

# Portfolio Holder Decision

## Developer-Funded S278 Highway Schemes Approvals

<b>Portfolio Holder</b>	<b>Portfolio Holder for Finance and Property</b>
<b>Date of decision</b>	<b>10 September 2021</b>
	<b>Signed</b>

### 1. Decision taken

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

1. A446 Lichfield Road, Curdworth (Dunton Wharf) of approximate value £60,000.
2. A452 Europa Way, Warwick (The Asps), Banbury Road – Minor s278 (temporary access) of approximate value £150,000 (fees only)
3. C43 Gallows Hill (Strawberry Fields), Warwick - Minor S278 (temporary access) of approximate value £75,000 (fees only)
4. D5496 School Road, Salford Priors, Stratford upon Avon- Minor s278 of approximate value £120,000
5. D6173 Timothys Bridge Road, Stratford upon Avon (Swans Landing) – Minor s278 of approximate Value £110,000
6. D2045 Coombe Fields Road, Ansty, Rugby, (Signal junction) of approximate Value £450,000
7. C43 Gallows Hill (Lower Heathcote Farm), Warwick - Minor s278 of approximate value £200,000 (fees only)

### 2. Reasons for decisions

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

### 3. Background information

#### 3.1 **A446 Lichfield Road, Curdworth (Dunton Wharf)**

A planning application was submitted to North Warwickshire Borough Council in respect of the erection of three buildings to provide offices, training / classrooms and industrial unit to facilitate the site use as storage and ancillary digger driving school. Planning permission was granted on the 15 January 2019 (ref: PAP/2018/0312). A condition of the planning requires the entry into a minor s278 with the Highway Authority for access improvement works required within the limits of the public highway.

#### 3.2 **A452 Europa Way, Warwick (The Asps), Banbury Road – Minor s278 (temporary access)**

A planning application was submitted to Warwick District Council by Barwood Strategic Land in respect of a development on land at The Asps, Warwick. Planning permission was granted on appeal on 14 January 2016 (ref: W/14/0300 and APP/T3725/A/14/2221613). The planning permission requires the developer to undertake a number of highway mitigation measures on A425 Banbury Road and A452 Europa Way. This report specifically relates to the minor s278 scheme at the Banbury Road for temporary access to the site.

#### 3.3 **C43 Gallows Hill (Strawberry Fields), Warwick - Minor s278 (temporary access)**

A planning application was submitted to Warwick District Council by William Davis Ltd and Hallam Land Management in respect of a development of up to 180 dwellings on land to the south of Gallows Hill, Warwick. Planning permission was granted on 22 August 2019 (ref: W/18/1435). This report specifically relates to the minor s278 scheme for temporary access to the site to be constructed and then later removed to be replaced by the permanent improved access.

#### 3.4 **D5496 School Road, Salford Priors, Stratford upon Avon**

A planning application was submitted to Stratford District Council by Cala Homes Ltd in respect of the erection of up to 68 dwellings and new village green on land off School Road. Planning permission was granted on 15 March 2019 (ref: 18/03276/REM). The proposed minor s278 highway improvement work consists of the construction of speed cushions and associated road markings and street lighting.

#### 3.5 **D6173 Timothys Bridge Road, Stratford upon Avon, (Swans Landing)**

A planning application was submitted to Stratford District Council by St Joseph Homes Ltd in respect of the erection of up to 500 dwellings (use C2/C3) at the brownfield land (former industrial estate) off Timothys Bridge Road. Planning permission was granted on 31 March 2021 (ref: 19/02585/OUT). The proposed minor s278 highway improvement work consists of a change in road priority, a vehicular access and footway improvements

### **3.6 D2045 Coombe Fields Road, Ansty, Rugby, (Signal Junction)**

A planning application was submitted to Rugby Borough Council by Opus Manse (Ansty) on the 24 December 2019 in respect of the development of a mixture of business uses, primarily B8 sheds. The proposed s278 highways improvement works, a precondition of occupation, consist of the installation of a signalised junction, carriageway and drainage improvements.

### **3.7 C43 Gallows Hill (Lower Heathcote Farm), Warwick - Minor S278**

Planning consent has already been issued by Warwick District Council (ref: W/14/0681) for this development for residential dwellings on the land south of Gallows Hill and West of Europa Way, Heathcote. A major s278 highways improvement scheme has been added to the capital programme (12 March 2021). This minor S278 scheme will construct verge area and minor earthworks to facilitate the diversion of existing utility apparatus and reduce highways user risk for the major s278 highway improvement works

## **4. Financial implications**

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

## **5. Environmental implications**

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

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

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

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

<b>List of background papers</b>
N/A

<b>Members and officers consulted and informed</b>
<p>Portfolio Holder – Councillor Peter Butlin</p> <p>Corporate Board – Mark Ryder</p> <p>Legal – Ian Marriot</p> <p>Finance – Andrew Felton</p> <p>Equality – n/a</p> <p>Democratic Services – Isabelle Moorhouse</p> <p>Councillors – Warwick, Singh Birdi, Boad, Philipps and W Roberts</p> <p>Local Member(s): A446 Lichfield Road, Curdworth (Dunton Wharf) – Cllr Watson (Coleshill North &amp; Water Orton)</p> <p>A452 Europa Way, Warwick (The Asps) (Banbury Road – Temporary access) - C43 Gallows Hill (Strawberry Fields), Warwick - Minor S278 - Temporary access</p>

C43 Gallows Hill (Lower Heathcote Farm), Warwick - Minor S278

- Cllrs Matecki (Budbrooke & Bishop's Tachbrook) & Birdi (Warwick South)

D5496 School Road, Salford Priors, Stratford upon Avon – Cllr Pemberton (Bidford & Welford)

D6173 Timothys Bridge Road, Stratford upon Avon, (Swans Landing) – Cllr Sinclair (Stratford North)

D2045 Coombe Fields Road, Ansty, Rugby, (Signal junction) – Cllr Warwick (Fosse)