

Portfolio Holder Decisions/ Leader Decisions

Friday 8 December 2023

Minutes

Attendance

Committee Members

Councillor Isobel Seccombe OBE

Councillor Peter Butlin

Councillor Kam Kaur

Councillor Jan Matecki

1. Delegated Authority for Making Traffic Regulation Orders

Resolved to:

1. Amend the definition of “minor traffic order” in the Constitution, where it appears in Part 2(10), Appendix A, 10.4 Executive Director for Communities, in the table headed “Rights of Way, Traffic Regulation, Planning and Environment” at item 18 to read as below (amendments to existing shown highlighted):

Powers and Duties	Statutory Reference	Type of Function
<p>A “Minor Traffic Order” is one falling into the following categories</p> <ol style="list-style-type: none">i. No waiting at any time restrictions at junctions including waiting restrictions required for the safe and efficient operation of traffic signals.ii. Introduction or removal of waiting restrictions on one or both sides of a length of road extending no greater than 50 metres on a principal road or 100 metres on a non-principal road, when measured along the centre line of the road.iii. Introduction or removal of on-street parking places, on one or both sides of a length of road extending no	<p>Parts I and II Road Traffic Regulation Act 1984</p>	<p>Executive</p>

<p>greater than 50 metres on a principal road or 100 metres on a non-principal road, when measured along the centre line of the road.</p> <ul style="list-style-type: none"> iv. Amendments to hours of operation of existing on-street parking places. v. Extension of an existing speed limit on a length of road extending no greater than 50 metres on a principal road or 100 metres on a non-principal road, when measured along the centre line of the road. vi. Extension of an existing speed limit to encompass any new accesses to new development. vii. Waiting restrictions, moving traffic orders, speed limits as recommended by a Road Safety Audit. viii. Waiting restrictions, eligibility for residents parking permits , moving traffic orders, speed limits as an integral component of wider schemes. ix. Structural weight limits as required by load capacity assessments. x. Individual bays for Disabled Badge Holders Only within residential streets which already have on-street parking places. xi. Any other traffic order designated by the Director of Environment, Planning and Transport as such following consultation with the Executive Director for Communities, the relevant Portfolio Holder and the Chair of the relevant Overview & Scrutiny Committee. <p>The maximum lengths of roads which come within the definition of “Minor Traffic Order” apply to each separate proposal and not the total length of road covered by an order which may contain a number of proposals.</p> <p>The above definition of a “Minor Traffic Order” will apply to new orders and to amendments to existing orders.</p>		
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2. Amend the Constitution at Part 2(10), Appendix A, 10.4 Executive Director for Communities, in the table headed “Rights of Way Traffic Regulation, Planning and Environment”, at item 5 to the following:

“5.1 To make temporary traffic regulation orders and experimental traffic regulation orders;

5.2 To propose the making of Minor Traffic Orders (as defined in item 18 of this table below) and, subject to consideration of all objections duly made under the relevant Regulations and not withdrawn (if any), to make the Minor Traffic Orders;

5.3 To propose the making of orders (other than temporary orders and Minor Traffic Orders) relating to road traffic, parking places and speed limits and, in the event of no more than two objections being received (and not withdrawn) under the relevant Regulations, to make the orders.

3. Amend the Constitution at Part 2(4) [Delegated Authority for Portfolio Holders] for the Portfolio Holder for Transport and Planning, replace the following text:

“In cases where objections have been received (and not withdrawn) and in consultation with local member(s) the power to determine road traffic management and accident prevention schemes and road traffic regulations.”

With:

“The power to determine proposed road traffic orders (other than temporary orders), parking orders, speed limit orders, road traffic management and accident prevention schemes, in consultation with the local member(s), where:-

- (i) three or more objections have been received under the relevant Regulations (and not withdrawn) to proposed orders which are not “Minor Traffic Orders” as defined in Appendix A to Part 2(10) of this Constitution; or
- (ii) referred by the Executive Director for Communities in any other circumstances.”

4. These changes will:

- (a) broaden the definition of “Minor Traffic Order”;
- (b) delegate authority to consider and make decisions on objections to the Executive Director for Communities and appointed nominees for all Minor Traffic Orders and in respect of any other types of proposed traffic regulation, parking or speed limit orders attracting no more than two objections; and
- (c) remove the necessity for the Portfolio Holder to consider all objections received during statutory consultation in the circumstances outlined in (b), with the option available for any scheme to be referred to the Portfolio Holder if deemed necessary.

2. Capital Funding from External Sources towards Improving Bus Infrastructure

Resolved that the Deputy Leader (Finance and Property) gives approval to the addition of one Developer-funded Highway scheme to the capital programme in respect to bus stop enhancement works on Spinney Hill opposite Montague Road in Warwick, at an approximate cost of £32.5k, and

That the Deputy Leader (Finance and Property) gives approval for County Council officers to submit a Warwickshire bid to Round 2 of the Zero Emission Bus Regional Areas (ZEBRA) fund managed by the Department for Transport (DfT), which aims to secure an external funding contribution towards the cost of providing all-electric specification buses and supporting infrastructure on designated bus routes in Warwickshire in partnership with Stagecoach Midlands.

3. Consultation on the expansion of Lighthorne Heath Primary School

Resolved that the Portfolio Holder for Education agrees to the commencement of a consultation in line with the statutory process required for an expansion of Lighthorne Heath Primary School to 420 places and the establishment of specialist resourced provision (SRP) to cater for pupils with special education needs and disabilities (SEND)

4. The Warwickshire County Council (Warwick Road & Hill Wootton Road, Leek Wootton/Hill Wootton / Kenilworth)(30/40 & 50MPH Speed Limits) (Variation No 1) Order 2023

Resolved that the Portfolio Holder approves the implementation of speed cushions and 30mph speed limit extension as advertised in accordance with the Road Traffic Regulation Act 1984 and the Highways Act 1980 S90A.

