



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**21<sup>st</sup> JUNE 2018**

### **A4119 ELY VALLEY ROAD DUALLING – LLANTRISANT BUSINESS PARK TO COED ELY ROUNDABOUTS**

#### **REPORT OF THE GROUP DIRECTOR CORPORATE AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER OF THE COUNCIL.**

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#### **1. PURPOSE OF THE REPORT**

1.1 The purpose of the report is to:

- Obtain delegated authority from Cabinet for the Director of Highways and Streetcare to submit a planning application (if required) on behalf of the Council for the A4119 Ely Valley Road Dualling – Llantrisant Business Park to Coed Ely Roundabouts; and
- Subject to a successful planning application (or formal confirmation that planning permission is not required) 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 A4119 Ely Valley Road Dualling – Llantrisant Business Park to Coed Ely Roundabouts

#### **2. RECOMMENDATIONS**

It is recommended that Cabinet:

- 2.1 Give delegated authority to the Director of Highways and Streetcare to submit a planning application (if required) on behalf of the Council for the A4119 Ely Valley Road Dualling – Llantrisant Business Park to Coed Ely Roundabouts.
- 2.2 Give delegated authority to the Director of Highways and Streetcare to negotiate where possible, the purchase of any third party owned land required for the dualling project proposal and if such land is not able to be purchased via negotiation delegate the powers as outlined in paragraph 2.3 relating to the implementation of the CPO and SRO.

- 2.3 Subject to the grant of planning permission (or formal confirmation that planning permission is not required) and obtaining sufficient funding for each stage of the process, give delegated authority to the Director of Highways and Streetcare to take all necessary steps to secure the making, confirmation and implementation of a CPO and SRO (if they are required) in respect of the land identified on the plan at Appendix A including but not limited to the following procedural steps:
- 2.3.1 Seeking 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.
- 2.3.2 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.
- 2.3.3 To acquire the necessary interests in the land.
- 2.3.4 Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 This major improvement to the existing highway network on the A4119 Corridor i.e. the dualling of a 1.3km section of the A4119 Ely Valley Road from the Llantrisant Business Park to the Coed Ely Roundabouts will see the dualling of this strategic highway linking the Rhondda Valleys to the M4 corridor. The improvement is not only integral to the regional strategic highway network; it is also linked to part of the Strategic Opportunity Area (SOA) The A4119 Corridor: The Regional Rhondda Gateway, but also to the wider economic opportunities for the western area of the County Borough and the Cardiff Capital Region.
- 3.2 The project will have transportation and regeneration benefits including:-
- It will improve capacity and resilience of the A4119 for the section concerned which currently operates at capacity during peak hours. This will reduce incidences of congestion and delays.
  - It will improve connectivity to Tonyrefail and surrounding areas.
  - It will facilitate and further unlock development of the strategically important Coed Ely site (approximately 14.32 ha), and encourage investment in the wider area.

- It will improve access to existing and new businesses at Llantrisant Business Park, the Royal Glamorgan Hospital and the wider areas.
- It will improve reliability and journey times especially for public transport, this will enhance the viability of local and regional bus services using the route

#### **4. BACKGROUND**

- 4.1 The scheme will dual the existing A4119 Ely Valley Road carriageway, 1.3km in length from the Llantrisant Business Park to the Coed Ely Roundabouts.  
The proposal is to create two 3.65m lanes in both directions with a central reserve and active travel provision.
- 4.2 The implementation of the project will require the authority to acquire the land identified on the plan shown in Appendix A. At present 18 separate landowners have been identified including the Council, who own land which will be required for the project. The works will not necessitate the demolition of any properties. It is the intention for the council to purchase all the land via negotiation with the affected land owners concerned. However a CPO may be required for this project but will be the last resort after negotiation with the said land owners. The CPO, if successful, will enable this Council to acquire the land required for the dualling of the existing road (other than Crown Land which will need to be acquired by agreement), whether it be on a permanent basis or as a temporary measure during construction. This use of CPO powers is usual in a highway project such as this. The process of land acquisition will commence subject to approval and will continue alongside the making of the CPO. This minimises the work required for any public inquiry that may arise following the submission of objections. The Council has the power to make the CPO under the provisions of the Acquisition of Land Act 1981 and Sections 239,240,246,250 and 260 of the Highways Act 1980.
- 4.3 The implementation of the project may require a SRO. There are a number of existing private means of access along the route, some which will need to be retained and others can potentially be rationalised or removed. The preliminary design and negotiation with affected third party land owners will identify which of the above options will be undertaken and thus a SRO may be necessary for stopping up of the private means of access.
- 4.4 The A4119 Ely Valley Road (Llantrisant Business Park to Coed Ely Roundabouts) dualling has been designed to minimise the amount of land take whilst ensuring that the current design standards for the

highway are met. The proposed dualling will be subject to a public exhibition/information process in Autumn / Winter 2018 prior to any submission.

