


# Portfolio Holder Decision – April 2020

## Developer Funded Scheme Approvals

<b>Portfolio Holder</b>	<b>Deputy Leader (Finance and Property)</b>
<b>Date of decision</b>	<b>27 April 2020</b>
	<p><b>Signed</b></p> 

### Decision taken

That the Portfolio Holder for Finance and Property gives approval to the addition of the following six schemes to the Capital Programme for 2020/2021:

- A46 / A428 Rugby Road, Binley Woods. Highways England scheme. Approximate value £50,000
- A426 Rugby Road / D3616 The Square, Dunchurch. Developer – Barratt David Wilson Homes. Approximate value £500,000
- A426 Dunchurch Road / B4429 Ashlawn Road, Rugby. Developer – Barratt David Wilson Homes. Approximate value £200,000
- B4429 Ashlawn Road / D3394 Barby Road, Dunchurch. Developer – Barratt David Wilson Homes. Approximate value £600,000
- C93 Bishopton Lane (canal bridge traffic signals), Stratford-upon-Avon. Developers – Taylor Wimpey and Miller Homes. Approximate value £600,000
- D3948 Falkland Place, Temple Herdewyke. Developer – Mulberry Homes. Approximate value £300,000

### Reasons for decisions

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. The Portfolio Holder for Finance and Property is that nominated body.

### Background information

#### **A46 / A428 Rugby Road, Binley Woods**

Highways England are progressing an improvement to the junction of the A46 / A428 at Binley Woods. Whilst the works are predominately on the strategic road network, the works do affect local roads and it is intended that the roundabout circulatory will be de-trunked following

construction of the fly-over. More details of the scheme can be found at <https://highwaysengland.co.uk/projects/a46-coventry-junctions-upgrade/>. It will be necessary for the Council to enter into Highways Act 1980 s4 and s8 agreements with Highways England to facilitate this.

The Council will undertake the technical review of Highways England's design proposal for the A428 to ensure that their proposals are in accordance with our highway design and maintenance requirements. As new highway assets will be created which will come on to the Council's balance sheet once completed, the costs incurred by the Council in undertaking the technical review need to be treated as capital expenditure. The cost of the technical review will be funded by Highways England under the s4 and s8 agreements.

#### **A426 Rugby Road and B4429 Ashlawn Road, Dunchurch and Rugby**

On 25 July 2019 Council gave approval to enter a developer-funded scheme on to the capital programme which comprised five separate highway improvements:

- New roundabout at western site access on Ashlawn Road
- New ghost right turn lane at eastern site access on Ashlawn Road
- Works at the traffic signal junction at Rugby Road / Coventry Road, Dunchurch (the "Dun Cow crossroads")
- Works at the roundabout at Dunchurch Road / Ashlawn Road (the "Cock Robin roundabout")
- New traffic signal junction at Ashlawn Road / Barby Lane.

On 13 September 2019 the Deputy Leader (Finance and Property) gave approval for the procurement and subsequent award of construction contracts in respect of these schemes. This has now been progressed for the first two improvements on the B4429 Ashlawn Road at the western and eastern site accesses. A s278 agreement has been entered into by the Developer in respect of these improvements.

At the time that these schemes were added to the capital programme it was anticipated that there would be one s278 agreement to cover all the improvement locations. However, the Developer, in consultation with the Council, has decided to split the works between up to four agreements and up to four construction contracts. The Portfolio Holder for Finance and Property is now requested to approve that the following three highway improvements are added to the capital programme as separate schemes:

- A426 Rugby Road / D3616 The Square, Dunchurch (the "Dun Cow" crossroads)
- A426 Dunchurch Road / B4429 Ashlawn Road, Rugby (the "Cock Robin roundabout")
- B4429 Ashlawn Road / D3394 Barby Road, Rugby

#### **C93 Bishopton Lane (canal bridge traffic signals), Stratford-upon-Avon**

On 09 August 2019 the Deputy Leader (Finance and Property) gave approval to enter a developer-funded scheme on to the capital programme and to the procurement and subsequent award of a construction contract in respect of the following highway improvements:

- Southern site access on The Ridgeway
- Roundabout at the central site access
- Northern site access
- Pedestrian improvements including new footway / cycleway, uncontrolled pedestrian crossing facilities and traffic signal controlled pedestrian crossing facilities
- Traffic signals at the canal bridge (prior to 150<sup>th</sup> occupation)

At the time that these schemes were added to the capital programme it was anticipated that there would be one s278 agreement to cover all the improvement locations. However, the Developer, in consultation with the Council, has decided to split the works between two agreements and two construction contracts. The Portfolio Holder for Finance and Property is now requested to approve

that the canal bridge traffic signals highway improvement is added to the capital programme as a separate scheme.

#### **D3948 Falkland Place, Temple Herdewyke**

A planning application was submitted to Stratford-on-Avon District Council by Mulberry Homes in respect of a development of 94 dwellings, new community hall, village green and associated infrastructure. Planning permission was granted on 20 July 2016 (ref: 15/03833/OUT). The planning permission requires the construction of a site entrance and a traffic-signal controlled pedestrian crossing. The implementation of controlled crossings is subject to separate statutory notice and consultation procedures and any objections will be reported to the Portfolio Holder for Transport and Planning.

### **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.

Some preliminary technical review work has already started for each of the named schemes and will continue during 2020/2021. 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 (or s4/s8 agreement in the case of Highways England).

### **Environmental implications**

The environmental impacts of developer-funded highway schemes are considered through the planning approval process to ensure that the developments are consistent with the principles of sustainability

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.

<b>Report Author</b>	Shirley Reynolds shirleyreynolds@warwickshire.gov.uk,
<b>Assistant Director</b>	Scott Tompkins
<b>Lead Director</b>	Strategic Director for Communities
<b>Lead Member</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

<b>List of background papers</b>
None

<b>Members and officers consulted and informed</b>
<p>Portfolio Holder – Councillor Peter Butlin</p> <p>Corporate Board – N/A</p> <p>Legal – Ian Marriott</p> <p>Finance – Virginia Rennie</p> <p>Equality – Kiera Rounsley</p> <p>Democratic Services – Paul Williams</p> <p>Councillors –</p> <p>Local Member(s):</p> <p>Cllr Timms – Earl Craven</p> <p>Cllr Roberts – Dunsmore and Leam Valley</p> <p>Cllr Dahmash – Hillmorton</p> <p>Cllr O'Rourke – New Bilton and Overslade</p> <p>Cllr Fradgley – Stratford West</p> <p>Cllr Skinner – Stratford North</p> <p>Cllr Williams – Kineton and Red Horse</p>