

Portfolio Holder Decisions/Leader Decisions

Friday 14 July 2023

Minutes

Attendance

Committee Members
Councillor Peter Butlin
Councillor Jan Matecki

1. Objections to Proposed Toucan Crossing on Dencer Drive near Leyes Lane, Kenilworth.

Resolved

The Portfolio Holder for Transport and Planning approves the introduction of a toucan crossing facility which would provide pedestrian and cycling facilities as formally advertised, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

2. A444 Griff Way, Nuneaton - Proposed 40mph Speed Limit

Resolved

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Variation Order be made as advertised:

The Warwickshire County Council (Various Roads, Borough of Nuneaton and Bedworth) (Speed Limit) (Variation No. 1) Order 2023

3. HCAF -20MPH SPEED LIMIT HENLEY - IN - ARDEN

Resolved

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Order and Variation Order be made as advertised:

- The Warwickshire County Council (Henley in Arden to Hockley Heath Road A3400) (30mph,40mph and 50mph Speed Limits) (Variation No 1) Order 2023 &
- The Warwickshire County Council (High Street (A3400), Birmingham Road (A3400) and Various Roads, Henley in Arden) (20mphSpeed Limit) Order 2023

4. Addition of schemes at Bilton School and Stratford upon Avon School to the Education Capital Programme 2023/24

Resolved

- 1.1 The Portfolio Holder for Finance and Property approves the addition of the scheme for improvements at Stratford upon Avon School to the Capital Programme at an estimated cost of £0.308 million to be funded from section 106 receipts.
- 1.2 The Portfolio Holder for Finance and Property approves the addition of the scheme for improvements at Bilton School to the Capital Programme at an estimated cost of £0.083 million to be funded from section 106 receipts.

5. St Johns Gyratory Improvements, Kenilworth

Resolved

That the Deputy Leader of the Council gives approval to the addition of the following S106 developer-funded highway improvement schemes to the Capital Programme for 2023/24.


A452 St Johns Gyratory, Kenilworth, junction signalisation and provision of cycling and walking connections

6. Land at Herberts Farm

Resolved

The recommendations were approved as set out in the report

Portfolio Holder Decision – Objections to Proposed Toucan Crossing on Dencer Drive near Leyes Lane, Kenilworth.

Portfolio Holder	Portfolio Holder for Transport and Planning
Date of decision	14/07/2023
	Signed 

Decision taken

The Portfolio Holder for Transport and Planning approves the introduction of a toucan crossing facility which would provide pedestrian and cycling facilities as formally advertised, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

Reasons for decisions

A planning application (W/19/0655) was submitted to Warwick District Council for demolition of two residential properties and a collection of farm buildings, and erection of a two to three storey secondary school and sixth form building and a single storey facilities management building, with associated access and egress from Glasshouse Lane, parking spaces for cars, school buses, bicycles, internal drop-off zones, sports pitches, landscaping, and auxiliary outbuildings. Planning permission was granted on 19th December 2019.

The traffic signal junction at Leyes Lane / Dencer Drive and toucan crossings on Glasshouse Lane were advertised from 26 January 2023 to 24 February 2023. Objections and concerns were raised regarding the proposed traffic signal junction from members of the public so the traffic modelling and design was reviewed and amended. Warwickshire County Council subsequently readvertised the proposal between 18 May 2023 and 12 June 2023 for the installation of a toucan crossing on Dencer Drive near Leyes Lane rather than the initially advertised traffic signal junction at Leyes Lane / Dencer Drive with pedestrian and cycle crossing facilities. Warwick District Council has confirmed that this would be acceptable and complies with the planning requirement. These works will be undertaken and fully funded through a Section 278 agreement with the developer.

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.

The toucan crossing was formally advertised on 18 May 2023 in the Leamington Courier and Observer, and details were sent to residential properties within the vicinity of the proposed toucan crossing. Details were sent to statutory consultees (including the Chief Officer of Police). The consultation plan can be seen in **Appendix A**.

During the period of the consultation (18 May to 12 June 2023) **four** representations were received from members of the public.

