

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**24<sup>TH</sup> SEPTEMBER 2020**

**CYNON GATEWAY NORTH (ABERDARE BYPASS)**

**REPORT OF GROUP DIRECTOR PROSPERITY, DEVELOPMENT AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER**

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**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to;
- Update Cabinet on the current progress related to the development and delivery of the major transportation project: Cynon Gateway North (Aberdare Bypass).
  - Obtain delegated authority from Cabinet for the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council for the project.
  - Subject to a successful planning application and subject to sufficient funding for each stage of the process, seek further delegated authority to take all necessary steps to secure the making, confirming and implementation of a Compulsory Purchase Order (CPO) and a Side Roads Order (SRO) (if they are required) for the Cynon Gateway North (Aberdare Bypass). (see Appendix A).

**2. RECOMMENDATIONS**

It is recommended that the Cabinet:

- 2.1 Note the progress made and endorse the next steps in the programme for the project.
- 2.2 Give delegated authority to the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council for the new Cynon Gateway North (Aberdare Bypass).
- 2.3 Give delegated authority to the Group Director Prosperity, Development and Frontline Services, subject to funding, to negotiate the purchase of any third party owned land required for the project proposal and where possible acquire such land by agreement and if such land is not able to

be purchased via negotiation delegate the powers as outlined in paragraph 2.1.4 relating to the implementation of the CPO and SRO.

- 2.4 Subject to the grant of planning permission and obtaining sufficient funding for each stage of the process, give delegated authority to the Group Director Prosperity, Development and Frontline Services to take all the necessary steps to securing the making, confirmation and implementation of a CPO and SRO in respect of the land required for the implementation of the project, including but not limited to the following procedural steps:
- 2.5 All steps up to and including confirmation of the CPO and SRO by the Welsh Ministers (or if permitted, by the Council pursuant to Section 14A Acquisition of Land Act 1981), including the preparation and presentation of the Council's case for any Written Representations, Hearing or Public Inquiry which may be necessary.
- 2.6 Publication and service of notices of confirmation of the CPO and SRO and thereafter to execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry.
- 2.7 To acquire the necessary interests in the land and settle the compensation, subject to funding.
- 2.8 Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

### **3 REASONS FOR RECOMMENDATION**

- 3.1 This project is for the construction of a major bypass that will cut travel times and distances whilst create a link to the proposed dualling of the existing strategic trunk highway network on the A465 between Dowlais Top and Hirwaun, which will provide a major improvement in connectivity to an important part of the Welsh Government's strategic road network and Trans-European Transport (TEN-T) Network connecting South and West Wales to the English Midlands. This link /bypass is also strategically aligned to part of the Strategic Opportunity Area (SOA) Cynon Gateway – Energizing the Region (based in Hirwaun), as well as the wider economic opportunities for Rhondda Cynon Taf and the Cardiff Capital Region. The proposed bypass will provide an important strategic and connectivity role by providing communities with access to key facilities and employment sites, and offers the potential to unlock sites for new residential and commercial development.
- 3.2 The project improves connectivity between socially and economically deprived communities in the Cynon Valley, those communities with high levels of economic activity, which will widen the pool of available labour

for local businesses. It will also assist residents who are seeking employment by reducing travelling times between communities and employment sites. As well as acting as 'Gateways' to communities or serving the Strategic Opportunity Areas identified in Rhondda Cynon Taf, the bypass will facilitate the leveraging of private sector investment into new commercial and residential developments in the Cynon Valley, assisting with the regeneration of deprived areas of the county borough.

The additional capacity will address the congestion issues that exist in the Cynon Valley, and counter the perception amongst developers of delays and poor transport links in reaching this area.