Leader Decision Delegated Authority for Making Traffic Regulation Orders

Portfolio Holder	Leader of the Council
Date of decision	8 December 2023
	Signed 

1. Decision taken

1.1 Delegated Authority – Objection Handling and Making of Traffic Regulation Orders

- a. Amend the definition of “minor traffic order” in the Constitution where it appears in Part 2(10), Appendix A, 10.4 Executive Director for Communities, in the table headed “Rights of Way, Traffic Regulation, Planning and Environment” at item 18 to read as below - amendments to existing shown highlighted:

Powers and Duties	Statutory Reference	Type of Function
<p>A “Minor Traffic Order” is one falling into the following categories</p> <ul style="list-style-type: none"> i. No waiting at any time restrictions at junctions including waiting restrictions required for the safe and efficient operation of traffic signals. ii. Introduction or removal of waiting restrictions on one or both sides of a length of road extending no greater than 50 metres on a principal road or 100 metres on a non-principal road, when measured along the centre line of the road. iii. Introduction or removal of on-street parking places, on one or both sides of a length of road extending no greater than 50 metres on a principal road or 100 metres on a non-principal road, when measured along the centre line of the road. 	<p>Parts I and II Road Traffic Regulation Act 1984</p>	<p>Executive</p>

<ul style="list-style-type: none"> iv. Amendments to hours of operation of existing on-street parking places. v. Extension of an existing speed limit on a length of road extending no greater than 50 metres on a principal road or 100 metres on a non-principal road, when measured along the centre line of the road. vi. Extension of an existing speed limit to encompass any new accesses to new development. vii. Waiting restrictions, moving traffic orders, speed limits as recommended by a Road Safety Audit. viii. Waiting restrictions, eligibility for residents parking permits , moving traffic orders, speed limits as an integral component of wider schemes. ix. Structural weight limits as required by load capacity assessments. x. Individual bays for Disabled Badge Holders Only within residential streets which already have on-street parking places. xi. Any other traffic order designated by the Director of Environment, Planning and Transport as such following consultation with the Executive Director for Communities, the relevant Portfolio Holder and the Chair of the relevant Overview & Scrutiny Committee. <p>The maximum lengths of roads which come within the definition of “Minor Traffic Order” apply to each separate proposal and not the total length of road covered by an order which may contain a number of proposals.</p> <p>The above definition of a “Minor Traffic Order” will apply to new orders and to amendments to existing orders.</p>		
<p>b. Amend the Constitution at Part 2(10), Appendix A, 10.4 Executive Director for Communities, in the table headed “Rights of Way Traffic Regulation, Planning and Environment”, at item 5 to the following:</p> <p style="padding-left: 40px;">“5.1 To make temporary traffic regulation orders and experimental traffic regulation orders;</p> <p style="padding-left: 40px;">5.2 To propose the making of Minor Traffic Orders (as defined in item 18 of this table below) and, subject to consideration of all objections duly made under the relevant Regulations and not withdrawn (if any), to make the Minor Traffic Orders;</p>		

5.3 To propose the making of orders (other than temporary orders and Minor Traffic Orders) relating to road traffic, parking places and speed limits and, in the event of no more than two objections being received (and not withdrawn) under the relevant Regulations, to make the orders.

- c. Amend the Constitution at Part 2(4) [Delegated Authority for Portfolio Holders] for the Portfolio Holder for Transport and Planning, replace the following text:

“In cases where objections have been received (and not withdrawn) and in consultation with local member(s) the power to determine road traffic management and accident prevention schemes and road traffic regulations.”

With:

"The power to determine proposed road traffic orders (other than temporary orders), parking orders, speed limit orders, road traffic management and accident prevention schemes, in consultation with the local member(s), where:-

- (i) three or more objections have been received under the relevant Regulations (and not withdrawn) to proposed orders which are not “Minor Traffic Orders” as defined in Appendix A to Part 2(10) of this Constitution; or
- (ii) referred by the Executive Director for Communities in any other circumstances.”

1.2 The net result of this would be:

- (a) To broaden the definition of “Minor Traffic Order”;
- (b) To delegate authority to consider and make decisions on objections to the Executive Director for Communities and appointed nominees for all Minor Traffic Orders and in respect of any other types of proposed traffic regulation, parking or speed limit orders attracting no more than two objections; and
- (c) To remove the necessity for the Portfolio Holder to consider all objections received during statutory consultation in the circumstances outlined in (b), with the option available for any scheme to be referred to the Portfolio Holder if deemed necessary.

2. Reasons for decisions

- 2.1 The Road Traffic Regulation Act 1984 sets out in legislation the authority for Warwickshire County Council, as traffic authority, to propose and make orders, and the Regulations made thereunder set out the type and scope of consultation, and obliges Warwickshire County Council to give due consideration to any valid

objections received.

- 2.2 How objections are considered is not specified in legislation. Currently all proposed orders (other than temporary orders) which receive objections via the statutory consultation are considered by the Portfolio Holder for Transport & Planning through the ModernGov reporting process, which introduces a minimum of 6 weeks (typically 2-3 months) between the end of the consultation period and a decision to approve, modify, or reject the scheme.
- 2.3 For proposed orders meeting the defined criteria of 'Minor Traffic Orders' as defined in the Council's Constitution (see the table above) delegating the authority to make decisions on all objections received to the Executive Director for Communities and appointed nominees (specifically the Director for Environment, Planning and Transport) would allow decisions to be made on an on-demand basis, removing the need for time delays and officer time associated with the full reporting process, making the order making process more time and resource efficient, and reducing the risk of reputational harm associated with time delays in delivery of essential projects.
- 2.4 For proposed orders not meeting the defined criteria for 'Minor Traffic Orders', the substantial delays in process are still apparent in cases with low levels of public engagement. On multiple occasions schemes have been paused while a single objection is considered. Delegating the authority to make decisions on schemes which have attracted up to two objections would also gain the efficiency savings outlined in 2.3 above.
- 2.5 To replace the Portfolio Holder reporting process for schemes meeting the criteria outlined in 2.3 and 2.4 as above, the advertised documentation and the objections would be presented to the Executive Director for Communities or appointed nominees alongside a form detailing the Officers' response to the objections and recommendations for consideration.
- 2.6 This standardised form, including Director sign-off (where obtained), will be published online (alongside the making of the order in the case of scheme approval), and will be sent to the objector(s), continuing to give an open and transparent line of communication with objectors & documenting the objection handling process.
- 2.7 The current definitions of "Minor Traffic Order" do not fully reflect the scope of work processed by Warwickshire County Council. Expanding the current definitions to include the requirements of wider schemes with prior approval (e.g. specified by Road Safety Audit as an essential safety aspect of a project, specified by the planning process, or as a component to large-scale engineering works via Section 278 agreements) and other schemes such as individual disabled bays would also benefit from the reduced time and resource requirements from a more efficient objection handling process.
- 2.8 Proposed orders which do not fall within the definition of "Minor Traffic Order" attracting up to two objections, and proposed "Minor Traffic Orders" attracting any number of objections, will be considered in the first instance by the Executive