Pursuant to the Constitution, in cases where objections have been received (and not withdrawn) and in consultation with local member(s) the Portfolio Holder for Transport and Planning has power to determine road traffic management and accident prevention schemes and road traffic regulations. The Portfolio Holder is therefore asked to consider the objections and responses received and to approve the introduction of a toucan crossing as formally advertised, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

Background information

The representations received and responses issued are included in **Appendix B**. A common point raised was regarding the requirement for a toucan crossing and the impact on various roads surrounding Glasshouse Lane. The need for the traffic signals including a toucan crossing was identified in the Transport Assessment which was submitted through the planning process. The Transport Assessment was reviewed and accepted by the County Council as the highway authority.

The following paragraphs summarise the representations and the Council's response to the points raised.

Vehicular queuing at the toucan crossing

Representations

- During peak hours queues of vehicle traffic will block residential property access and exits from Leyes Lane junction.

Response

There is expected to be high usage a peak times The toucan crossing will only stop vehicle flow when it has been called, and the vehicle phase and pedestrian/cyclist phase will allow for a continued but controlled vehicular flow along the road. It will still be possible for vehicles travelling in either direction to turn into driveways or leave Leyes Lane. However, it will mean having to wait for a gap in the traffic in a similar way to the situation at many controlled crossings on residential roads..

Alternative crossings arrangements have been explored including the zebra crossing which would create more delays to general traffic and would not provide the same level of safety to school children and would not cater for cyclists.

Therefore, a signal-controlled toucan crossing is the preferred solution.

Pedestrian Environmental impact

Representations

- Pedestrian nuisance due to proposed crossing point locations.
- Crossing not at the correct location, alternatives routes to the new School.

Response

The toucan crossing will be located between the two junctions of Dencer Drive with Leyes Lane, as far as is practicable from residential access whilst retaining a safe route for schoolchildren and other pedestrians. It is expected that school children will take a number of routes to get to the new school and this particular junction links the school with other local facilities and so creates a safe crossing point at a location that is expected to be well used. A new foot/cycleway will be constructed on Leyes Lane on the opposite side to the houses which will encourage the majority of pedestrians and cyclists to be away from the houses.

Vehicle parking and student drop off

Representations

- Adjacent roads experiencing high traffic and parent parking during peak hours.

Response

The issue of parent parking in relation to the school is not for this report to deal with. The toucan crossing will include zigzag markings to prevent parking within the vicinity of the crossing in order to maintain good visibility at this point.

Financial implications

The County Council has entered into a Section 278 agreement with the Developer to undertake the works required to implement the toucan crossing as advertised. 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 Portfolio Holder for Finance and Property at his decision-making meeting on 18 June 2021.

That decision concerned the financial and operational management elements of the process. It remains a requirement that the Portfolio Holder for Transport and Planning consider the merits of the proposed scheme as set out in this Report.

Environmental implications

The environmental impacts of developer-funded highway schemes are considered through the planning approval process to ensure that the developments are consistent with the principles of sustainability.

Signal-controlled toucan crossings which have pedestrian and cycling facilities contribute to an integrated pedestrian and cycling network and help reduce conflict between traffic, cyclists, and pedestrians, encouraging feelings of safety. These factors are important in encouraging walking and cycling within a community. The design of these facilities takes into account the needs of people with physical and sensory disabilities to ensure equality of opportunity and access.

Report Author	Graham Hemmings grahamhemmings@warwickshire.gov.uk
Assistant Director	Scott Tompkins Assistant Director Environmental Services
Lead Director	Mark Ryder Strategic Director for Communities
Lead Member	Councillor Jan Matecki Portfolio Holder for Transport and Planning

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

List of background papers

Appendix A – consultation plan
Appendix B – representations received, and responses issued

Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder

Legal – Caroline Gutteridge

Finance – Andrew Felton

Equality – n/a

Democratic Services – Isabelle Moorhouse

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

Local Member: Councillor Tracey Drew – Kenilworth Park Hill

Portfolio Holder Decision

A444 Griff Way, Nuneaton - Proposed 40mph Speed Limit

Portfolio Holder	Portfolio Holder for Transport and Planning
Date of decision	14 July 2023
	Signed 

