


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO  
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)  
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &  
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

|  |  |
|--|--|
| <u>SUBJECT OF DECISION</u><br><br>Approval to transfer the entire interest in the Highway at site 37b008 Edinburgh Road Nuneaton to County Council as the Highway Authority to complete highway adoption requirements  |  |
| <u>DECISION REFERENCE</u><br><br>DO/74/2025 (JW)   | <u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/Constitution/Minute No. etc.<br><br>Constitution 3E.4 Assistant Director – Economy & Regeneration – Delegated Authority<br><br>n) Authority to undertake Land/Asset Disposal and Acquisitions on behalf of the Council, in consultation with the relevant Portfolio Holder. |
| <u>DATE OF DECISION</u><br><br>18.12.2025  | <u>DECISION MAKER (Name and Job Title)</u><br><br>Jonathan White – Assistant Director Economy & Regeneration<br><br>  |
| <u>RECORD OF THE DECISION</u><br><br>Nuneaton and Bedworth Borough Council to transfer the entire interest in the Highway at site 37b008 Edinburgh Road Nuneaton to County Council as the Highway Authority to complete highway adoption requirements.<br><br>The Land to be transfer will the that consisting of a service road leading off Hillcrest Road Nuneaton as highlighted in blue on Appendix 1 forming part of the HM Land Registry title number WK448358 |  |

|   |
|---|
| <p><u>REASON FOR THE DECISION</u></p> <p>Highway adoption requirement to ensure it is maintained at public expense as part of the Highway Authorities obligations</p>   |
| <p><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION</u></p> <p>This is a developer requirement, if not adopted by Highways Authority the cost of maintenance and up keep would be required to be met by the community and would restrict public right of way</p> |
| <p><u>WARD RELEVANCE</u></p> <p>CAMP HILL</p>   |
| <p><u>FINANCIAL AND BUDGET IMPLICATIONS</u></p> <p>N/A</p>  |
| <p><u>CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS</u></p> <p>Portfolio Holder<br/>Strategic Director – Economy and Place<br/>NBBC Legal Team<br/>WCC Highways Authority</p>   |
| <p><u>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED</u></p> <p>N/A</p>  |
| <p><u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given).</p> <p>N/A</p>  |
| <p><u>EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)</u></p> <p>N/A</p>   |
| <p><u>HUMAN RESOURCES IMPLICATIONS</u></p> <p>N/A</p>   |
| <p><u>FINANCIAL IMPLICATIONS</u></p> <p>N/A</p>   |
| <p><u>HEALTH EQUALITIES IMPLICATIONS</u></p> <p>N/A</p>   |

## SECTION 17 CRIME & DISORDER IMPLICATIONS

None identified.

## RISK MANAGEMENT IMPLICATIONS

1) Legal/Compliance risk (LOW) – Failure to transfer the highway land for adoption could result in non-compliance with planning permission requirements and associated developer obligations, potentially constituting a breach of conditions. Transfer and adoption mitigate this risk by placing ongoing obligations with the Highway Authority.

2) Financial risk (LOW) – On completion of adoption, the road will be maintained at public expense by the Highway Authority, reducing the Council's exposure to unplanned maintenance liabilities. Delayed or failed transfer may lead to costs being borne by the community or disputes over maintenance responsibilities.

3) Operational risk (LOW to MEDIUM during transition) – There is a short transitional risk around conveyance, title plan accuracy (Appendix 1, Title WK448358), and physical extent on the ground. This is controlled through legal due diligence, plan verification, and completion checklists with the County Council's Highways team.

4) Reputational risk (LOW) – Timely completion demonstrates effective partnership working and supports public expectations regarding highway standards and rights of way. Failure to progress could lead to resident dissatisfaction if access or maintenance become contentious.

5) Public access & safety risk (LOW) – Adoption secures the route as highway maintainable at public expense and supports consistent inspection, safety regimes, and traffic management by the Highway Authority, thereby reducing future safety risks.

6) Governance risk (LOW) – The decision falls within the Assistant Director's delegated powers for land/asset disposals and acquisitions, in consultation with the relevant Portfolio Holder; required consultations have been undertaken. Proper recording of the decision under openness regulations further reduces governance risk.

Mitigations and controls in place:

- Legal: NBBC Legal Team to complete title checks, review the transfer deed, and verify the adoption plan; conditions precedent to completion to be confirmed.
- Technical: WCC Highways to confirm the asset meets adoption standards and that the adoptable extent matches the plan (Appendix 1).
- Governance: Decision recorded under the relevant regulations and returned to the Strategic Director – Corporate Resources following execution.
- Communications: Liaison with the Portfolio Holder and stakeholders to manage expectations during the transition.

Overall residual risk: LOW, provided completion conditions are satisfied and adoption by the Highway Authority is effected as planned.

## SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS

N/A

|   |
|---|
| <u>ENVIRONMENTAL IMPLICATIONS</u>   |
| N/A   |
| <u>LEGAL IMPLICATIONS</u>   |
| Required to meet planning permissions and associated developer requirements of the scheme, if not transfer and adopted could represent a breach of conditions |
| <u>ANY OTHER COMMENTS</u>   |

**PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS  
MADE OR AS REASONABLY PRACTICABLE THEREAFTER**





(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19



16/3/19  
*[Signature]*

Service Road

*[Signature]*



1:1000

02/10/2019