National impact or have not arisen before; and
- 5) Ensure consistency of approach to managing safety across activities.

The NSCRG will make a determination of the acceptability of any proposed solutions on type C referrals made by SCRGs and either:

- 1) Endorse the proposed activity;
- 2) Refer back to the project team for further consideration; or
- 3) Escalate the activity to the Chief Highways Engineer should the NSCRG feel that the issue has implications beyond its authority.

**C1.3 Approvals**

Type A activities require no more than a business as usual approach, consequently type A approvals will not require any additional effort beyond those required by the governance process of the business area.

Type B activities

The SCRG decides whether or not to approve safety risk assessment outputs and decisions or will comment on the safety implications. This will be documented in the minutes of the SCRG.

The SCRG will have the authority of the senior managers who ultimately sign off the safety risk assessment process outputs.

Type C activities

The NSCRG decides whether or not to approve safety risk assessment outputs and decisions or will comment on the safety implications. This will be documented in the minutes of the NSCRG.

**Appendix D. Example risk matrix**

Table D.1 gives values for likelihood and severity of outcomes that may be assigned to qualitative data for the purposes of assessment.

Table D.2 provides an example method of recording hazard identification and analysis of safety risk, risk values and safety risk mitigations. The values for L, S and R may be taken from Table D.1.

Table D.1 Risk value, likelihood and severity of outcomes that may be assigned to qualitative data for the purposes of assessment

Likelihood (L) x Severity (S) = Risk value (R)		Severity (S)				
		Minor harm; Minor damage or loss no injury	Moderate harm; Slight injury or illness, moderate damage or loss	Serious harm; Serious injury or ill- ness, substantial damage or loss	Major harm; Fatal injury, major damage or loss	Extreme harm; Multiple fatalities, extreme loss or damage
Likelihood (L)	Very unlikely; Highly improbable, not known to occur	1	2	3	4	5
	Unlikely; Less than 1 per 10 years	2	4	6	8	10
	May happen; Once every 5-10 years	3	6	9	12	15
	Likely; Once every 1- 4 years	4	8	12	16	20
	Almost certain; Once a year or more	5	10	15	20	25
Risk Value (R)		Required action				
Low (1-9)		Ensure assumed control measures are maintained and reviewed as necessary.				
Medium (10-19)		Additional control measures needed to reduce risk rating to a level which is equivalent to a test of "reasonably required" for the population concerned.				
High (20-25)		Activity not permitted. Hazard to be avoided or risk to be reduced to tolerable.				

Table D.2 Example method of recording hazard identification and analysis of safety risk, risk values and safety risk mitigations

Activity/ Decision									Date
Decision Maker/ Assessor									Contact Details
Ref	Hazard/ Risk Description	L	S	R	Response/ Control Measure	L	S	R	Details/assumptions/ monitoring
1									
2									
3									
4									
5									
6									


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or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Appendix I: ORR RSD Internal Guidance RIG-2014-06

Document Reference OBJ782/W1/2

		<b>RSD Internal Guidance</b>		<b>RIG-2014-06</b>	
<p align="center"><b>New level crossings</b>  <b>How ORR applies its policy of no new crossings unless there are exceptional circumstances</b></p>					
<b>Date of issue/ last review</b>		August 2018		<b>Date of next review</b>	
				August 2023	
<b>RIG post holder/owner</b>				Dawn Russell	
<b>RGD cleared by</b>				Martin Jones	
<b>RGD type</b>				Policy_____ <input checked="" type="checkbox"/> Information_____ <input checked="" type="checkbox"/> Procedure_____ <input checked="" type="checkbox"/>	
<b>Target audience</b>		RSD_____ <input checked="" type="checkbox"/> RPP_____ <input checked="" type="checkbox"/>		Policy_____ <input checked="" type="checkbox"/> Inspectors_____ <input checked="" type="checkbox"/> Admin_____ <input checked="" type="checkbox"/>	
<b>Keywords</b>		Level crossings, new level crossings, exceptional circumstances, policy, process, panel			
<b>Summary</b>		Guidance on how ORR applies its policy of “no new crossings unless there are exceptional circumstances”, including how cases for new crossings should be managed within ORR to ensure a consistent approach.			
<b>Original consultation</b>		Members of the Level Crossings Co-ordinating Group (LCCG) - John Gillespie, David Keay, Michelle Travers, Tracy Phillips, Ian Maxwell and Simon Smith – plus Giles Buckenham (legal).			
<b>Subsequent consultation</b> (reviews only)		2017 review: LCCG - J Gillespie, J Hamilton, D Keay, A Meredith, D Russell, M Travers, S Smith, S Turner, plus M Jones (policy) and T Cole (legal). 2018 review: LCCG - Michelle Travers, Martin Jones, Steve Turner, Adam Meredith, Simon Smith, Chris Warburton, plus Ian Skinner, Anna O'Connor, Tom Wake.			