1. Decision taken

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Variation Order be made as advertised:

The Warwickshire County Council (Various Roads, Borough of Nuneaton and Bedworth) (Speed Limit) (Variation No. 1) Order 2023

2. Reasons for decisions

2.1 As part of highway works across Nuneaton associated with improving traffic flow, works are planned to amend the roundabout junction of the A444 Griff Way and College Street. As an integral component of these works, a reduced speed limit is proposed on the A444 Griff Way between the College Street and Eliot Way roundabouts, as well as a short section on each of the northbound approach to and southbound exit from the Eliot Way roundabout.

2.2 A copy of plan PTRO22-025-01 detailing proposals for a reduced 40mph speed limit can be found as Appendix B. Objections and comments were received to these proposals and can be found as Appendix C; the following tables detail the objections received, together with the officers' responses.

Emails/letters	
Objections received	9

Ref	Objections received	Total number of responses containing the comment

A	A444 Griff Way as a dual carriageway principal road should be the quickest route to avoid 'rat-running' on alternative routes – speed limit should not be 40mph without traffic calming on the Bermuda bridge route & a reduced 40mph on Coventry Road.	1
B	Accident statistics do not back up the need for speed reducing measures.	1
C	No safety benefits for cyclists or pedestrians.	2
D	Speed limits ineffective without enforcement measures.	1
E	Speed limit should be retained at 50mph or increased, not reduced.	5

Ref	Officer Comments in Response to Objections
A	<p>As a dual carriageway principal road designed for high traffic volumes, the A444 will remain the optimal route between Griff Island and the College Street roundabout.</p> <p>The alternative route across Bermuda bridge is single carriageway 30mph road with road narrowings as speed reducing features. The Coventry Road route is majority single carriageway, partly 50mph and partly 30mph, and also incorporates a 7.5T weight limit so is less desirable for all traffic and also unsuitable as an alternative through route for heavy goods vehicles.</p>
B & E	<p>There have been 8 recorded Personal Injury Collisions on this section of the A444 Griff Way in the past 5 years, including 2 recorded as serious. Reductions in average speeds associated with a speed limit change only tend to be small, but any management of speed can contribute to a reduction in risk and a reduction in severity of personal injuries.</p> <p>In addition, changes to the roundabout layout will result in changes to driver behaviour, so management of speed is an integral measure for avoiding the introduction of risk of collisions not associated with the current road layout.</p>
C	It is accepted that the A444 Griff Way is not a desirable route for pedestrians and cyclists. While reduced speeds are an integral measure for reducing hazard risks for all road users, this is a scheme predominately directed toward vehicular traffic.
D	There are no current plans for fixed speed enforcement measures. However, the A444 Griff Way would be subject to ad-hoc Police enforcement in the same way as any road on the Warwickshire network, with the potential presence of marked and unmarked vehicles acting as a deterrent against excessive speed.

The published reasons for intervention on the A444 Griff Way remain valid (see 3.1). It is recommended that the proposals in their current form be implemented as advertised.

3. Background information

- 3.1. Proposals are for a 40mph speed limit, for the following reasons:
 - (i) to avoid danger to persons or other traffic using the road and for preventing the likelihood of any such danger arising.
- 3.2. Proposals were advertised and consulted upon in accordance with statutory procedure on the 4th May 2023, with consultation open until the 30th May 2023.
- 3.3. The scheme design gave consideration to guidelines for setting speed limits as laid out in The Department for Transport's Circular 01/2013 'Setting Local Speed Limits'. The statutory criteria for decisions on making Speed Limit Orders are included as **Appendix A**.
- 3.4. Drawings showing published proposals for the 40mph speed limit are found in **Appendix B**.
- 3.5. Copies of objections and comments received can be found in **Appendix C**.
- 3.6. A copy of the published notice can be found as **Appendix D**.