- 3.3 The project will have transportation and regeneration benefits including:
- It will improve capacity and resilience of the A4059 at Aberdare / Hirwaun.
  - It will improve connectivity between Rhondda Cynon Taf (RCT) and the Heads of the Valleys region, west Wales and the Midlands. It will facilitate economic regeneration and development of the northern area of RCT, especially the SOA the Cynon Gateway, and encourage investment in the wider area.
  - It will remove a significant amount of traffic that is predicted to travel through Llwydcoed as a result of the A465 dualling project, which has been acknowledged by the Welsh Government.
  - It will improve reliability and journey times.
  - It will enhance road safety and reduce casualties. Reduce personal injury collisions (and associated costs) by removing the impact caused by large traffic volumes predicted through Llwydcoed, as mentioned above.
  - Improve air quality at locations which have been designated Air Quality Management Areas eg. Aberdare;

#### **4.0 BACKGROUND**

- 4.1 The requirement for the Cynon Gateway North (Aberdare Bypass) has long been recognised as part of RCT's strategic highway network and is identified in the Local Development Plan and the Council's Corporate Plan 2020-24.
- 4.2 The Cynon Gateway North commences from the existing Aberdare Bypass (A4059) adjacent to Aberdare cemetery and travels in a north easterly route to connect to the proposed roundabout being constructed as part of the A465 dualling at Croesbychan (see plan in Appendix A).
- 4.3 A preliminary highway alignment has recently been finalised including tying into the Welsh Government proposals at Croesbychan for the A465 dualling.

- 4.4 The proposed Cynon Gateway North is approximately 1.2km long and is to be predominantly constructed on an earth embankment with a number of structures located along the route to facilitate the crossing of the River Cynon, Nant Hir, Hirwaun to Aberdare freight line and other features / highway / constraints. The highway will be 7.3m wide and will link to the existing A4059 via a proposed roundabout and the A465 / local road network in the north again via a roundabout being constructed as part of the A465 dualling. Active Travel routes within the area will be enhanced as part of the A465 dualling, Cynon Trail project and as a result of this project. Drainage for the project will be subject to Sustainable Drainage Agency Board (SAB) approval.
- 4.5 The proposed route traverses through a number of third party privately owned land, unknown / unregistered land, as well as RCT land, the extents of impact on the third party land is currently being evaluated taking into account potential ecological mitigation requirements.
- 4.6 The proposed route travels through part of a Site of Special Scientific Interest (SSSI) at the southern roundabout, ie Tir Mawr a Dderi Hir.
- 4.7 The Bypass affects a Site of Importance for Nature Conservation (SINC) and travels close to another. The main SINC effected is SINC 15 Upper Cynon Floodplain. The SINC is the River Cynon and its valley, with its species rich marshy grassland, neutral grassland, woods and hedgerows, again with marsh fritillary habitat. The road traverses over the river Cynon within the SINC but does involve loss and severance of marshy, pastures and woodland habitat. Mitigation in terms of reducing loss of habitat and providing compensatory management will be important, and will be integrated with SSSI and species mitigation, compensation and enhancement measures.
- The second SINC which may have some small scale impacts is SINC 16, the Nant Hir Valley and Reservoir SINC. This SINC is designated for its watercourse and valleyside woodland
- 4.8 Ecological surveys have been ongoing for the past year along the proposed route with a number of protected UK and European species identified and discussions are currently ongoing with Natural Resources Wales (NRW) on these matters.
- 4.9 The proposed route runs through a flood plain and the works will be subject to NRW consent.
- 4.10 The proposed route runs partly adjacent to a Scheduled Ancient Monument, ie the Gamlyn Viaduct, with discussions ongoing with Cadw on this matter.

- 4.11 The proposed alignment travels over the existing Aberdare to Hirwaun freight line. A bridge structure is proposed to be constructed at this location which will allow for future electrification of the line by Transport for Wales.
- 4.12 There are a number of statutory undertakers plant / apparatus which are affected by the proposals and discussions are ongoing with these bodies.
- 4.13 A planning application will be required to be submitted for the Cynon Gateway North project.
- 4.14 Currently it is proposed to undertake the pre-planning application consultation in Autumn 2020 with a planning submission later in the Autumn.
- 4.15 Deliverability options for the project are current being considered with a current commencement date anticipated Autumn 2022 subject to successful completion of all statutory procedures, availability of finance and land.