Director for Communities and appointed nominees, with the option for them to refer the decision to the Portfolio Holder through ModernGov where considered necessary or appropriate to do so at their discretion.

3. Background information

- 3.1 The typical timescale from the close of a formal consultation to a decision is approximately two months, incorporating the writing of the objection report and the review, approvals and publication process via ModernGov.
- 3.2 Another reason for expediting the objection handling process can be seen in the process for making changes to parking restrictions. Requests for changes to parking arrangements (under Civil Parking Enforcement), generally from individual members of the public, residents' groups, businesses and Councillors, run to the hundreds per year – processing these individually would result in excessive time and resources spent on administration, practical issues with enforcement of parking restrictions and defending challenges at Transport Penalty Tribunals, and excessive costs in terms of Legal Services time and newspaper advertising. For these reasons, variations to parking are collated and advertised in groups of typically 10 to 15 schemes (including disabled bays) arranged by District / Borough, with the majority of these falling into the defined category of 'Minor' TROs. Since any objection received is an objection to the Traffic Regulation Order as a whole, the Order for all 10-15 schemes cannot be made and implemented until objections have been considered, even if only one or two of the individual schemes have attracted opposition.
- 3.3 Having objections to 'Minor' TROs heard on an on-demand basis would therefore allow the schemes categorised as 'Minor' to be grouped together, meaning that time delays associated with objections would be minimised; schemes with no objection would not be held up by the administrative process of other schemes contained within the same Variation Order.

4. Financial implications

- 4.1 All Traffic Regulation Orders are individually funded as part of:
- (a) Developer funded (Section 106 or direct charge)
 - (b) Local Members' Delegated Budgets
 - (c) Civil Parking Enforcement revenue budgets
 - (d) Capital budgets for engineering schemes (Section 278 or direct charge)
 - (e) External funding from other sources (e.g. Parish Councils)
- 4.2 There are no implications for the sources of funding, but an improved and efficient objection handling process would result in reduced staff time & resources allocated to each project.

5. Environmental implications

5.1 There are no environmental implications associated with changes to the Delegated Authority for objection handling in the processing of Traffic Regulation Orders.

Report Author	Phil Mitton, Paul Taylor philmitton@warwickshire.gov.uk, paultaylor@warwickshire.gov.uk,
Director	Director for Environment, Planning and Transport
Executive Director	Executive Director for Communities
Portfolio Holder	Leader of the Council

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

List of background papers

Example Portfolio Holder reports, including timescales from the end of the consultation process to a finalised decision, are available upon request.

Members and officers consulted and informed

Portfolio Holder for Transport & Planning – Councillor Jan Matecki

Corporate Board – 22/11/2023

Procurement – John Hopper

Legal – Caroline Gutteridge, Serena Cammish

Finance – Andrew Felton

Equality – Delroy Madden

Democratic Services –

Councillors – Leaders of the Party Groups

Portfolio Holder Decision

Capital Funding from External Sources towards Improving Bus Infrastructure

Portfolio Holder	Deputy Leader (Finance and Property)
Date of decision	8 December 2023
	Signed 

1. Decision taken

- 1.1 That the Deputy Leader (Finance and Property) gives approval to the addition of one Developer-funded Highway scheme to the capital programme in respect to bus stop enhancement works on Spinney Hill opposite Montague Road in Warwick, at an approximate cost of £32.5k.
- 1.2 That the Deputy Leader (Finance and Property) gives approval for County Council officers to submit a Warwickshire bid to Round 2 of the Zero Emission Bus Regional Areas (ZEBRA) fund managed by the Department for Transport (DfT), which aims to secure an external funding contribution towards the cost of providing all-electric specification buses and supporting infrastructure on designated bus routes in Warwickshire in partnership with Stagecoach Midlands.

2. Reasons for decisions

Addition of One Developer-Funded Scheme to the Capital Programme:

- 2.1 Pursuant to the constitution the Portfolio Holder for Finance and Property has delegated power to approve the addition to the Capital Programme of schemes costing less than £2.0million – which are funded from external grants, developer contributions or from revenue.
- 2.2 The scheme referred to in this report is within the delegation to the Portfolio Holder for Finance and Property. The scheme is fully funded by way of a Section 106 developer contribution discharged to the County Council and is not dependent on any funding from County Council resources.

Warwickshire Bid to Round 2 of the ZEBRA Fund:

- 2.3 External funding towards improving bus infrastructure can be obtained from

several sources including Government Departments and public sector bodies through a bid competition process. Approval is required from a relevant Portfolio Holder for County Council officers to submit a bid application for external funding.