4. Financial implications

- 4.1 Costs associated with the introduction of the 40mph speed limit (including legal costs, consultation) would be approximately £3k, funded from existing capital budgets associated with the approved project for works on the A444/College Street roundabout. Implementation costs are expected to be approximately £3k, funded from the same capital budget.

5. Environmental implications

- 5.1 It is not anticipated that the reduced speed limit would have an adverse effect on air quality or noise levels, with emissions and noise from the additional capacity through the College Street junction offset by reductions in queuing and stop/start traffic.

Report Author	Phil Mitton philmitton@warwickshire.gov.uk,
Assistant Director	Scott Tomkins, Assistant Director for Environment Services
Strategic Director	Mark Ryder, Strategic Director for Communities
Portfolio Holder	Jan Matecki, Portfolio Holder for Transport and Planning

Urgent matter?	No
Confidential or exempt?	No
Is the decision contrary to the	No

budget and policy framework?

List of background papers

Letters and email objections along with large scale plans that can be produced if required.
Appendix A – statutory criteria for decisions on making Traffic Regulation Orders
Appendix B – drawing showing published proposals for the 40mph speed limit
Appendix C – copies of objections and comments received
Appendix D – Public Notice

Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder

Legal – Serena Cammish, Caroline Gutteridge

Finance – Andrew Felton

Equality – Joanna Kemp

Procurement – John Hopper

Democratic Services – Isabelle Moorhouse


Councillors – Leaders of the Party Groups, Communities OSC Chair & Spokespersons

Local Member(s): Councillor Clare Golby

Portfolio Holder Decision

The Warwickshire County Council (Henley-In-Arden To Hockley Heath Road A3400) (30mph,40mph And 50mph Speed Limits) (Variation No. 1) Order 2023

The Warwickshire County Council (High Street (A3400),Birmingham Road (A3400) And Various Roads, Henley In Arden) (20 Mph Speed Limit) Order 2023

Portfolio Holder	Portfolio Holder for Transport and Planning
Date of decision	14 July 2023
	Signed 

1. Decision taken

That the Portfolio Holder for Transport and Planning approves that the below named proposed Speed Limit Order and Variation Order be made as advertised:

- The Warwickshire County Council (Henley in Arden to Hockley Heath Road A3400) (30mph,40mph and 50mph Speed Limits) (Variation No 1) Order 2023 &
- The Warwickshire County Council (High Street (A3400), Birmingham Road (A3400) and Various Roads, Henley in Arden) (20mphSpeed Limit) Order 2023

2. Reasons for decisions

- 2.1 A copy of plans PTRO22-031 & PTRO22-031-01 detailing proposals to introduce a 20mph Speed Limit throughout Henley in Arden, and a 140 metre extension to the existing 30mph speed limit (by order) can be found as Appendix A and A1. An objection was received to these proposals; the following table details the objection received, together with the officers' responses.

Emails/letters	
Objections received	1

Objection – Resident of Henley in Arden

I have read the proposal and disagree with the need for it.

The reason given:

In Henley town centre, an area of heavy pedestrian usage, a 20mph speed limit is proposed to avoid danger to persons or other traffic using the road and for preventing the likelihood of any such danger arising.

Having been a resident on the High Street for 20 years, I don't know of any accidents (due to speed) during that time. There are speeding vehicles, but the dangerous drivers are those doing in significantly excess of 30mph, which this will not influence unless there is some average speed camera initiative to follow. Dropping the speed limit only adversely affects careful drivers who stick to the speed limit of 30mph. Reducing the speed on the side roads like The Croft and Beaudesert is without benefit and shows the proposers this know little of the area, as they would know there is no chance of reaching anywhere near 30.

I'd suggest the danger is from the high percentage of drivers using their phones and individuals parking outside the shops, either on double yellows or zig zags near the lights and to target those individuals specifically.

I would therefore object to this proposal.