## Introduction

1. This RIG provides guidance on how ORR applies its “no new level crossings unless there are exceptional circumstances” policy and sets out a process that ORR inspectors should follow if they receive information concerning a proposed new crossing of any type. It covers mainline and heritage networks but does not apply to new crossings on tramways as such intersections are governed by road traffic signals.
2. New level crossings introduce particular risks to the railway; ORR, therefore, considers that there should generally be enhanced scrutiny of how proposers are complying with their health and safety duties (for example, around the suitable and sufficient assessment of risk). There may be cases where a proposer will have other steps to take before developing a level crossing, such as the amendment of a safety authorisation involving the necessary scrutiny and decisions from ORR, or safety verification. This aspect is not dealt with in this RIG.
3. Early engagement with proposers of new level crossings is important so that we can encourage alternatives to crossings to be fully explored and delivered wherever this is reasonably practicable. In cases where the proposal is part of an extension to a railway or completely new infrastructure it is likely that an Order under the Transport and Works Act 1992 (TWA) will be required. ORR will normally submit an opinion on the proposal as part of that TWA Order process. Earlier informal engagement enables us to work with the proposer and give our opinion and any further advice to inform the proposer’s consideration of a TWA submission. This RIG explains the process for such an opinion to be given efficiently and transparently via a new crossing panel.
4. In cases where there is no TWA process we, nonetheless, consider that it is important for the proposer to engage with ORR early on so that ORR may provide advice to help inform the proposer’s decision on whether a level crossing is the only reasonably practicable option. Where this happens, we will decide whether ORR should give an opinion on the proposal.
5. In summary **inspectors** should:
  - refrain from giving any opinion relating to proposed crossings so that the case may be considered by the panel;
  - familiarise themselves with ORR’s policy and approach to new or reinstated crossings as set out in this document;
  - alert the Head (Principal Inspector) of the Level Crossings Projects Team for Network Rail cases or the Head of the Heritage Team for heritage cases at the earliest opportunity to any discussions regarding new or reinstated level crossings and pass on all relevant information,

including that concerning the right-of-way (for the railway) and whether any TWA procedures have commenced;

- pass on to the panel any relevant previous knowledge of the crossing site or the proposer of the crossing.

**ORR's panel will:**

- convene to review and consider cases as needed;
- assess the information provided by the proposer (the requirements for which are set out in this document) and where appropriate give an opinion on whether the case is exceptional;
- consult anybody else the panel considers appropriate to help in informing any opinion or advice;
- work to the timescales set out in this document and give any opinion or advice to the proposer as soon as possible.

**Background**

6. ORR's policy is that new level crossings should only be considered appropriate in exceptional circumstances. This was set out in a 2007 level crossings policy statement (now removed from the ORR website) and more recently in [Chapter 4 of ORR's Strategy for Regulation of Health and Safety Risks](#)
7. This remains ORR's starting position when giving an opinion on a new level crossing because level crossings introduce risk to the railway and to those using the crossing, and we support the closure of level crossings as part of our drive to reduce risk on the railway. This is consistent with the principle of eliminating risk as the priority in a hierarchy of risk control.
8. Network Rail also has a general "no new crossings" policy. The heritage sector is encouraged to publish details of crossings on its network and any planned closures. The Highways Agency has a policy of no new accesses on the strategic road network other than in exceptional circumstances where it can be sufficiently demonstrated that there is a net benefit to the network.
9. Precedents for ORR supporting new crossings have been very limited to date but it is recognised that inspectors are increasingly facing enquiries or requests in this area and that a consistent interpretation of ORR's policy and a common approach to managing such cases is required. This RIG therefore sets out a process involving a panel to manage such cases – **see paragraphs 25 onwards.**

**What is a "new" crossing?**

10. New level crossings could be permanent or temporary, public or private, and include:

- a proposed crossing at a location where a crossing has not previously existed;
- the reinstatement of a crossing that is in place but has not been in active use for a period of time (which may or may not require authorisation to reinstate it); or
- the instigation of rights to a crossing - enshrined in the enabling Act for that railway - but that have not previously been instigated so no prior crossing exists.

The process set out in this RIG will apply to all of these examples.

