

# 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>11 November 2022</b>
	<b>Signed</b>

### 1. Decision taken

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 2022/23.

- a) A452 Europa Way, Warwick (The Asps) (Europa Way) - Ph 1 Interim Site Access – LILO of approximate value £60,000 (fees only)
- b) B4429 Coventry Road, Symmetry Park Windmill Lane - Cycle Link of approximate value £128,640
- c) C1 Austrey Road, Warton, Tamworth - Widening & junction improvement of approximate value £673,200

### 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.

2.2 Under the Constitution, the power is delegated onwards to the Portfolio Holder for Finance and Property

### 3. Background information

#### 3.1 Europa Way, Warwick (The Asps) (Europa Way) - Ph 1 Interim Site Access

A planning application was submitted to Warwick District Council (which has since been to appeal) by a joint venture between Taylor Wimpey and Bloor Homes in respect of a development on land to the East off the northbound carriageway of the A452 Europa Way.

Planning consent was granted on 4 January 2016 (ref: APP/T3725/A/14/2221613) for

the erection of up to 900 dwellings a primary school, local centre and a park and ride facility.

The s278 works required and to be added to the Capital Programme are comprised of a “Left in Left out” temporary access to the development site off Europa way

### 3.2 B4429 Coventry Road, Symmetry Park - Windmill Lane Cycle Link

A planning application was submitted to Rugby Borough Council by Tritax Symmetry in respect of 186,500 sq m of buildings to be used as warehousing and distribution space and offices, with further land for a fire station and vehicle parking.

Planning permission was granted on 29 November 2017 (ref: R16/2569).

The S278 works required and to be added to the Capital Programme are comprised of the construction of a cycleway/ footway link along the Southern edge of the B4429 Coventry Road.

### 3.3 C1 Austrey Road, Warton, Tamworth - Widening & junction improvement

A planning application was submitted to North Warwickshire Borough Council by Charles Anthony Estates Ltd in respect of the land to the rear of the Elms, Austrey Road, Warton for the erection of nine dwellings.

Planning permission was granted on 17 March 2020 (ref: PAP/2020/0410).

The S278 works required and to be added to the Capital Programme are comprised of the construction of a new access and localised road widening.

## 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>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

None

### Members and officers consulted and informed

Portfolio Holder – Councillor Peter Butlin

Corporate Board – Mark Ryder

Legal – Nic Vine

Finance – Andrew Felton

Equality – n/a

Democratic Services – Isabelle Moorhouse

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

Local Member(s):

Europa Way, Warwick (The Asps) (Europa Way) – Cllr Singh Birdi (Warwick South)

B4429 Coventry Road, Symmetry Park - Windmill Lane – Cllr H Roberts (Dunsmore & Leam Valley)

C1 Austrey Road, Warton, Tamworth – Cllr Wright (Baddesley & Dordon)