3. Background information

Addition of One Developer-Funded Scheme to the Capital Programme:

- 3.1 A planning application was submitted to Warwick District Council relating to Warwickshire County Council's County Store Depot and Former Ridgeway School on Montague Road in Warwick. Planning permission was granted on 17 March 2021 (Planning Ref No. W/20/0760) and this required the Developer to implement bus stop enhancement works to include minor pavement alteration works and the installation and maintenance of a bus shelter. The bus stop to be subject to the enhancement is sited on Spinney Hill opposite Montague Road, which is the nearest to the site.
- 3.2 County Council officers will liaise with the relevant County Councillor prior to commencing the design stage for the Section 106 developer-funded bus stop enhancement works, including receiving a steer on any necessary engagement to be undertaken, e.g., informing residents in properties adjacent to the bus stop in advance of construction.

Warwickshire Bid to Round 2 of the ZEBRA Fund:

- 3.3 In March 2021, the Government published 'Bus Back Better' its national bus strategy for England (except London), which set out a transformational vision for the future of buses across the country, including transition towards a fully zero emission bus fleet and reaffirming the Government's commitment to support 4,000 zero emission buses. Since then, an estimated 4,200 zero emission buses have been funded across the UK including approximately 1,300 from the Round 1 ZEBRA scheme launched in 2021.
- 3.4 The Warwickshire Bus Service Improvement Plan aims to meet the bus patronage growth and increased bus modal share aspirations set in the National Bus Strategy, including transforming the bus fleet in Warwickshire. The DfT launched Round 2 of the ZEBRA fund in September 2023, which will provide £129million to support the introduction of zero emission buses in 2023-24 and 2024-25. This is a single-stage funding competition to award monies over both financial years. The DfT are seeking to help Local Transport Authorities (LTAs) and bus operators that have little to no experience with zero emission buses benefit from the funding, and therefore, LTAs that did not receive Round 1 ZEBRA funding will be prioritised.
- 3.5 In line with the principles set out in the National Bus Strategy, to be eligible for funding from Round 2 ZEBRA funding, LTAs must have made an Enhanced Partnership (EP) with bus operators. Accordingly, County Council officers engaged with the Warwickshire EP for expressions of the interest regarding working with the County Council in developing a Round 2 ZEBRA bid application. Subsequently, Stagecoach Midlands were the only bus operator to pursue the matter and following discussions with County Council officers, it was provisionally

agreed that the proposed Warwickshire bid application focus on seeking a funding contribution towards securing provision of all-electric specification buses on the bus services outlined in Table 1 of this report below:

Table 1: Provisional List of Bus Services to Feature in the Proposed Round 2 – ZEBRA Bid (Warwickshire)		
Service	Route Description	Basis of Operation
Warwickshire County Council Element:		
Stratford Park and Ride	Bishopton Park and Ride - Stratford-upon-Avon Railway Station - Stratford-upon-Avon Town Centre	Subsidised under Contract to the County Council
Forthcoming Leamington and Warwick Park and Ride	The Former Asps Site – Warwick Town Centre The Former Asps Site – Leamington Town Centre - The Former Asps Site - Lighthorne Heath - Wellesbourne - Stratford-upon-Avon	To be Subsidised under Contract to the County Council from 2025-26
Stagecoach Midlands Element:		
4	Brownsover - Elliotts Field Retail Park - Rugby Rail Station - Rugby Town Centre - Bilton - Admirals Estate - Cawston Grange	Commercial (Mon – Sat)
5/5A	Nuneaton Town Centre - Chapel End - Camp Hill - Nuneaton Town Centre	
9	Nuneaton Town Centre – Stockingford – Nuneaton Town Centre	Sunday and Bank Holiday Service Subsidised under Contract to the County Council
10	Nuneaton Town Centre – Stockingford – Grove Farm	
48A	Nuneaton - Hartshill - Mancetter - Atherstone (extending to Grendon - Dordon - Polesworth - Tamworth on Sundays and Bank Holidays only)	

- 3.5 County Council officers put forward the Park and Ride schemes for inclusion in the proposed Round 2 ZEBRA fund bid as they deliver a prominent level of modal shift from private car onto public transport, which contributes towards reducing congestion and pollution in town centres.
- 3.6 Stagecoach Midlands are minded that proposed all-electric bus provision and supporting infrastructure on their designated commercial services would build on the Coventry All-Electric Bus City Scheme, e.g., ensure that part of the North Warwickshire Borough area is served by all-electric buses via Service 48A, in acknowledgement that the original Service 48 route (Coventry – Bedworth - Nuneaton – Hartshill – Mancetter - Atherstone) now terminates in Nuneaton. Consequently, passengers travelling from North Warwickshire now need to change buses in Nuneaton for onward journeys to Coventry and vice-versa.
- 3.7 A key requirement stipulated by the DfT is that bids for a financial contribution towards the provision of all-electric buses demonstrate value for money (VfM), as measured through use of the DfT's Greener Bus Tool, which is a Microsoft Excel spreadsheet-based appraisal toolkit to inform the value for money assessment of

zero emission bus. All-electric bus provision proposals assessed to be poor VfM will not receive funding.

- 3.8 Round 2 ZEBRA funding bids must demonstrate capital match funding for both the electric buses and the charging infrastructure. The deadline for the submission of bid applications to the DfT is 1600 on Friday 15 December 2023.
- 3.9 The Cabinet Portfolio Holder for Transport and Planning is supportive of the proposed ZEBRA bid application.

4. Financial implications

Addition of One Developer-Funded Scheme to the Capital Programme:

- 4.1 Implementation of the bus stop enhancement works will be fully funded by the Section 106 developer contribution discharged to the County Council, which has been received. The addition of the scheme to the Capital Programme will not affect the overall capital resources available to the County Council.

