



Delegated Officer Decision

Reference	Service Grouping
	Environment Department
Subject:	Newbury Racecourse S106 Contribution Review
Decision taken:	The Highway Authority will not seek further funding towards highway improvements to the A339/A343 junction from the Racecourse Development in accordance with the terms of the S106 agreement as detailed below.
Reason for decision taken:	<p>In 2008 the Council entered a S106 agreement with Newbury Racecourse for the delivery of infrastructure in relation to a significant development within land owned by the Racecourse.</p> <p>Paragraph 4.3 of the fifth schedule of the S106 agreement states: "The owners covenant to carry out traffic surveys at the A339 / A343 St Johns Roundabout prior to commencing the works referred to in Paragraph 4.1 (works to improve the A339/Bear Lane junction) and upon completion of these works. If the traffic has not improved (the parties agree that not improved would be if the traffic queues have not been reduced by 10% on the A339 south arm of the roundabout (specified at an average queue over any 15 minute period during the hours of 0800-0900 and 1700-1800) the owners shall pay to the council the sum of five hundred thousand pounds (£500,000) (or such lesser sum if agreed in writing by the council) and the additional sum for improvements at the St John's Roundabout (A339/A343) including measures to improve air quality."</p> <p>Traffic surveys were undertaken in November 2022 following completion of the A339/Bear Lane improvements and compared to 2008 volumes and flows. The survey information and analysis has been independently verified which has shown a reduction in queue length at the A339/A343 junction (a reduction of greater than 10%). This means that traffic flows have been sufficiently improved by improvements to the A339/Bear Lane junction (funded by the Racecourse) and the contribution of £500,000 under para 4.3 is not required.</p>
Other options considered:	None
Decision taken by:	Jon Winstanley
Scheme of Delegation Ref:	21.2.3 To enter into agreements providing for contributions by developers towards the cost of highway improvements, transportation schemes, or other development to be carried out by the Council.
Job Title:	Service Director Environment
Those consulted:	Paul Goddard, Principal Engineer, Highways Development Control. Sarah Clark, Service Director Strategy & Governance.

	Joseph Holmes, Executive Director Resources.
Background papers:	Appendix A - Newbury Racecourse Highways and Transport Technical note 2022-11-22 TRN TN V1 undertaken by consultants FLOW. Appendix B - Independent review of Appendix A by consultants WSP.

I confirm that I have been fully advised and have taken account of all the relevant facts in making this decision.

Date Decision Made	Date Decision will be Implemented (5 clear days)
05/04/2024	11/4/2024

Officer:	Jon Winstanley	
Witnessed by:	Neil Stacey	
Date:	22/04/2024	

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 11/04/2024, then it will be implemented.

If you have any queries regarding this decision, please contact:

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