Engineers response

The accident history for Henley in Arden for the last 5 years for the period ending 20th January 2023, has been 13 injury accidents reported to the police over the length of the A3400 from its junction with the B4189 to the Railway Bridge North end of Henley in Arden. One Fatal Road Traffic accident, 5 Serious Injury accidents and 7 slight injury accidents. There have been seven pedestrian injury accidents of which one was a Fatal Pedestrian injury accident when a vehicle collided with an elderly pedestrian as they were attempting to cross the road. Two of the pedestrian injury accidents have involved child pedestrians crossing the main A3400. See Appendix C Accident Report.

Under the Statutory Criteria for Decision Making on Speed Limit Orders (Appendix B) Vehicle speeds have been carried out and assessed on two sections of the A3400 in Henley, the main area by the Church vehicle speeds are below the mean speed of 24mph required to introduce a 20mph Speed Limit. The North section of the A3400 going towards Rose Avenue vehicle speeds are only slightly higher than the 24mph required (25 mph).

The A3400 has been considered for the possibility of Average Speed Cameras but this would be some time in the future as we are currently due to trial several Average Speed Camera Routes in Warwickshire, the nearest being the A435 Alcester Road through Studley to Alcester.

When introducing a 20mph Speed Limit on the A3400 through Henley in Arden the Department of Transport Guidelines in setting up a 20mph speed limit requires the

Local Authority to make any road off the main road in this case the A3400, a 20mph Speed Limit including Cul -de-sacs.

In a separate undertaking we are renewing the Double Yellow Lines outside the Church and Shops so we can try and deter motorists from parking outside the front, rather than using the provided Car Parking around the back. The Parish Council are considering installing new signing to the Car Parks in that area.

The use of Mobile Phones whilst driving is a Police matter, and this should be raised with them.

The published reasons for the introduction of a 20mph Speed Limit in Henley in Arden remain valid. It is therefore recommended that the proposals in their current form be implemented as advertised.

3. Background information

- 3.1. Warwickshire County Council launched the Highways Community Action Fund in April 2022. The fund is there to assist parishes, town councils and community groups who wish to deliver small highway works which would otherwise not be a priority for the Council, but which local communities have a real desire for. **See Appendix D HCAF Application**
- 3.2. The Beaudesert & Henley in Arden Joint Parish Council made a funding Application in 2022, in which they described their bid as Traffic Calming in and around Henley in Arden and Wootton Wawen on the A3400 and A4189, to include 20mph on the historic Henley High Street.
- 3.3. There is strong support from the Community, local Police, Police Crime Commissioner, and the local MP Nadhim Zahawi.
- 3.4. The proposed measures include the introduction of a 20mph Speed Limit on the A3400 from its junction with the A4189 to a point just north of Millfield Court, with an extended 30mph Speed limit for 140 metres North of its original location.
- 3.5. These proposals were advertised and consulted upon in accordance with statutory procedure on the 13th April 2023, with consultation open until the 9th May 2023.
- 3.6. A copy of the objection received can be found in **Appendix E**.
- 3.7. A copy of the published notice can be found as **Appendix F**.

4. Financial implications

- 4.1 Funding for the 20mph Speed Limit for Henley in Arden will be met from the Highways Community Action Fund this includes the 30mph extension. Estimated Costs of works £22,688.00, 50% funding from the Parish/Town Council and Community Sponsors (£11,344.00).

5. Environmental implications

- 5.1 It is not anticipated that the 20mph Speed Limit would have an adverse effect on air quality or noise levels, it is hoped that this new speed limit will enhance the quality of life for residents and visitors and improve safety for all road users and residents, especially the elderly and young child pedestrians.

Report Author

Graham Stanley

	grahamstanley@warwickshire.gov.uk
Assistant Director	Scott Tomkins. Assistant Director for Communities
Strategic Director	Mark Ryder, Strategic Director for Communities
Portfolio Holder	Jan Matecki, Portfolio Holder for Transport and Planning

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

List of background papers

Email objection along with plans that can be produced if required.