Warwickshire Bid to Round 2 of the ZEBRA Fund:

- 4.2 ZEBRA is based on capital funding only and bids must contain an element of match funding outlined in Table 2 of this report below:

Component	DfT Contribution	Match Funding
Vehicles	Up to 75% of the Cost Difference between a Zero-Emission (All-Electric) Bus and a Standard Conventional Diesel-Engine Equivalent of the same Total Passenger Capacity	Projected to be a Minimum 80% of the Total Procurement Cost for the Fleet of Zero-Emission (All-Electric) Buses Subject of the Bid: 100% of replacement diesel vehicle + 25% of the difference for the same Zero Emission Bus Equivalent
Supporting Infrastructure	75% of the Capital Expenditure Incurred through Purchase and Installation, e.g., Charging Units, Electricity Grid Connection and Civil Engineering Works	25% of the total Supporting Infrastructure Costs Classified as Capital
Contingency Costs	50% of Total Contingency Costs (Capital) for Vehicles and Supporting Infrastructure	50% of Total Contingency Costs (Capital) for Vehicles and Supporting Infrastructure

Revenue Costs	N/A	100% of any Costs associated with the Procurement of Vehicles and Supporting Infrastructure, which are Classified as Revenue, e.g., Bus Subsidy and Site Management Costs (Park and Ride) and Marketing.
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Financial Matters relating to the Warwickshire County Council Element of the Proposed Round 2 ZEBRA Fund Bid:

- 4.3 In acknowledgement of the current budget pressures faced by the County Council, officers have made it clear to potential bid partners that the County Council will not be able to provide a capital and revenue match funding contribution over and above existing budgets, i.e., secured Section 106 developer-funding towards provision of a bus service serving the forthcoming Leamington and Warwick Park and Ride site and the existing Bus Services Revenue Support budget. County Council officers accept that this may not be viewed favourably by potential bid partners.
- 4.4 It is understood that construction of the Warwick and Leamington Park and Ride site by a Developer will not be completed until 2025-26. Our potential bid submission to the Round 2 ZEBRA fund would inform the DfT of this timescale and request approval for spend of monies for the Park and Ride service to be delayed until 2025-26 accompanied by written evidence that bus operators intend to submit tenders to run the service.
- 4.5 County Council officers are in discussions with counterparts at Warwick District Council who have provided a strong indication that their organisation would be interested in supporting the County Council in submitting a Round 2 ZEBRA fund bid with focus on the Warwick and Leamington Park and Ride component, including providing a match funding contribution through available Section 106 developer-funding for measures aimed at improving air quality.
- 4.6 In consideration of traffic congestion on A3400 Birmingham Road and on roads entering Stratford-on-Avon from the south in addition to the former developer-funded Park and Ride operation to the south of the town ceasing operation, the Leader of Stratford-on-Avon District Council has contacted WCC officers to request for the fleet of diesel-engine buses operating the Stratford Park Ride be upgraded to all-electric, including extending the route to provide crosstown journeys, and thus, also carrying people into the town centre from the south of the town.
- 4.7 County Council officers will approach Stratford-on-Avon District Council officers for a discussion on whether their organisation would consider providing a match funding contribution in respect to all-electric bus provision on the Stratford Park and Ride, including extending the route to the southern part of the town.
- 4.8 It is proposed that the potential ZEBRA investment towards the two Park and Ride schemes operated under contract to the County Council form the basis of

Warwickshire Park and Ride Quality Bus Initiative (QBI) Scheme, i.e., improving the quality of vehicles operating a tendered bus service with the aim of generating a sufficient level of additional patronage and revenue for it to become viable for the services to be operated on a commercial basis in future years, and thus, reduce a financial pressure borne on the County Council.

Financial Matters relating to the Stagecoach Midlands Element of the Proposed Round 2 ZEBRA Fund Bid:

- 4.9 In most cases, the DfT expect bus operators to cover the full remaining cost of the project not covered by the ZEBRA 2 funding, if they will own the assets, considering the lower running costs that can be associated with zero emission buses compared to diesel engine buses.
- 4.10 For the proposed Warwickshire project, a substantial proportion of the match funding contribution would need to be provided by the bus operator to cover the cost of enhancing a further proportion of their fleet to all-electric, over and above the number being provided for use on their cross-boundary commercial services through the Coventry All Electric Bus City Scheme in 2024-25. The potential match funding contributions from Local Authorities will only be directed at the two subsidised Park and Ride services operated under contract to the County Council.
- 4.11 Stagecoach Midlands held discussions with Stagecoach Group regarding the extent of a potential Warwickshire bid to the Round 2 ZEBRA fund including procurement options such as outright vehicle purchase or a leasing arrangement. From a corporate perspective, a potential Warwickshire bid will be considered in the context of competing ZEBRA-based requests from other Stagecoach bus subsidiaries across England.
- 4.12 Stagecoach Midlands have confirmed that they have been given approval to proceed with the bid.

5. Environmental implications

Addition of One Developer-Funded Scheme to the Capital Programme:

- 5.1 The National Planning Policy Framework promotes connectivity and integration between new development and sustainable transport. The Section 106 developer contribution will fund improvements to the waiting environment at a key bus stop in Warwick. This will enhance the attractiveness of travelling by public transport for residents and contribute towards reducing the number of car trips on the local highway network, which will help improve the environment in accordance with the aspirations set out in the Warwickshire Bus Service Improvement Plan.

Warwickshire Bid to Round 2 of the ZEBRA Fund:

- 5.2 Buses have a fundamental role to play in helping the UK meeting its decarbonisation goals. In alignment with the Government consulting with the bus industry on setting an end date for the sale of non-zero emission buses, launch of

the Round 2 ZEBRA fund will ensure that LTAs and bus operators take the first step towards decarbonising buses which would support the Government's long-term goal to decarbonise the entire bus fleet.

- 5.3 The potential provision of further all-electric buses in Warwickshire would add value to the work of the County Council in terms of helping to achieve elements of the seven areas of focus in the Warwickshire County Council Council Plan 2022-27, e.g., deliver improved transport options, tackle climate change and deliver on our commitment to Net Zero upon Full Council declaring a climate change emergency in July 2021, which would have a positive impact on the lives of residents and people visiting Warwickshire.
- 5.4 Investing in bus infrastructure such as cleaner zero emission buses generate wider societal benefits such as improving the environment (by reducing pollution and carbon emissions) and promoting a sustainable alternative to car dependence, hence, contribute towards reducing congestion on the local highway network in line with the aspirations in the County Council's Sustainable Futures Strategy.