11. A legal right-of-way to have a crossing must exist (for the railway operator). In some cases such rights-of-way/access may be enshrined in very old legislation, for example by virtue of:
  - the original enabling Act for the railway (often a Private Act);
  - an Order made under the Light Railways Act 1896;
  - Transfer Orders obtained from British Railways Board that transfer the relevant powers for crossings originally contained in the enabling Act for the railway;
  - in some rare cases, a right granted on the conveyance of land to the original railway company.
12. Such Orders may refer to rights to crossings at specified locations but may not include any covenants preventing additional crossings. Such statutory rights-of-way for the railway over the public highways cannot be extinguished merely through non-use for any length of time; they can only be extinguished by being repealed.
13. However, such a right does not necessarily provide an entitlement for a railway operator to *construct* or *operate* over a crossing and they may need to seek an Order under the TWA to obtain the necessary authorisations (including the transfer of relevant rights, powers or obligations to them, which are contained in an existing Act). Applications for TWA Orders must follow set procedures and these are explored in more detail at **paragraphs 15 to 20**.
14. The position on rights over and surrounding a crossing is not always straightforward and it is not ORR's role to make a determination on such rights. It is up to the proposer to satisfy themselves that they have the legal right to create a level crossing and to establish whether a TWA Order may be necessary. It is highly likely that the proposer will need to seek their own legal advice on such matters. As a starting point any proposer of a new crossing who makes contact with ORR should be asked to provide information on:
  - whether a piece of legislation provides the necessary right-of-way for the railway;

- whether the TWA procedures will be used; and
- whether the TWA procedures have been instigated and if so what stage they are at.

### **Transport and Works Act 1992 (TWA)**

15. The TWA introduced an Order-making procedure for certain types of works including railways. A non-exhaustive list is provided in the Act and includes:
  - the construction, alteration, repair, maintenance, demolition and removal of railways, tramways, trolley vehicle systems and other transport systems.
16. The TWA Order-making procedure is generally used where an infrastructure project requires compulsory purchase powers or the creation, extinguishment or transfer of rights over land. Some projects would therefore be subject to it – for example a brand new piece of infrastructure or the re-opening of a disused branch line (including any new or pre-existing level crossings on it) - but for others it may not apply.
17. The procedure for applying for a TWA Order is set out in a variety of rules that provide for appropriate publicity to be given to the proposals and set out a timetable for the making of objections to the proposals. If objections are received, the Secretary of State, Welsh Assembly or Scottish Ministers consider the objections by means of a public local enquiry, a hearing or an exchange of written representations.
18. ORR is a consultee for any proposals to amend existing powers in relation to railways, as will be the relevant highway authority. The Department for Transport's guidance on the TWA Order-making process encourages the promoters of any railway schemes that may fall under the TWA to consult statutory consultees, including ORR, **before** applying for a TWA Order.
19. For projects covered by the TWA, ORR has the opportunity to put forward any concerns at an early stage and to *potentially* object to a TWA Order. A TWA Order would not obviate the need for suitable and sufficient protection arrangements for any level crossing (which may then be prescribed subsequently by way of a Level Crossing Order as made under the Level Crossings Act 1983).
20. In England, TWA Orders are made by the Secretary of State for Transport. As a result of devolution, applications for Orders relating to works solely in Wales are made to, and determined by, the National Assembly for Wales and Scotland now has its own TWA Order procedure under the Transport and Works (Scotland) Act 2007.
21. Further guidance on the TWA procedures can be found at [Transport and Works Act Orders A Brief Guide](#). The rules can be found at [The Transport and Works \(Applications and Objections Procedure\) \(England and Wales\) Rules 2006](#) (for England and Wales) and at [Guide to Transport and Works \(Scotland\) Act 2007](#) for Scotland.

### **Exceptional circumstances**

22. ORR's policy is that new level crossings should only be considered appropriate in exceptional circumstances. There would only be exceptional circumstances where there is no reasonably practicable alternative to a crossing on the level at the location in question. We expect proposers to demonstrate that full consideration has been given to finding an alternative solution to avoid the need for a level crossing and that alternative options such as bridges, underpasses or road diversions have been fully explored and costed. We would consider an alternative to be reasonably practicable unless it can be demonstrated that the cost is grossly disproportionate when weighed against the safety benefits. To demonstrate this it will be necessary to develop suitable and sufficient risk assessments for each of the alternatives under consideration.
23. The consideration of reasonable practicability should take account of the nature of the railway operation and the particular circumstances of the location. For example, the speed and/or frequency of trains and level of crossing use, should be taken into account as these factors will be relevant to the weighing of cost against safety benefits. In all situations, we expect the design of any new level crossing to be one that reduces risks so far as is reasonably practicable and incorporates modern safety features. We also expect proposers to consider the whole-life costs of each option, i.e. the cost of operation and maintenance as well as initial design and installation, when weighing up the costs and benefits of each option.
24. ORR recognises that railway extension projects can bring significant benefits to local economies and communities and that the creation of a level crossing may be a key feature of such an extension. In some cases, the proposal to create a level crossing may need to be considered in the wider context of societal benefits that a new or extended railway might offer. However, it is not ORR's role to consider these wider economic and social benefits and this will usually be considered by the Secretary of State as part of a TWA Inquiry to which ORR will be a consultee.