4.5 In contemplating the use of compulsory purchase powers, account has been taken of the Convention on Human Rights as incorporated into United Kingdom Law by the Human Rights Act 1998. In particular, consideration has been given to the rights set out in Article 8 and 1 of the first protocol to the Convention on Human Rights. The land to be acquired compulsorily represents the minimum to enable the A4119 Ely Valley Road (Llantrisant Business Park to Coed Ely Roundabouts) dualling project to proceed. In addition, the human rights of those adversely affected by the scheme have been balanced against the benefit to the community of:

- Increase capacity and resilience of the existing A4119 Ely Valley Road between the Llantrisant Business Park and Coed Ely roundabouts.
- Improved road safety.
- Improved walking and cycling routes.
- Improved reliability and viability of public transport.
- Catalyst for full development of a 14.32 ha strategic development site and surrounding sites
- Improved connectivity and regional links to the benefit of the economic opportunity of the western area of Rhondda Cynon Taf and the region.

4.6 The A4119 is recognised as an important transportation corridor linking the M4, Cardiff and South East Wales to RCT. This was recognised by the Welsh Government who have worked in collaboration with RCT and provided funding as part of a WelTAG (Welsh Transport Appraisal Guidance) Stage 1 Strategic Corridor Assessment of the M4 for 2016/17. The A4119 was recognised as a significant sub-corridor and the subsequent report and findings were endorsed by the Welsh Government. Funding for the A4119 corridor WelTAG Stage 2 was further provided in 2017/18 by the Welsh Government.

4.7 The bus corridor along the A4119 linking Tonypany – Tonyrefail – Talbot Green – Groesfaen is one of the strategic bus corridors in RCT. It serves one of the Strategic Opportunity Areas identified in the Wales Spatial Plan (Llantrisant / Talbot Green) as well as the key settlements of Tonypany and Tonyrefail. The corridor continues along the A4119 beyond the RCT boundary into North West Cardiff and is projected to cater for a significant increase in both peak and off-peak traffic between Cardiff city centre and South East RCT / North West Cardiff as a consequence of planned major residential and commercial developments in the area – as set out in the Local Development Plans of both authorities (RCT and Cardiff).

- 4.8 In addition to this, on 21<sup>st</sup> September 2017, the Council approved five Strategic Opportunity Areas (SOAs) and in particular the “A4119 Corridor: Regional Rhondda Gateway.” 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. Part of this Strategy identifies Coed Ely and the A4119 as a Development Opportunity, recognising the major impact of developing approximately 14.32 hectares of reclaimed employment land at the Coed Ely former colliery site coupled with the dualling of the A4119.
- 4.9 To realise this opportunity, on 28<sup>th</sup> February 2018, the Council agreed to accept a European Regional Development Funding offer of £2.58M to enable the Council to deliver high quality industrial/office units on the southern plateau of the Coed Ely site. Furthermore, given the SOA’s inclusion of longer term employment site opportunities to the east of the A4119 in this area, the dualling of the A4119 will also act as a key catalyst in the delivery of this particular Strategy.
- 4.10 The A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts is in accord with a number of national policies namely:

#### 4.10.1 **Welsh Assembly Government Policy**

##### 4.10.1.1 **Wales Spatial Plan (2008)**

The A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts is in accord with the Welsh Government’s Wales Spatial Plan (WSP). A key theme of the WSP is ‘Achieving Sustainable Accessibility’. The Plan sets out area strategies for spatial areas within Wales, including one for SE Wales – The Capital Region.

The vision for this area is ‘An innovative skilled area offering a high quality of life – international yet distinctively Welsh. It will compete internationally by increasing its global visibility through stronger links between the Valleys and the coast and with the UK and Europe, helping to spread the prosperity within the area and benefiting other parts of Wales.’ The WSP recognises that a fully integrated, high quality transport system is necessary for this to happen. The vision sees South East Wales as a ‘networked city region’ of strong, sustainable and interdependent communities spreading the prosperity of Cardiff and Newport to the neighbouring valleys. The strategy envisages that new development will be focused on 14 key settlements in SE Wales with growth being distributed evenly to avoid

overdevelopment in the south and support the regeneration and viability of key settlements outside the main cities.