Report Author	Nigel Whyte nigelwhyte@warwickshire.gov.uk
Director	David Ayton-Hill Director of Economy & Place
Executive Director	Mark Ryder Executive Director for Communities
Portfolio Holder	Cllr Jan Matecki Portfolio Holder for Transport and Planning

Urgent matter?	Yes or No
Confidential or exempt?	Yes or No
Is the decision contrary to the budget and policy framework?	Yes or No
List of background papers	
NONE	
Members and officers consulted and informed	
Portfolio Holder – Councillor Peter Butlin Councillor Jan Matecki Councillor Heather Timms	
Corporate Board – Mark Ryder and Rob Powell	
Legal – Sarah Duxbury and Nichola Vine	
Finance – Andrew Felton, Virginia Rennie and Caroline Jones	
Equality – Delroy Madden	

Democratic Services – Paul Williams and Deborah Moseley

Councillors –

Local Member(s):

Addition of One Developer-Funded Scheme to the Capital Programme:

Cllr Jackie D’Arcy (Warwick North)

Warwickshire Bid to Round 2 of the ZEBRA Fund:

Cllr Peter Butlin (Admirals & Cawston)

Cllr Mejar Singh (Atherstone)

Cllr Andrew Wright (Baddesley & Dordon)

Cllr Sarah Feeney (Benn)

Cllr Kam Kaur (Bilton & Hillside)

Cllr Jill Simpson-Vince (Brownsover & Coton Park)

Cllr Jan Matecki (Budbrooke & Bishop’s Tachbrook)

Cllr Brett Beetham (Camp Hill)

Cllr Christopher Kettle (Feldon)

Cllr Mandy Tromans (Galley Common)

Cllr Margaret Bell (Hartshill & Mancetter)

Cllr Chris Mills (Kineton & Red Horse)

Cllr Jonathan Chilvers (Leamington Brunswick)

Cllr Sarah Millar (Leamington Clarendon)

Cllr Bill Gifford (Leamington Milverton)

Cllr Barbara Brown (New Bilton & Overslade)

Cllr Caroline Phillips (Nuneaton Abbey)

Cllr Marian Humphreys (Polesworth)

Cllr Jack Kennaugh (Stockingford)

Cllr Tim Sinclair (Stratford North)

Cllr Kate Rolfe (Stratford South)

Cllr Jenny Fradgley (Stratford West)

Cllr Parminder Singh-Birdi (Warwick South)

Cllr John Holland (Warwick West)

Cllr Penny-Anne O’Donnell (Wellesbourne)

Portfolio Holder Decision Consultation on the expansion of Lighthorne Heath Primary School

Portfolio Holder	Portfolio Holder for Education
Date of decision	8 December 2023
	<p>Signed</p> 

1. Decision taken

- 1.1 That the Portfolio Holder for Education agrees to the commencement of a consultation in line with the statutory process required for an expansion of Lighthorne Heath Primary School to 420 places and the establishment of specialist resourced provision (SRP) to cater for pupils with special education needs and disabilities (SEND)

2. Reasons for decisions

- 2.1 3000 homes have been approved in Lighthorne Heath on the Upper Lighthorne development with construction and occupation of the houses underway.
- 2.2 It is anticipated the development will generate circa 3 forms of entry over the medium to long term build out of the development.
- 2.3 In year numbers and reception numbers have increased at Lighthorne Heath Primary School over the last two years with reception numbers anticipated to increase beyond the current PAN of 13 for September 2024 onwards.
- 2.4 Lighthorne Heath Primary School currently has a PAN of 13 which equates to 91 places across the school. It is proposed to increase permanently the capacity of the school to 420 pupils. The PAN of the school will increase to 30 from September 2025. A further increase in PAN will be reviewed in line with demand for places from the housing development.
- 2.5 The Local Authority are also proposing to establish a specialist resourced provision for up to 14 primary aged pupils. The introduction of this specialist resourced provision aims to increase the offer of local specialist provision in the area to

reduce travel times and out of area placements.

- 2.6 In line with the statutory guidance issued by the Department for Education, 'Making Prescribed Alterations to Maintained Schools', any proposals to establish, remove or alter SEND provision (including specialist resourced provision) and any proposed enlargement of the capacity of the school premises requires the local authority to undertake a statutory process including a consultation period of at least four weeks. In order to commence a consultation the approval of the Portfolio Holder is required in line with the Council's constitution.

3. Background information

- 3.1 The Upper Lighthorne housing development has a 2.8 hectare site safeguarded for primary education.
- 3.2 Lighthorne Heath Primary School's existing site is located circa half a mile from the Upper Lighthorne new school site. The existing school site is not big enough to accommodate demand from the new housing development. To ensure sustainability of existing provision, it is proposed to relocate and expand the existing Lighthorne Heath Primary School (rather than open a new primary school). This proposal was given Cabinet endorsement in July 2018 with funding for design and development of the new school approved in December 2020.
- 3.3 It is proposed to build the school as two form entry (420 places) ensuring scope remains to expand the school to three forms of entry when required.
- 3.4 Lighthorne Heath Primary School currently has a nursery and the new school building would include accommodation for additional early years places.
- 3.5 It is proposed that the PAN for the school will be initially set at 30 for September 2025 and subsequently increased in line with demand from the development. The PAN for the school will be set through the Local Authority's consultation process for the determination of Admission Arrangements for Maintained Schools.
- 3.6 Admissions to the specialist resourced provision would follow a different process from that operating for the rest of the school. Admissions into the specialist resourced provision will be through the WCC process for specialist admissions.
- 3.7 If the proposal and funding is agreed by Cabinet and Council, it is proposed to complete the new school building for Autumn 2025.
- 3.8 In line with the timing of provision it is anticipated that, if approved, the consultation would need to take place over a four week period between February and March 2024. Parents at the school will be consulted using the school's established form of communication, other schools and stakeholders will be notified of the proposal and further information will be placed on the WCC consultation platform 'Ask Warwickshire'.
- 3.9 An Equality Impact Assessment will be undertaken in respect of final proposals

following the consultation. The final recommendations will be taken through the appropriate Council governance and approval processes.