Appendix A – Speed Limit Plans

Appendix B – Statutory Criteria for Decision Making on Speed Limit Orders

Appendix C – Road Traffic Accidents Summary Henley 01/05/2018-17/5/2023

Appendix D – Highways Community Fund Application Form Henley in Arden Joint Parish Council

Appendix E- Objections

Appendix – F Public Notice

Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder

Legal – Serena Cammish/Caroline Gutteridge

Finance – Andrew Felton

Equality – Joanna Kemp

Procurement – John Hooper

Democratic Services – Isabelle Moorhouse

Councillors – Leaders of the Party Groups, Communities OSC Chair & Spokespersons

Local Member(s): Councillor Ian Shenton

Portfolio Holder Decision

Addition of schemes at Bilton School and Stratford upon Avon School to the Education Capital Programme 2023/24

Portfolio Holder	Portfolio Holder for Finance and Property
Date of decision	14 July 2023
	Signed 

1. Decision taken

- 1.1 The Portfolio holder for Finance and Property approves the addition of the scheme for improvements at Stratford upon Avon School to the Capital Programme at an estimated cost of £0.308 million to be funded from section 106 receipts.
- 1.2 The Portfolio holder for Finance and Property approves the addition of the scheme for improvements at Bilton School to the Capital Programme at an estimated cost of £0.083 million to be funded from section 106 receipts.

2. Reasons for decisions

- 2.1. The Portfolio Holder has delegated authority to add schemes to the Capital Programme where the value is less than £2,000,000 and the scheme is fully funded from external grants, developer contributions or revenue. Funding from developer contributions can only be used for a limited range of purposes specified in the relevant agreement. The Section 106 monitoring officer has confirmed that the use of the funding for these purposes is in accordance with the terms of the relevant Section 106 obligations.
- 2.2. Rugby continues to experience a large amount of housing development, there is a fluctuating shortfall of circa two forms of entry (60 places) across the next seven years. It has been identified by WCC Education Sufficiency that additional places are needed for the 2023/24 academic year to ensure sufficient places are available in the local area.
- 2.3. Stratford-upon-Avon School is currently being expanded by two forms of entry (300 places) to meet the existing and future demand for school places in the Stratford area

3. Background information

Stratford upon Avon School

- 3.1. The all-weather pitch at Stratford upon Avon School is used by Stratford Hockey Club as their home base. The school are strongly committed to playing a part in developing sport locally, for the community and for their students. Maintenance of the pitch is essential to facilitate the planned extension of their outreach work into the community including young people at schools in the local area and to support the increasing number of pupils at the school.
- 3.2. The condition of the 15-year-old artificial grass surface at Stratford upon Avon School had deteriorated and, despite investing in repairs, it ultimately required replacement. Stratford upon Avon School undertook this work in 2018 as it was an urgent project, in advance of developer funding associated with a housing development approved in December 2015 becoming available at a later date.
- 3.3. The scope of the works included the removal of the existing surface, assessment to make good or replace the existing 15mm shockpad and level to required Sport England specification, the replacement of rebound boards and fencing where required, and the overlay of the shockpad with a new EDEL integration sand obscured Hockey surface. The total cost of the works was £0.228 million to which a contribution from Sport England Hockey of £0.050 million was made. The work was tendered for by an external consultant under a national agreement on behalf of England Hockey.
- 3.4. Therefore, the school are looking to secure £0.178 million of developer funding received by WCC from an agreement which makes specific reference to the resurfacing of an all-weather pitch at the school and the refurbishment and enhancement of gym facilities. The total amount available under this agreement is £0.308 million. It is proposed to use the remaining amount of £0.130 million as a contribution towards surface improvements to a smaller tarmac multi use games area sports hall and gym flooring, and on the development of a small climbing wall facility in the gym. This is planned for 2023/24 and will be subject to a compliant procurement exercise. Costs will be reimbursed to the school on production of invoices for the works.
- 3.5. Section 106 funds have to be used solely for their prescribed purpose. The Section 106 monitoring officer has confirmed that the use of the funding for the purposes set out in this report is in accordance with the terms of the relevant Section 106 obligation, namely – “For the purposes of providing additional places through modifications to existing facilities, specifically the resurfacing of the all-weather pitch at Stratford School and to refurbish and enhance the gym facilities at Stratford School - all secondary”.

