

Portfolio Holder Decisions/Leader Decisions

Date: Thursday 19 August 2021
Time: 12.00 pm

Membership

Councillor Peter Butlin

Items on the agenda: -

- 1. Developer- Funded S278 Highway Schemes Approvals** 3 - 6

Monica Fogarty
Chief Executive
Warwickshire County Council
Shire Hall, Warwick

Disclaimers

Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election or appointment to the Council. A member attending a meeting where a matter arises in which s/he has a disclosable pecuniary interest must (unless s/he has a dispensation):

- Declare the interest if s/he has not already registered it
- Not participate in any discussion or vote
- Must leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests must still be declared in accordance with the Code of Conduct.

These should be declared at the commencement of the meeting

The public reports referred to are available on the Warwickshire Web

<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

Public Speaking

Any member of the public who is resident or working in Warwickshire, or who is in receipt of services from the Council, may speak at the meeting for up to three minutes on any matter within the remit of the Committee. This can be in the form of a statement or a question. If you wish to speak please notify Democratic Services in writing at least two working days before the meeting. You should give your name and address and the subject upon which you wish to speak. Full details of the public speaking scheme are set out in the Council's Standing Orders.

Portfolio Holder Decision Developer- Funded S278 Highway Schemes Approvals

Portfolio Holder	Portfolio Holder for Finance and Property
Date of decision	6 August 2021
	Signed

1.0 Decision taken

1.1 That the Portfolio Holder for Finance and Property gives approval to the addition of the following s278 fully developer-funded highway improvement scheme to the Capital Programme for 2021/22.

1. D4170 Pickard Street, Emscote Road (Lidl Access), Warwick of approximate value £150,000.
2. D4429 Coventry Road, Symmetry Park (Minor, Temporary Access), Rugby South of approximate value £50,000 (fees only)
3. A4254 Eastboro Way, Nuneaton of approximate value £150,000
4. B4113 Coventry Road (Faultlands Farm), Nuneaton of approximate Value £240,000 (fees only)

2.0 Reasons for decisions

2.1 On 14th May 2021 Council reconfirmed the delegated power to the Leader, or body nominated by them, to approve the addition to the capital programme of projects costing less than £2.0 million, which are fully funded from external grants, developer contributions or from revenue. The Portfolio Holder for Finance and Property is that nominated body

3.0 Background information

3.1 D4170 Pickard Street, Emscote Road (Lidl Access), Warwick

A planning application was submitted to Warwick District Council in respect of the erection of a Class E discount food store for Lidl Great Britain Ltd with carparking and access. Planning permission was granted on the 27 August 2020 (ref: W/20/1364). The planning permission requires the construction of a new bell mouth junction onto Pickard Street.

3.2 D4429 Coventry Road, Symmetry Park (Minor, Temporary Access), Rugby South

A planning application was submitted to Rugby Borough Council in respect of the erection of 2 logistical unit developments with temporary construction access for Tritax Symmetry Ltd. Planning permission was granted on the 17 December 2020 (ref: R20/1026) for the temporary construction access to be constructed under a minor s278 agreement and this submission is for the fees that will be incurred for the technical approval of designs and the site inspection fees.

3.3 A4254 Eastboro Way, Nuneaton

A planning application was submitted to Nuneaton & Bedworth Borough Council in respect of a variation of previous planning condition 13 to amend the delivery timing required of a toucan crossing prior to occupation of the development by Woods E&S UK Ltd. Planning permission was granted on the 29 January 2019 (ref: 035918) for the construction of a toucan crossing.

3.4 B4113 Coventry Road (Faultlands Farm), Nuneaton

A planning application was submitted to Nuneaton & Bedworth Borough Council in respect of the redevelopment of existing land for up to 92,904 sqm of B2 (General Industrial) and B8(Storage and distribution) floorspace for Savill. Planning permission was granted on the 4 November 2020(ref:034901). The planning requires for the construction of a signalised junction on Coventry Road and a bell mouth access onto Gypsy Lane.

4.0 Financial implications

- 4.1 As the new highway assets which are being created through these schemes will come on to the Council's balance sheet once completed, the costs incurred by the Council need to be treated as capital expenditure.
- 4.2 Section 278 schemes are fully funded by developer contributions which are ring-fenced for the schemes described in the sections above. There are no alternative uses for the contributions and the addition of these schemes will not affect the overall level of available capital resources.
- 4.3 The respective Developers have already committed to funding the technical review work by accepting the Council's fee estimates. The Council's fees for technical review are always collected in advance of the s278 agreement being signed.
- 4.4 Procurement and subsequent award of construction contracts will only take place subject to the applicable Section 278 agreements being signed, which will provide 100% of the funding. The commencement of the works is dependent on the completion of the technical review, procurement and contractor mobilisation processes. Any slippage or increase in costs due to changes in the scope of the works will be reported in the normal quarterly monitoring process.

5.0 Environmental implications

5.1 The environmental impacts of developer-funded highway schemes are considered through the planning approval process.

5.2 The contractors on the Council's Framework Contract for the Provision of Engineering and Construction Works (WCC 6012) have all demonstrated that they hold a certificate of compliance with BS EN ISO 140001 (or equivalent) or have otherwise satisfactorily demonstrated their policies and arrangements for the management of construction-related environmental issues.

Report Author	Ian Stuart ianstuart@warwickshire.gov.uk,
Assistant Director	Scott Tompkins (Assistant Director – Environmental Services)
Lead Director	Mark Ryder -Strategic Director for Communities
Lead Member	Portfolio Holder for Finance and Property

Urgent matter?	<i>No</i>
Confidential or exempt?	<i>No</i>
Is the decision contrary to the budget and policy framework?	<i>No</i>

List of background papers

Not Applicable

Members and officers consulted and informed

Portfolio Holder – Councillor Peter Butlin

Corporate Board –

Legal – Ian Marriott

Finance – Andrew Felton

Equality – Keira Rounsley

Democratic Services – Isabelle Moorhouse

Councillors – Warwick, Singh Birdi, Boad, Philipps and W Roberts

Local Member(s):

D4170 Pickard Street, Emscote Road (Lidl Access), Warwick - Councillor Singh Birdi (Warwick South); Cllr D'Arcy (Warwick North)

D4429 Coventry Road, Symmetry Park (Temporary Access), Rugby South – Councillor H Roberts (Dunsmore & Leam Valley)

A4254 Eastboro Way, Nuneaton – Councillor Clarke (Nuneaton East)

B4113 Coventry Road (Faultlands Farm), Nuneaton - Councillor Golby (Arbury)