4. Financial implications

- 4.1 There are no financial implications arising directly from a decision to undertake this consultation.
- 4.2 However, if after the consultation there is a decision to go ahead with the expansion and specialist resourced provision there will be capital costs to the Local Authority to provide the new school building.
- 4.3 The capital project would be funded via relevant developer contributions received and Education Capital Funding as required.
- 4.4 Pupil places in the specialist resourced provisions are funded at a higher rate so that additional learning needs can be met. The level of funding will be broadly in line with how pupils are funded in the County's special schools. A service level agreement between WCC and the school will confirm the exact arrangements and expectations.

5. Environmental implications

- 5.1 The proposed new primary school will be designed with a strong commitment to sustainability to ensure high standards of environmental performance and occupant comfort. The project will be promoting a holistic approach that reduces carbon emissions, optimizes energy efficiency, and enhances the overall well-being of students and staff.
- 5.2 There is also the positive impact of the expansion of mainstream places and the increasing development of specialist resourced provision aiming to provide more 'local' education provision, reduce journey times for the learner, and limit the need to access places in neighbouring areas which increases the requirement for transport.

Report Author	Emma Basden-Smith emmabasdensmith@warwickshire.gov.uk,
Director	Jonny Kyriacou, Director of Education
Executive Director	Nigel Minns. Executive Director for People
Portfolio Holder	Cllr Kam Kaur, Portfolio Holder for Education

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 Kam Kaur

Corporate Board – Nigel Minns

Legal – Guy Darvill

Finance – Brian Smith

Equality – Delroy Madden

Democratic Services – Deborah Moseley

Councillors – Councillors Marian Humphreys, Jerry Roodhouse and Barbara Brown

Local Member(s): Cllr Christopher Kettle, Cllr Chris Mills

Portfolio Holder Decision

Objection to Warwick Road Traffic Calming and 30mph Speed Limit Extension 2023.

Portfolio Holder	Portfolio Holder for Transport and Planning
Date of decision	8 December 2023
	<p>Signed</p> 

1. Decision taken

- 1.1 The Portfolio Holder approves the implementation of speed cushions and 30mph speed limit extension as advertised in accordance with the Road Traffic Regulation Act 1984 and the Highways Act 1980 S90A.

2. Reasons for decisions

- 2.1 Where objections have been received to advertised traffic orders it is necessary for the Portfolio Holder to decide on the orders. A public notice was published on the 31 August 2023 in the Leamington Observer and notices were erected on street. Warwick Road Kenilworth. Details were sent to Statutory Consultees (including the Chief Officer of Police) and to directly affected residents on Warwick Road Kenilworth. The consultation plans can be seen in Appendix A & B.
- 2.2 During the period of consultation, which was the 31 of August 2023 to the 22 September 2023, we received 200+ representations of Support to the proposals, including Warwickshire Police (See appendix C).
- 2.3 Local County Councillor Rik Spencer has confirmed he is in full support of the proposals.
- 2.4 During the period of consultation seven representations confirming objection to the proposals were received from members of the public.
- 2.5 The following summarises stated reasons for objection and provides an officer's response to each of the points raised (See Appendix D):

Objections Received

1. Number of 8 road humps is excessive, in my view 4 would serve the purpose.

2. On the grounds that the cost of installing and ongoing maintenance costs of the speed cushions
3. A speed calming measure such as a dynamic sign would be better.
4. Vehicle activated sign at the junction with Rouncil Lane should be removed as it's pointless and faces the wrong direction. With the reduced speeds it is just an ongoing maintenance burden for Warwickshire County Council.
5. Consider Roundabout at Rouncil Lane/Warwick Road or Traffic Lights, traffic island at Wilkshire Road access to proposed Rugby Club.
6. Extension of 30mph Speed Limit should include proposed entrance to Rugby Club
7. Speed Humps are a blight on our road and the environment as they create noise, pollution, accelerating and slowing down between humps.
8. Speed Limit Change can be enforced more effectively than using speed humps through signage such as dynamic signs that show a vehicles speed. Speed humps are a blight on our road and the environment.
9. Proposal on Warwick Road should be considered in conjunction with the potential upgrading/improvements at St Johns Gyratory.
10. Install Speed Camera
11. Warwickshire County Council doesn't have a good reputation of installing road humps considering the costs incurred following several attempts at getting it right on Leyes Lane.

Officers Response to Objections

1. The spacing between the Speed Cushions (Road Humps) are set out in guidance from the Department of Transport, normally the distance between Speed cushions is 60 – 80 metres subject to road junctions and driveways, on Warwick Road the distances are 65 metres between each one.
2. The proposed measures on Warwick Road are being funded by the Developers Bovis Homes and Kenilworth Town Council. There is no cost to Warwickshire County Council for this scheme. The future maintenance of the measures introduced have been considered in the overall design of the measures put forward. New Street Lighting will benefit all road users and pedestrians using this route. The only cost we have is the Energy cost, the Columns etc are manufactured for a life of 15-20 years, the small cost we may have would be the replacement of a speed cushion should it be damaged, which would be less that a £1000.
3. In the design of the traffic calming measures for Warwick Road, it was decided that speed cushions would be the most cost-effective solution to reduce vehicle speeds along Warwick Road. If negotiated correctly the car will straddle the cushion, while at the same time reducing vehicle speeds along the road. Installing Chicanes would increase vehicle speeds as vehicles would slow down for the Chicane and accelerate on the exit. It would also be very difficult to install Chicanes due to existing driveways and junctions.
4. There are no plans to remove the existing Vehicle Activated sign at Rouncil Lane.
5. Providing traffic lights at the junction of Rouncil Lane/Warwick Road was not part of the section 278 agreement and would cost significantly more than what is currently being proposed. The Rugby Club will likely be opening in 2026 and the former Sixth Form site with a proposed 120 Dwellings has only just been vacated, so this will take

several years before any significant changes occur in this area.

