

Cabinet

17 October 2019

Developer-funded Scheme Approvals

Recommendation

That, subject to the approval of Council on 15 October to add the following schemes to the 2019/2020 capital programme, Cabinet gives approval to the procurement of construction contracts for the following Section 278 schemes and authorises the Strategic Director for Communities to enter into such contracts on terms and conditions acceptable to the Strategic Director for Resources subject to the applicable Section 278 Agreements with the Developers being signed which will provide for 100% of the funding:

- A425 Banbury Road and A452 Europa Way, Warwick. Developer – Barwood Land. Approximate value £3.5 million
- B4632 Campden Road, Long Marston. Developer – CALA Homes. Approximate value £2.5 million

1.0 Key Issues

- 1.1 These schemes will be fully funded by developer contributions ring-fenced for the works specified. For developer funded schemes, there are no alternative uses for the contribution and the inclusion of these schemes on the capital programme does not affect the overall level of available capital resources.
- 1.2 The construction contracts will be undertaken by contractors from the appropriate Lot of the Council's Framework Contract for the Provision of Engineering and Construction Works 2019. The procurement process for the contracts will either involve a mini-competition between Framework contractors or a direct award to a Framework contractor nominated by the developer. The direct award option is only available when the works are wholly funded by a developer who has entered into a Highways Act 1980 Section 278 agreement with the County Council.
- 1.3 Approval was sought from Council on 15 October 2019 to enter the schemes onto the 2019/2020 capital programme. Cabinet is requested to approve the procurement of construction contracts for the Section 278 schemes and to authorise the Strategic Director for Communities to enter into such contracts on terms and conditions acceptable to the Strategic Director for Resources.

2.0 A425 Banbury Road and A452 Europa Way, Warwick

- 2.1 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 scheme at the Banbury Road access to the site.

- 2.2 Plans showing the current design of the proposed highway improvement is included in **Appendix A**, however this may be subject to change as the detailed designs evolve.
- 2.3 The County Council will eventually enter into a Section 278 agreement with the Developer to undertake the works, once technical approval has been completed, at an estimated cost of **£3,500,000** to include fees and under the agreement the costs will be fully funded by the Developer. Technical review of the submitted designs will commence within the 2019/2020 financial year and, subject to the signing of the Section 278 agreement, the works will be commenced in a future financial year.

3.0 B4632 Campden Road, Long Marston

- 3.1 A planning application was submitted to Stratford-on-Avon District Council by CALA Homes in respect of a development of 400 homes on land at Long Marston Airfield. Planning permission was granted on 28 February 2017 (ref: 14/03579/OUT). The planning permission requires the Developer to construct a roundabout at the site access and undertake other off-site highway improvements. A further planning application is being considered in respect of a larger development on the airfield site, but this report specifically relates to the 400 home development.
- 3.2 Plans showing the current design of the proposed highway improvement is included in **Appendix B**, however this may be subject to change as the detailed designs evolve. The implementation of the new pedestrian crossing facilities as part of this scheme is subject to separate statutory notice and consultation procedure and any representations will be reported to the Portfolio Holder for Transport and Planning.
- 3.3 The County Council will eventually enter into a Section 278 agreement with the Developer to undertake the works, once technical approval has been completed, at an estimated cost of **£2,500,000** to include fees and under the agreement the costs will be fully funded by the Developer. Technical review of the submitted designs will commence within the 2019/2020 financial year and, subject to the signing of the Section 278 agreement, the works will be commenced in a future financial year.

4.0 Financial implications

- 4.1 Section 278 schemes are fully funded by developer contributions which are ring-fenced for the works described in this report. There are no alternative uses for the contributions and the inclusion of these schemes on the capital programme will not affect the overall level of available capital resources.
- 4.2 The financial years within which the technical review and works are expected to start are included in the sections above. However, the commencement of

the works is dependent on the completion of the technical review, procurement and contractor mobilisation processes and may slip. Any slippage will be reported in the normal quarterly monitoring process.

Background papers

None

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The report was circulated to the following Members prior to publication:

Local Member:

Cllr Brain – Bidford and Welford
Cllr Caborn – Budbrooke and Bishops Tachbrook
Cllr Seccombe – Stour and The Vale

Other Members:

Cllrs Roodhouse, Singh Birdi, Warwick, O'Rourke, Chattaway, Boad, Chilvers