


# 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>18 March 2022</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.

- a) A46 Alcester Road, Stratford (Drayton Manor Drive) – Temporary access of approximate value £50,000.00 (Fees only)
- b) C43 Gallows Hill - Minor S278 (Widen bell mouth at car dealership) of approximate value £65,000.00
- c) D5721 Stockley Road, Exhall - Priority junction of approximate value £189,000.00

### 2. Reasons for decisions

2.1 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 A46 Alcester Road, Stratford (Drayton Manor Drive)) – Temporary access  
A planning application was submitted to Stratford upon Avon by IMP Properties Development Ltd in respect of a development on land South of the A46, East of Drayton Manor Drive, Alcester Road, Stratford upon Avon. Planning permission was granted on 12 December 2019 (ref: 19/01402/OUT) for a mixed-use business park. This temporary access scheme relates to enabling works to commence the development.

### 3.2 C43 Gallows Hill - Minor S278 (Widen existing bell mouth)

A planning application was submitted to Warwick District Council by Opus Land Ltd in respect of a development on land located to the north of Gallows Hill, approximately 160m east of Warwick Technology Park. Planning permission was granted on 3 July 2020 (ref: W/19/1666) for a development of a motor dealership with MOT and servicing facilities and associated office space, staff facilities, car display and storage areas, access, parking and landscaping and a 100-bed hotel (C1) with associated bar/cafe, kitchen, staff facilities, access, car parking, landscaping and substation. The planning permission requires the developer to undertake highway improvements to the junction into the development.

### 3.3 D5721 Stockley Road, Exhall - Priority junction

A planning application was submitted to Nuneaton and Bedworth Borough Council by Vistry Partnership East Midlands Ltd in respect of a development on land off Stockley Road, Exhall. Planning permission was granted on 27 September 2021 (ref: 037780) for the erection of 82 dwellings. The planning permission requires the developer to undertake highway improvement to the junction into the development.

## 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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<b>Strategic Director</b>	Mark Ryder - Strategic Director for Communities
<b>Portfolio Holder</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

### List of background papers

N/A

### Members and officers consulted and informed

Portfolio Holder – Councillor Peter Butlin

Corporate Board – Mark Ryder

Legal – Ian Marriott

Finance – Andrew Felton

Equality – n/a

Democratic Services – Isabelle Moorhouse

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

Local Member(s):

A46 Alcester Road, Stratford (Drayton Manor Drive) – Temporary access – Cllr Sinclair (Stratford North), Rolfe (Stratford South) & Fradgley (Stratford West)

C43 Gallows Hill - Minor S278 (Widen existing bell mouth) – Cllr Matecki (Budbrooke & Bishop's Tachbrook) & Birdi (Warwick South)

D5721 Stockley Road, Exhall - Priority junction – Cllr Singh Pandher (Bedworth East)