

## Decision Record – Objection to Proposed Traffic Signals with Pedestrian Crossing Facilities as (1) Crick Road/Development Access, and (2) A428 Hillmorton Road/Ashlawn Road, Rugby

<b>Cabinet Portfolio Holder taking the decision</b>	Cllr Jeff Clarke Transport and Planning
<b>Date of Decision</b> (not before: 15 March 2019)	15/3/2019



### Decision Taken

That the Portfolio Holder for Transport and Planning approves the installation of pedestrian crossings as part of traffic signal controlled junctions at (1) A428 Crick Road / Development Access, and (2) Hillmorton Road / Ashlawn Road, Rugby, as advertised pursuant to Section 23 of the Road Traffic Regulation Act 1984, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

### Reasons for Decisions

Where objections are received to a highway scheme the Portfolio Holder must decide on it.

### Background Information

A planning application (R15/1702) was submitted to Rugby Borough Council for the development of a site off A428 Crick Road at the Wharf Farm site. Planning permission was granted on 11 July 2017. The permitted scheme requires the Developer to install a traffic signal junction at the site access on Crick Road and also to install a junction improvement at the Hillmorton Road / Ashlawn Road. The agreed form of junction improvement at this second location is a traffic signal controlled junction.

Public notice was given of the intention to install traffic signal controlled junctions at the two locations and objections have been received to the proposals for both.

Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach. There is a procedure for seeking to vary a planning permission so as to remove requirements imposed by conditions, and it is possible to seek a new planning permission entirely, but this would require a further planning application by the developer and approval from Rugby Borough Council (which would be guided but not bound by the advice of the highway / traffic authority).

The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the cost of the two traffic signal controlled junctions and associated works will be fully funded by the Developer.

### Financial Implications

The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the costs will be fully funded by the Developer. Approval to add this scheme to the capital programme was given by the Deputy Leader (Finance and Property) at his decision making meeting on 14 December 2018. However, this was a decision concerning financial and operational management and does not affect the responsibility of the Portfolio Holder for Transport and Planning to consider the merits of the proposed scheme.

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<b>Joint Managing Director</b>	Mark Ryder
<b>Portfolio Holder</b>	Councillor Jeff Clarke

## Checklist

<b>Urgent matter?</b>	No
<b>Confidential or Exempt?</b> (State the category of exempt information)	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

### List of Reports considered

Link to published proposed decision report:

<https://democratic.warwickshire.gov.uk/cm5/Calendarofmeetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/4409/Committee/593/Default.aspx>

### List of Background Papers

None

### Members and officers consulted or informed

Portfolio Holder – Councillor Jeff Clarke  
 Corporate Board  
 Legal – Ian Marriott  
 Finance – Virginia Rennie  
 Equality – Keira Rounsley  
 Democratic Services – Paul Williams

Councillors

Local Members:

Cllr Dahmash – Hillmorton  
 Cllr Roodhouse – Eastlands

Other Members:

Cllr Chattaway; Cllr Chilvers; Cllr Cockburn; Cllr Fradgley; Cllr Phillips; Cllr Shilton