


Decision Record – Various Developer-funded Scheme Approvals

Cabinet Portfolio Holder taking the decision	Councillor Peter Butlin Deputy Leader (Finance & Property)
Date of Decision (not before 15 November 2019)	18 Nov 2019
	

Decision Taken

That the Deputy Leader (Finance and Property) gives approval to the addition of the following six schemes to the Capital Programme for 2019/2020 and authorises the Strategic Director for Communities to procure the construction contracts for the schemes where appropriate and 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:

- A45 Stonebridge Highway / D2201 Rowley Road, Baginton. Developers – Coventry City Council and Coventry and Warwickshire Development Partnership LLP. Approximate value (fees only) £600k
- B4029 Severn Road, Bulkington. Developer – Taylor Wimpey. Approximate value (fees and works) £500k
- B4632 Campden Road, Quinton. Developer – Persimmon Homes. Approximate value (fees and works) £1.5m
- C33 Bubbenhall Road, Baginton (Gateway South). Developer – Coventry and Warwickshire Development Partnership LLP. Approximate value (fees only) £600k
- D6216 Upper Henley Street, Stratford-upon-Avon. Developer – Stratford-on-Avon District Council. Approximate value (fees only) £50k
- M6 Junction 1 / A426 Leicester Road, Rugby. Developer – MOTO Hospitality Ltd. Approximate value (fees only) £250k

Reasons for Decisions

Additions to the Capital Programme up to £2m require the approval of the Deputy Leader (Finance and Property).

Background Information

On 21 May 2019 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, and to approve proposals to procure and/or enter into major contracts with a total value up to £3.0 million. The Deputy Leader (Finance and Property) is that nominated body.

The agreed schemes will be fully funded by developer contributions ring-fenced for the fees and works specified. In the case of Section 278 schemes there are no alternative uses for the contributions and the addition of these schemes will not affect the overall level of available capital resources.

Where applicable the construction contracts for these works will be undertaken by contractors from the appropriate Lot of the Council's Framework Contract for the Provision of Engineering and Construction Works. The procurement process will either involve a mini-competition between Framework contractors or a direct award to a Framework contractor nominated by the appropriate developer. The direct award option is only available when the works are wholly funded by a developer who has entered into a Section 278 agreement with the Council. In very specific circumstances the

Council will allow a developer to procure the works through their own contract and in these cases the capital programme allocation will be for fees only.

Where the proposed highway improvements include certain forms of traffic calming, a traffic signal controlled pedestrian or cycle crossing or there is a need for a traffic regulation order in respect of a speed limit or waiting restrictions, then it will be necessary to carry out a separate statutory notice and consultation procedure which will be reported to the relevant Portfolio Holder if objections are received.

Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach.

Approval has been given to the following schemes.

- A45 Stonebridge Highway / D2201 Rowley Road, Baginton. Developers – Coventry City Council and Coventry and Warwickshire Development Partnership LLP. Approximate value (fees only) £600k
- B4029 Severn Road, Bulkington. Developer – Taylor Wimpey. Approximate value (fees and works) £500k
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Financial Implications

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.

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.

The financial years within which the technical review and works are expected to start are included in the published report. 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 or increase in costs due to changes in the scope of the works will be reported in the normal quarterly monitoring process.

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Portfolio Holder	Councillor Peter Butlin