## **5. EQUALITY AND DIVERSITY IMPLICATIONS**

- 5.1 An Equality Impact Assessment Screening form has been prepared for the purpose of this report. It has been found that a full report is not required. The Cynon Gateway North will enhance existing movement along the strategic highway network and hence between communities and areas of employment.

## **6 CONSULTATION**

- 6.1 Consultation has commenced and will continue with the stakeholders and parties affected by the Cynon Gateway North proposals and these include the Council's departments, Welsh Government (and their technical advisors), statutory bodies, statutory undertakers and third parties whose land is required for the proposals.
- 6.2 Local Members affected by the Cynon Gateway North have been consulted, including the A465 dualling project and more recently a Members Briefing was held on 14<sup>th</sup> January 2020 for the project.
- 6.3 As part of the pre-planning application consultation, members of the public affected will be consulted over the proposals commencing in Autumn 2020. Due to the restrictions currently in place as a result of Covid19, the public will be consulted via a number of means including plans available at libraries, website consultation, public notices on site,

etc. The Council's communications team are currently working on the proposals for this to be undertaken.

## **7 FINANCIAL IMPLICATION(S)**

- 7.1 The preliminary design is nearing completion for the project and has indicated that the estimated overall cost of the project is approximately £30m which is inclusive of risk, construction, fees, land, ecology mitigation works, etc. As the project progresses through the detailed design stage, the estimated costs will be further refined.
- 7.2 The Welsh Government is committed to working in partnership with RCT to progress development of the Cynon Valley Gateway North project with a view to opening the link as soon as it is practicable to do so.
- 7.3 A total of £2.016m funding has been received from the Welsh Government since 2011/12 although there has been sustained funding between 2017/18 and 2020/21 via the Local Transport Network Fund for the project.
- 7.4 A total of £2.30m funding to date has been committed by the Council via its investment programme.
- 7.5 After taking account of costs incurred to date, the current budget in the capital programme is £2.630M. This is sufficient to continue progress with deliverability options and associated costs, and to undertake the pre-planning consultation and develop and submit the planning application. The Council will continue to work very closely with the Welsh Government regarding funding for this scheme and the Council's wider capital programme.

## **8 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 8.1 The legal implications are considered in the body of this report. The Council has the power to make the CPO and SRO under the provisions of the Acquisition of Land Act 1981 and Sections 14,125, 239,240,246,250 and 260 of the Highways Act.

## **9 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

- 9.1 The Cynon Gateway North supports a number of the authorities' own plans, policies and strategies that relate not only to transport, but the wider local agenda:

#### 9.1.1 **Well-Being of Future Generations (Wales) Act 2015**

The Cynon Gateway North will help achieve the well-being goals and objectives of the Act. Measures along this transport corridor to reduce journey times and improve reliability will help to improve access to key employment sites in the Cynon Valley. Increasing the proportion of employed residents will support economic growth in the area, help raise household income levels, tackle inequality and generate greater prosperity for communities. A reduction in traffic using the existing section of the populated corridor along the A4059 will deliver wider environmental benefits including potential reductions in traffic related carbon emissions, possible improvements to local air quality and a more attractive public realm. The reduction in traffic congestion will result in more pleasant, safer environments for residents that front the existing transport corridors, improving their physical and mental well-being.

#### 9.1.2 **Cwm Taf Wellbeing Plan**

Replaces the Single Integrated Plan (SIP) and a number of different partnership plans that were previously produced, including the Community Strategy, Children and Young Peoples Plan, Health Social Care and Well Being Strategy, Community Safety Plan and Local Housing Strategy. The Cwm Taf Wellbeing Plan has been produced by an overarching partnership of organisations in the public and voluntary sectors. The aim is to promote thriving communities, healthy people and a strong economy. These are closely aligned to the Welsh Government's 'Programme for Government Priority Areas'.

#### 9.1.3 **Local Development Plan (LDP)**

The LDP provides the framework for the development and use of land within Rhondda Cynon Taf. It sets out the objectives and priorities relating to the development and use of land and the policies and proposals for implementing them. Cynon Gateway North is specifically noted under Major Road Schemes ie CS8a.3.

