

Portfolio Holder Decision

Developer - Funded S278 Highway Schemes

Approvals

Portfolio Holder	Portfolio Holder for Finance and Property
Date of decision	6 September 2024
	Signed

1. Decision taken

- 1.1 That the Portfolio Holder (Deputy Leader) for Finance and Property approves the addition of the following section 278 fully developer-funded highway improvement schemes to the Capital Programme for 2024/25:
- a) D1851 A425 Banbury Road Gallows Hill - S278 minor cycleway- of approximate value £250,000.
 - b) D1843 B439 Evesham Road, Bordon Hill, Stratford upon Avon - of approximate value £275,000.

2. Reasons for decisions

- 2.1 On 14th May 2024 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.
- 2.2 Under the Constitution, the power is delegated onwards to the Portfolio Holder for Finance and Property.

3. Background information

- 3.1 **D1851 A425 Banbury Road Gallows Hill - S278 minor cycleway**
A planning application was submitted to Warwick District Council by Taylor Wimpey Midlands and Bloor Homes for upgrading the southern verge of Gallows Hill to include a shared foot or cycleway facility and include a dropped kerb for cyclists to rejoin the carriageway to utilise the existing advanced stopped line facility at the signalised junction. These works also include the relocation of the maintenance bay to the northern verge along with an upgrade of street lighting.

Planning consent was granted on 25th of February 2021 (ref: W/20/1642).

The highway works required comprise the upgrading of the southern verge of Gallows Hill to include a shared foot/cycleway facility.

3.2 **D1843 B439 Evesham Road, Bordon Hill**

A planning application was submitted to Stratford -on-Avon District Council by Vistry Group for the proposals for a residential development comprising of 9 dwellings with public open space, landscaping, and associated drainage and highway infrastructure. Planning consent was granted on 19 January 2024 (ref: 23/01202/FUL).

The highway works required comprise the creation of a junction that will form the entrance to site from Evesham 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 section 278 agreement being signed.

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 16382) 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.

--

Report Author	Kudzai Chengeta – Programme Officer, Highways kudzaichengeta@warwickshire.gov.uk,
Director	David Ayton-Hill – Director Economy and Place davidayton-hill@warwickshire.gov.uk
Executive Director	Executive Director for Communities Mark Ryder markryder@warwickshire.gov.uk
Portfolio Holder	Portfolio Holder for Finance and Property Councillor Peter Butlin peterbutlin@warwickshire.gov.uk

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 – Caroline Gutteridge
Finance – Andrew Felton
Equality – N/A
Democratic Services – Amy Bridgewater-Carnall, Nicole Conway
Councillors – – Warwick, Singh Birdi, Boad, Philipps and W Roberts. Clarke, Chilvers, Fradgley, Feeney.
Local Member(s): Councillors Singh Birdi, Boad and Pemberton
D1851 A425 Banbury Road Gallows Hill - S278 minor cycleway- Cllr Singh Birdi
D1843 B439 Evesham Road, Bordon Hill - Cllr Daren Pemberton