


Portfolio Holder Decision

Developer-Funded S278 Highways Schemes Approvals

Portfolio Holder	Portfolio Holder for Finance and Property
Date of decision	12 November 2021
	Signed 

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.
- a) A428 Coventry Road, Long Lawford, (Temporary Access) of approximate value £35,000.00 (fees only)
 - b) D1736 School Lane, Exhall (Toucan Crossing) – Minor s278 of approximate value £255,800.00
 - c) D7069 Glasshouse Lane, Kenilworth of approximate value £895,000.00
 - d) D7069 Glasshouse Lane (Crewe Lane), Kenilworth – Minor s278 of approximate Value £320,000.00
 - e) D4102 Millers Road, Warwick – Minor s278 of approximate value £185,00.00

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 Portfolio Holder for Finance and Property is that nominated body

3. Background information

- 3.1 A428 Coventry Road, Long Lawford, (Temporary Access)
 This scheme relates to required enabling works to complete the already authorised (Deputy Leader decision, 13 September 2019) capital programme highway improvement scheme of the same name. These works entail the construction of an access opposite Lorandyfose House, on the West side of Back Lane, Long Lawford.

3.2 D1736 School Lane, Exhall (Toucan Crossing) – Minor s278

A planning application was submitted to Nuneaton and Bedworth Borough Council by Keepmoat Homes Ltd in respect of a development on land off School Lane, Exhall, Coventry. Planning permission was granted on 21 May 2021 (ref: 037022) for the erection of 129 dwellings. The planning permission requires the developer to undertake highway improvement to the junction into the development and the installation of a Toucan crossing on School Lane.

3.3 D7069 Glasshouse Lane, Kenilworth – Major s278

3.4 D7069 Glasshouse Lane (Crewe Lane), Kenilworth – Minor s278

A planning application was submitted to Warwick District Council by Crewe Lane Kenilworth JV LLP in respect of a development on land on the East side of Glasshouse Lane. Planning permission was granted on 16 April 2021 (ref: W/18/1635) for the demolition of existing agricultural buildings and the erection of 620 dwellings. The planning permission requires the developer to undertake highway improvements to the existing roundabout and undertake footway / cycleway works to Glasshouse lane.

The planning permission also requires highway improvements through a new access and re priority of Crewe Lane. These works shall be carried out as a separate minor s278 scheme.

3.5 D4102 Millers Road, Warwick – Minor s278

A planning application was submitted to Warwick District Council by South Warwickshire Foundation Trust in respect of a change of use of an industrial site ground level car park into a multi-storey carpark for NHS hospital staff only. Planning permission was granted on 5 February 2021 (ref: W/20/1405). The planning permission requires the developer to undertake highway improvements to the footway outside the site and for the installation of a zebra crossing on Millers Road.

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.

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Assistant Director	Scott Tompkins - Assistant Director – Environmental Services
Lead Director	Mark Ryder - Strategic Director for Communities
Lead Member	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

Portfolio Holder – Councillor Peter Butlin

Corporate Board – Mark Ryder

Legal – Ian Marriot

Finance – Andrew Felton

Equality – n/a

Democratic Services – Isabelle Moorhouse

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

Local Member(s):

A428 Coventry Road, Long Lawford, (Temporary Access) - Cllr Timms (Earl Craven)

D1736 School Lane, Exhall (Toucan Crossing) – Minor s278 - Cllr Singh Pandher (Bedworth East)

D7069 Glasshouse Lane, Kenilworth

D7069 Glasshouse Lane (Crewe Lane), Kenilworth – Minor s278

- Cllr Drew (Kenilworth Park Hill)

D4102 Millers Road, Warwick – Minor S278 – Cllr Holland (Warwick West)