6. In regard to the extension of the speed limit to include the new Kenilworth Rugby Club development. This is not likely to happen until 2026 and there will be a decision at that time if it is felt that the speed limit should be further extended.
7. The introduction of Speed cushions is deemed to be the most appropriate measures for Warwick Road. The even spacing of the cushions will enable drivers to maintain a consistent speed along Warwick Road, instead of slowing down, or accelerating between them. This is the whole purpose of making the environment a lot safer for pedestrians by encouraging the use of sustainable forms of transport walking/cycling along this section of Warwick Road.
8. The use of vehicle activated signs which display a vehicles speed is not something that our Traffic & Road Safety section allow for use on Warwickshire Roads.
9. Within the planning stages for this development and the proposed measures put forward consideration has been given to the potential upgrading/improvements at St Johns Gyratory. These measures should not affect any future proposals at the gyratory junction.
10. The provisions of Speed Cameras on Warwickshire Roads are carried out through the Camera Partnership between Warwickshire Police and WCC. There are set criteria for the installation of speed cameras and this section of Warwick Road would not meet those criteria.
11. When the initial road humps were installed on Leyes Lane the Contractor did make a mistake by installing the road humps too low, so there was minimum vertical deflection. This was quickly rectified by the Site Engineer, who notified the Contractor, remedial works were paid for by the Contractor, there was no extra cost to Warwickshire County Council. The scheme in Leyes Lane has clearly achieved what it was designed to achieve, as there has only been 2 slight injury accidents over the whole length of the road in the last three years.

3. Background Information

Warwick Road / Wilkshire Road Entry To Kenilworth Enhancement Project

- 3.1 A planning application was submitted to Warwick District Council for a Housing development on land 'East of Warwick Road' which is included in the Kenilworth Town Neighbourhood Plan (KNP) (Appendix 1 Relevant KNP Policies). Warwickshire County Council highways retained the speed limit entering Kenilworth on the Warwick Road from Leek Wootton at 50mph while maintaining the current change to 30MPH circa 500 yards past the entrance to the housing development known as the 'Pavilions' with the access road named 'Wilkshire Road'.
- 3.2 The rationale for maintaining the 50MPH speed limit is that this is a semi-rural area on the outer edge of the town itself. If the 30MPH were to be relocated to encompass the entrance to Wilkshire Road, it is doubtful that under the legally required consultation process, it would gain the support of all representatives of the emergency services, as it is believed that a reduced speed limit would be unenforceable if undertaken unilaterally. All the data indicates that this section of the Warwick Road is safe, and it should be noted that it is not uncommon to have residential roads join a main road which have a higher speed limit, as in this case 50MPH.

- 3.3 However, it should be considered that with the ongoing construction of the HS2 Rail Link as well as Warwickshire County Council's planned improvement to the Thickthorn / A46 Roundabout, that this Warwick Road entry and exit route to Kenilworth will be the only non-obstructed main road access to the town and hence traffic will increase for the duration of the Thickthorn Roundabout improvements.
- 3.4 Furthermore, with housing developments planned for both the current Kenilworth School Sixth Form Centre, Rouncil Lane, the spare land at Warwickshire Police Head Quarters Leek Wootton, as well as the relocation of Kenilworth Rugby Club, this section of Warwick Road will inevitably see an increase in use.
- 3.5 Residents who live on the Warwick Road, between St Johns Gyratory and the Cricket Club entrance, have long suffered vehicles traveling above the 30MPH speed limit on this section of road. Kenilworth Community Speed Watch group regularly monitor this area which results in speeding motorists being written to by Warwickshire Police.
- 3.6 Residents on the New Development at the Pavilions feel cut off from the town as there is a lack of street lighting on Warwick Road, the cycle paths designed and built into the development don't connect to any other cycle paths outside of said development and hence do not encourage residents to cycle into Kenilworth Town Centre. Clearly, the speed of motorists entering and leaving Kenilworth on the Warwick Road creates a negative connotation of danger which is not conducive to healthy living or wellbeing. Furthermore, it should be noted that a petition was submitted in December 2021 to WCC; a paper submission which contained 110 signatures with a further 162 signatures submitted online.

4. Financial Implications

- 4.1 The scheme will be fully funded by Kenilworth Town Council through the CIL (Community infrastructure Levy), and the proposed new streetlighting on Warwick Road is being funded by the Housing Developer Bovis Homes under a section 106 agreement.

5. Environmental Implications

- 5.1 It is anticipated that the reduction to a 30mph speed limit with associated streetlighting and speed cushions would not have a detrimental effect on air quality with no predicted increases in traffic volumes or noise levels as a result of this scheme.

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Assistant Director	Scott Tompkins scotttompkins@warwickshire.gov.uk
Lead Director	Strategic Director for Communities markryder@warwickshire.gov.uk
Lead Member	Portfolio Holder for Transport & Planning Cllr Jan Matecki cllrmatecki@warwickshire.gov.uk

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

List of background papers

Appendix A – **MWT22/014/01** Consultation Plan 30mph Speed Limit Extension

Appendix B – **MWT22/014/02** General Arrangement Plan showing speed cushion arrangement.

Appendix C – In Approval of scheme.

Appendix D – In objection of scheme.

Appendix E – Statement of Reasons

Appendix F – Advertised Notice

Appendix G – Statutory Criteria

Members and officers consulted and informed

Portfolio Holder – Councillor Jan Matecki

Corporate Board – Mark Ryder (Signed off).

Legal –

Finance –

Equality – Delroy Madden (Signed off).

Democratic Services – Nicole Conway (Signed off).

Councillors – Local Member(s): Councillor Rik Spencer.

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