Bilton School

- 3.6. Bilton School have agreed to offer places to an additional 30 year 7 pupils for

September 2023. In order to accommodate these pupils and make provision for further increases in pupil numbers the school proposes to reconfigure a number of rooms across the site to create new teaching spaces.

- 3.7. The estimate of £0.83 million for the building works has been compiled by a reputable local company which Stowe Valley MAT have used successfully on previous projects. If funding is granted, the MAT will conduct a compliant procurement to ensure value for money is achieved. The required capital works include building, decoration, flooring, furniture and asbestos removal.

4. Financial implications

4.1 Stratford upon Avon School – the £0.308 million requested will come from available section 106 funds for the purposes of preserving the facilities for future growth of the school.

4.2 Bilton School – the £0.083 million requested will come from available section 106 funds for the purposes of increasing pupil numbers.

5. Environmental implications

5.1 At Bilton School the project involved reconfiguring and improving existing space rather than increasing the footprint of the building which will mitigate some environmental impact. Any work undertaken will meet current Building Regulations which has substantially been amended in June 2022. The changes to regulations have significantly strengthened sustainable construction methods and whilst not solely changed for environmental purpose, they ensure that future construction recognises environmental challenges.

5.2 In addition, the creation of additional places in the local area aims to reduce travel distance and time for families and improving existing facilities preserves the facilities for future growth of usage and expansion of school numbers in a sustainable way.

5.3 With regard to the works at Stratford upon Avon School, these have already been undertaken and therefore the allocation of funds to these projects will not have any significant environmental impact.

Report Author	Emma Basden-Smith, Claire Thornicroft Education Capital and Sufficiency Lead Commissioner emmabasdensmith@warwickshire.gov.uk
Assistant Director	Johnny Kyriacou, Director for Education
Strategic Director	Nigel Minns, Executive Director for People
Portfolio Holder	Cllr Peter Butlin, Portfolio Holder for Finance and Property

Urgent matter?	No
Confidential or exempt?	No

Is the decision contrary to the budget and policy framework?

No

List of background papers

None

Members and officers consulted and informed

Portfolio Holder – Councillor Butlin

Corporate Board – Nigel Minns

Legal – Guy Darvill

Finance – Brian Smith

Equality – Joanna Kemp

Democratic Services – Isabelle Moorhouse

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

Local Member(s): Fradgley and Butlin

Deputy Leader Decision

St Johns Gyratory Improvements, Kenilworth

Portfolio Holder	Deputy Leader
Date of decision	14/07/2023
	Signed 

1. Decision taken

That the Deputy Leader of the Council gives approval to the addition of the following S106 developer-funded highway improvement schemes to the Capital Programme for 2023/24.

- a) A452 St Johns Gyratory, Kenilworth, junction signalisation and provision of cycling and walking connections

2. 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 Deputy Leader is that nominated body.

3. Background information

3.1 A452 St Johns Gyratory improvements in Kenilworth was identified through WDC Local Plan Strategic Transport Assessments as necessary infrastructure to accommodate the additional traffic and active travel demands associated with the delivery of Local Plan allocations in Kenilworth. The scheme is listed as essential infrastructure in the Warwick District Council Infrastructure Delivery Plan and is identified in Kenilworth Development Brief Supplementary Planning Document.

3.2 The A452 is part of WCC's strategic highway network and is recognised as such through inclusion in the Major Route Network. Improvements in this location are critical to the delivery of housing and employment growth, to facilitate access to the town centre and to ensure that queues do not propagate back to the A46 Strategic Road Network.

3.3 There is an immediate requirement to ensure that the scheme is compatible with the delivery of the K2L cycle scheme proposals which may pass through this junction. Given the advanced stage of K2L design and delivery, it necessary to consider the 2 schemes together to avoid any abortive works.

3.4 Due to the anticipated timescales for the delivery of the consented spine road through Kenilworth development sites, it is necessary to deliver the St Johns Gyratory scheme early within the Local Plan period in order to provide capacity and walking/cycling facilities to enable some developments to be delivered and occupied prior to the spine road completion. Delays to the process will have an impact upon the ability for these sites to be built out and occupied.