### **Managing enquiries and proposals for new crossings**

25. We expect that anybody who is proposing a new level crossing contacts ORR as soon as possible to discuss the matter - it is never too early to start talking, even in principle.
26. It is likely that any initial contact will be via a local inspector but the case should then be referred to the Head of the Level Crossings Projects Team (for Network Rail cases) or the Head of Heritage Team as soon as possible. Inspectors can advise on the process for new cases but should refrain from giving any opinion, advice or making decisions on the

particulars (including any merits) of any proposed crossing so that a consistent approach can be taken within ORR's Railway Safety Directorate (RSD) and across the mainline and heritage networks.

27. The Head of the Level Crossings Projects Team and where appropriate the Head of the Heritage Team will decide whether an ORR panel should be convened. The panel will be chaired by the Head of the Level Crossings Project Team (and will include the Head of the Heritage Team in heritage railway cases), a representative from the Legal Team and the relevant local inspector for each case, plus anyone else as appropriate to the case. This panel will come together to review and consider all cases as needed.
28. The information the panel needs **from the proposer** (inspectors themselves are not expected to gather or collate this information) includes:
- the location of the proposed crossing including photographs and diagrams;
  - the reason for the crossing;
  - information about the proposer of the scheme for a new crossing, the proposed crossing operator and, if applicable, the proposed authorised user(s) of the crossing;
  - proposed timescales for (re)introducing any new crossing;
  - confirmation that there is a right-of-way and whether any relevant authorisations/Orders need to be sought through the TWA procedures;
  - information about the road and rail traffic at any proposed crossing including the results of censuses;
  - details of any liaison that has already taken place with other departments and agencies such as DfT, Highways Agency or local highway authorities, planning authorities and other local bodies and stakeholders plus a summary of the responses/views received;
  - a description of what other options have been considered such as bridges and underpasses and clear explanations setting out why these options are not reasonably practicable alternatives to a level crossing, backed up by evidence from risk assessments;
  - details on the features of the proposed crossing and what protective arrangements would be in place were it to go ahead based on a suitable and sufficient risk assessment (noting that it may be subject to a Level Crossing Order application further down the line);
  - any other information that the panel considers might be relevant or helpful.
29. The panel may choose to visit the site of any proposed crossing as part of its considerations. If the proposal relates to a user-worked crossing, the panel will endeavour to speak to the (proposed) authorised user(s) as part of this visit.

## **Process and timescales**

30. Once convened the panel will liaise promptly on receipt of a new case and determine if it should give an opinion on whether the introduction of a new level crossing would be appropriate, applying the “new level crossings only in exceptional circumstances” policy. It will give this opinion if there is to be a TWA process or if there are other reasons why ORR should state its view in the particular case. The panel will only come together to consider the case on full receipt of all of the information set out at paragraph 28 above. The panel will either seek missing information directly or will ask the local inspector to obtain it from the applicant. Papers will be collated and filed by the Level Crossings Projects Team.
31. Once all the information is available, the panel will aim to convene within 28 days and will give any opinion as soon as possible afterwards. This may be subject to further legal advice or consideration and, if it forms part of a formal consultation under the TWA, will be communicated to DfT’s TWA Unit (or equivalent in Scotland and Wales).
32. ORR may also consult anybody else that it deems appropriate to help in informing its opinion and this may extend timescales.
33. A record will be kept of the case, supporting information and the outcome and stored in a Box file found at [New Level Crossing Cases](#)
34. The opinion of the panel will be imparted in writing by the Chair of the panel and circulated to members of RSD’s Directorate Management Team for onward cascade. In cases where we are giving an opinion as part of a TWA Order process we will publish the letter on our website.
35. Where ORR is subsequently consulted by DfT as part of a TWA process, ORR will review any previous opinion it has given to consider whether any further developments have an impact on that opinion before providing its consultation response to DfT.
36. If a proposer has any comments or concerns about the process these should be addressed in writing to Ian Prosser, Director, Railway Safety.

## **Other cases**

37. It is possible that cases of new crossings will come to light where ORR has no previous knowledge of their existence. This may particularly apply to “accommodation” crossings where, for convenience, landowners are granted access to their land via a level crossing – permanently or temporarily (for example during a harvest period) - where it is divided by a railway.

38. We encourage prior engagement with ORR in all cases but, where such crossings are discovered, inspectors should request and review the risk assessment and consider our approach in line with the Enforcement Management Model.

#### **Devolution issues**

39. This policy applies to crossings in England, Scotland and Wales. In Scotland, references to the Transport and Works Act 1992 should be read as the Transport and Works (Scotland) Act 2007. We are not aware of any other relevant devolution matters.

#### **Reviewing the policy and process**

40. We will review the process as necessary in light of experience