


# Portfolio Holder Decision

## Developer - Funded S278 Highway Scheme

### Approval

<b>Portfolio Holder</b>	<b>Portfolio Holder for Finance and Property</b>
<b>Date of decision</b>	<b>26 April 2022</b>
	<b>Signed</b>  pp

#### 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 scheme to the Capital Programme for 2022/23.

- a) A428/045 Rugby Rd, Binley Woods of approximate value £80,000.00

#### 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 or developer contributions or from revenue. The Portfolio Holder for Finance and Property is that nominated body.

#### 3. Background information

3.1 A428/045 Rugby Rd, Binley Woods

A planning application was submitted to Rugby Borough Council by Lioncourt Strategic Land in respect of a development on land off Rugby Road, Binley Woods. Planning permission was granted on 20 August 2021 (ref: R18/2076) for the erection of 80 residential dwellings. The planning permission requires the developer to undertake highway improvements by the construction of a new development access, moving a bus stop and installing a pedestrian crossing.

#### 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 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 Marriot

Finance – Andrew Felton

Equality – n/a

Democratic Services – Isabelle Moorhouse

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

Local Member(s): Cllr Timms (Earl Craven)