#### 9.1.4 **South East Wales Local Transport Plan (SEWLTP) (2015)**

The five South East Wales Valleys local authorities of Blaenau Gwent, Caerphilly, Merthyr Tydfil, Rhondda Cynon Taf and Torfaen have jointly developed the SEWLTP Local that identifies the issues and opportunities for transport in the South East Wales Valleys area. Cynon Gateway North has been prioritised and included in the short term programme 2015-2020

- 9.1.5 The Cynon Gateway North complements the objectives and aims of:
- **Welsh Government's National Transport Finance Plan (2018 update)**
  - **Wales Transport Strategy 2008**
  - **Wales Spatial Plan 2008**

#### 9.1.6 **Strategic Opportunity Areas (SOA's)**



The current context of the Cardiff Capital Region City Deal and the Valleys Taskforce means that it is more important than ever to identify where there are key strategic opportunities to work with partners to deliver economic growth in Rhondda Cynon Taf. As such, RCT has identified key strategic opportunity areas to maximise the benefit of economic regeneration and ensure RCT is successful in the global competition for investment. SOA's are geographical areas where resources are focused to provide opportunities for the private sector to invest and create new jobs. Each SOA aims to provide a comprehensive and focused package to encourage investment and enterprise. On 21<sup>st</sup> September 2017, the Council approved five Strategic Opportunity Areas (SOAs) and in particular the Cynon Gateway – “Energizing the Region.” In doing so, the Council has committed to developing and delivering projects that will achieve the primary aspirations of this Strategy, namely enabling significant economic growth and jobs.

- 9.2 The proposals to construct the Cynon Gateway North will make a significant contribution towards the Corporate Priority of Prosperity. The Corporate Plan 2020-24 itemises the A465 Cynon Valley Link Road (Cynon Gateway North) as one of the points in the plan under Delivering major regeneration and transportation schemes. The proposal has a significant impact on improving accessibility and connectivity which is recognised as a fundamental factor in linking the labour market with employment opportunities and supporting economic activity.
- 9.3 The project directly addresses the Corporate Plan commitment to invest in highways infrastructure and to improve the transport network. It also complements investment in the A465 dualling.
- 9.4 On 21<sup>st</sup> September 2017 Council approved the Strategic Opportunity Areas and in particular the Cynon Gateway – Energizing the Region.
- 9.5 The Cynon Gateway North will help support the delivery of a Wales of cohesive communities, a prosperous Wales and a Wales of vibrant culture and thriving Welsh Language.

## **10 CONCLUSION**

- 10.1 The Cynon Gateway North will bring improved benefits to the strategic local highway network, linking the A4059 with the nationally strategic A465 Trans European Transport (TEN-T) network.
- 10.2 The Cynon Gateway North will bring relief to LLwydcoed as a result of traffic from the A465.
- 10.3 Improve capacity and resilience of the A4059.



- 10.4 Facilitate economic regeneration of the Cynon Valley and connectivity to south west Wales and English Midlands.
- 10.5 Improve journey times and reliability
- 10.6 In order to commence the process it is recommended that authority be granted to the Group Director Prosperity, Development and Frontline Services to submit a planning application on behalf of the Council in respect of the Cynon Gateway North, obtain sufficient funding for each stage of the project: to negotiate the purchase of any land in third party ownership as required for the implementation of the whole project and initiate all procedures relating to making, confirming and implementation of a CPO and SRO including but not limited to the following steps:
- 10.6.1 All steps up to and including confirmation of the CPO and SRO by the Welsh Ministers (or, if permitted, by the Council pursuant to Section 14A Acquisition of Land Act 1981), including the preparation and presentation of the Council's case for any Written Representations, Hearing or Public Inquiry which may be necessary;
- 10.6.2 Publication and service of notices of confirmation of the CPO and SRO and thereafter to execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry;
- 10.6.3 To acquire the necessary interests in the land and settle the compensation.
- 10.6.4 Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

**Other Information:-**

***Relevant Scrutiny Committee***

**[ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEE](#)**

(Terms of Reference of each of the Scrutiny Committees to assist Officers with selecting the correct Committee.)

***Contact Officer***



**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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