4. Financial implications

- 4.1 As the new highway assets which are being created through this scheme 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 The s106 scheme contributions are ring-fenced for the schemes described in Kenilworth IDP and which fall under the description "Off-site highways contribution for delivering strategic highway infrastructure measures, and improvements to walking and cycling". There are no alternative uses for the contributions.
- 4.3 In order to develop Engineering Feasibility designs using secured s106 funding, the scheme is required to be added to the Capital Programme. The scheme is currently approximated to cost less than £2m, however this will be confirmed based on the proposed Engineering Feasibility design process which will also help inform developer contributions in the future. It is proposed that the first instalment of funding from W/17/2150 – Land east side of Warwick Road, Kenilworth – value £114,647.8, is used to fund the Engineering Feasibility. If the costs estimate exceeds £2m following the Engineering Feasibility design process, Transport Planning Unit will seek Cabinet Approval to add the scheme to the Capital Programme.
- 4.4 To demonstrate this proposal is compatible with the mitigation and developers' contributions strategy for Kenilworth the secured and expected contributions are outlined below
- Kenilworth Contributions Strategy
- A total of £9.9m S106 contributions have been secured already towards highways infrastructure in Kenilworth from sites with planning consent.
 - £6.7m has been allocated for the A46/A452 Thickthorn scheme, forward funded via CIF and to be repaid via contributions.
 - Therefore, £3.2m of secured S106 funding can be allocated to schemes in Kenilworth, with significant further contributions expected.
 - There are at least a further 700 dwellings expected to come forward on allocated sites within the Plan Period to 2029, which will accrue at least £5.25m in s106 contributions towards transport infrastructure (based on the current secured contribution values).
- 4.5 On this basis it is determined that the sub £2m St Johns Gyratory scheme can be funded in full via the current secured contributions. Remaining contributions will be allocated to other IDP schemes, namely Dalehouse Lane/Knowle Hill improvements, Crewe Lane Improvements and other active travel schemes.
- 4.5 S106 contributions are index linked and should therefore increase in line with any inflationary cost increases incurred. If costs do increase beyond the £2m threshold, it is expected the increase in funding required can be financed through the additional developer contributions expected from the remaining housing allocations to come forward in Kenilworth area. Additionally, as the A452 forms part of the Major Route Network, this status provides opportunity to access additional funding. A Strategic Outline Business Case has been developed for an integrated package of multi-modal improvements on the section of the A452 between Kenilworth and Leamington Spa. St Johns gyratory as within the geographic coverage of the SOBC. As the scheme is aligned with the MRN priorities and is delivering multi-modal improvements and capacity enhancements to the SRN, there will be opportunity to include any additional requirements within the Outline Business Case, if additional funding is required.

5. Environmental implications

5.1 The environmental impacts of the S106 funded highway scheme will be considered fully through the design process but the scheme will facilitate active travel by improving connectivity through the addition of new crossing points and providing a link to proposed and aspirational cycle routes. The scheme would provide the connection between the proposed K2L cycle route and Kenilworth town centre as well as improving connectivity at Warwick Road and Birches Lane/Glasshouse Lane. The improved connectivity will address issues of severance and facilitate a shift to active modes of pedestrian and cycle travel which can contribute to lower motorised vehicle volumes and a reduction in vehicle emissions. Transport is the single largest cause of carbon emissions in the UK. The active travel schemes detailed in this report will provide infrastructure which will enable more walking and cycling journeys to be made, thereby contributing to reduced carbon emissions as well as lower levels of congestion and improved air quality

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Portfolio Holder	Portfolio Holder for Finance and Property

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

List of background papers

N/A

Members and officers consulted and informed

Deputy Leader – Peter Butlin

Portfolio Holder – Councillor Wallace Redford

Corporate Board – Mark Ryder

Legal – Caroline Gutteridge

Finance – Andrew Felton

Equality – n/a

Democratic Services – Isabelle Moorhouse

Councillors –

Local Member(s): Cllr Richard Spencer, Cllr Tracey Drew, Cllr John Cooke

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By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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