

**General Exception Procedure Notice Pursuant to  
Standing Order 17 and reg 10(1) and 10(3) of The Local  
Authorities (Executive Arrangement) (Meetings and Access to  
Information) (England) Regulations 2012**

**Directorate:**

Communities

**Confidential or Exempt** *[please state category of exempt information]*

No

**Decision Taker: Member Body or Officer** *[if officer please give name and title]*

Cabinet

**Proposed Date for Decision/ Time Period**

18 March 2021

**Summary of Matter**

The highway improvements at the A452/A46 interchange known as Thickthorn Roundabout are required to bring forward the housing developments to the east of Kenilworth. Discussions with the developers, Highways England and Warwick District Council have been on going regarding the best way to deliver the required works and the timing of delivery.

Highways England have required a planning condition on the first planning application that has come forward (Catesby development) requiring the improvements to the A452/A46 junction before the delivery of more than 150 homes. The works would connect the new housing site to the A452 and make improvements to the roundabout and slip roads to improve capacity and traffic flows at the junction. Initially the expectation was that Catesby would deliver these works through a Section 278 legal agreement with Warwickshire County Council as the Highway Authority, which effectively passes risk on delivery/cost to the developer.

It has been concluded it would be advantageous to all parties if the timing of the delivery of the improvements could be brought forward and controlled by the County so that the improvement works could be combined with the emerging Kenilworth to Leamington cycle scheme works. Delivering these works releases the ability of developers to bring forward housing and employment delivery in the area to meet Warwick District Council's Local Plan commitments.

The report for consideration on 18 March 2021 seeks approval from Cabinet to undertake the delivery of the improvements at the A46/A452 Thickthorn roundabout in

Kenilworth. This would be done by using up to £6.6m of Capital Investment Fund to deliver the works over the next two years (by end of 2023). The Capital Investment Fund would then be paid back over a longer timeframe as the S106 funding from the various developments is received.

It is important to recognise that it is not normal practice for Warwickshire to forward fund developer works and that it is only the opportunity to combine the works with the Kenilworth to Leamington cycle scheme works, with the additional benefits of better aligning the various schemes and the associated works, and minimising disruption to the local area that this brings, which has brought this forward.

### **Proposed Decision**

That Cabinet recommends that Council:

Approves the use of Capital Investment Funding of up to £6.6m to forward funding road improvements on the A452/A46 interchange to enable the proposed development in the area, on the basis that any of the funding which is not spent on those improvements will be refunded to the Capital Investment Fund and any which is spent will be recovered from local developer(s) through Section 106 funding.

***If the proposed decision is made would it be contrary to or not wholly in accordance with the policy framework or budget?***

No

### **List of documents/reports provided**

This General Exception Notice  
Cabinet report for meeting 18 March 2021

### **List of Background Papers**

None

### **Is consultation proposed Yes/ No** *[if yes, say who and how]*

No

**Members of the public wishing to make comments on this matter should write to** *[please insert directorate contact and address]*

<b>Monitoring Officer</b> <b>Warwickshire County Council</b> <b>Shire Hall</b> <b>Warwick</b> <b>CV34 4RL</b>  <a href="mailto:monitoringofficer@warwickshire.gov.uk">monitoringofficer@warwickshire.gov.uk</a>
---

<b>Comments should be made by</b>	<b>18 March 2021</b>
-----------------------------------	----------------------

<b>Office Use only</b>
------------------------

**Directorate Contact** *[please give name and number]*

<b>Sarah Duxbury, Assistant Director Governance and Policy</b>
--

**To be completed by Member Services**

<b>Copy Notice served</b>	<b>Date</b>
Councillor Golby, Chair of the Communities Overview and Scrutiny Committee	<b>10/3/21</b>
<b>Copy Notice published on website and available at the offices of the Council<sup>1</sup></b>	<b>10/3/21</b>

<sup>1</sup> At the time of issue of this notice, access to the offices of the Council are restricted due to the ongoing Covid-19 pandemic measures. Availability on the website is considered sufficient in light of government guidance and the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulation 2020. Paper copies can be posted on request