The A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts will provide improved access to 1 of the South East Wales Capital Region's 14 key settlements identified in the WSP. Llantrisant is also identified as 1 of 3 Strategic Opportunity Areas in this region, which offer the potential regional benefits from their sustainable development.

#### **4.10.1.2 Wales Transport Strategy (2008)**

The Wales Transport Strategy (WTS) is the key transport policy document of the Welsh Government and established the framework for creating an integrated transport system for Wales. It set out that joining together proposals for road, rail and public transport will enable people and freight to travel more efficiently and sustainably, whilst being able to access the goods, markets, services, facilities and places they need. The WTS has identified 5 over-arching priorities that provide additional strategic direction for work towards its long-term outcomes. These are:

- Integrating local transport
- Improving access between key settlements and sites
- Enhancing international connectivity
- Increasing safety and security

The A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts will help achieve these priorities by increasing capacity which will reduce queuing. The project will result in reduced journey times travelling along the A4119, reduced congestion on the A4119 which will improve access between key settlements and sites, and open up development opportunities in the immediate and wider area.

#### **4.10.1.3 National Transport Plan (2010, updated 2011)**

The A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts is in accordance with the National Transport Plan (NTP). The NTP sits alongside the Local Transport Plan to deliver the aims and outcomes of the Wales Transport Strategy. The NTP sets out Welsh Government interventions to deliver the aspects of transport policy for which it is responsible. It sets out proposals to deliver a transport system as integrated as possible and to ensure the transport system is used efficiently and sustainably. The NTP reflects a balanced approach to the development of the transport network, recognising that it must continue to support economic growth and promote social inclusion, while playing its full part in tackling climate change.

## **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 A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts will enhance existing movements along the strategic highway network and hence between communities.

## **6 CONSULTATION**

- 6.1 Consultation has commenced with the stakeholders and parties affected by the A4119 Ely Valley Road dualling Llantrisant Business Park to Coed Ely Roundabouts proposals and these include the Council's departments, statutory bodies, statutory undertakers and third parties whose land is required for the proposals.
- 6.2 The consultation process with stakeholders, parties affected by the proposals and the general public will continue throughout the preliminary and detailed design process on the project.

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

- 7.1 A feasibility study undertaken for the project has indicated that the estimated overall cost of the project is approximately £9.6m (inclusive of risk, construction, fees, land, etc) . As the project progresses through the preliminary design stage, the estimated costs will be further refined.
- 7.2 On 19<sup>th</sup> March 2017 Council approved the sum of £302k as part of Council's Making Better Use Programme for it to be utilised jointly between the A4119 dualling and Llanharan Bypass with £150k for the A4119 dualling project. A further £1M was allocated by the Council in October 2017.
- 7.3 On 25<sup>th</sup> January 2018 the Cabinet agreed in principle to a £300m investment programme over the next 5 years and included in that was a sum of £65M for Highways and Transportation Infrastructure projects and A4119 dualling project specifically.
- 7.4 The Council also successfully obtained £100k funding from the Welsh Government for the A4119 dualling in 2017/18 as part of their Local Transport Network Fund grant.
- 7.5 The Council has also received £300k funding from Welsh Government for 2018/19 as part of their Local Transport Network Fund grant. A further £600k for 2019/20 and £600k for 2020/21 has been indicatively announced by the Welsh Government for the council in their 2018/19 grant announcement. The bid covers various elements of work along the A4119 strategic corridor including for design of the dualling works.

## **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 A4119 Ely Valley Road Dualling – Llantrisant Business Park to Coed Ely Roundabouts 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 A4119 Ely Valley Road dualling 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 southern part of the corridor. 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 congestion at the key pinch points along the A4119 corridor will deliver wider environmental benefits including potentially reductions in traffic related carbon emissions, possible improvements to local air quality and a more attractive public realm. Investment in the A4119 corridor together with the bus operators plans to invest in further new buses, will encourage greater passenger usage on bus services and help to maintain its commercial viability. This, in turn, will ensure that the bus service continues to play an important connectivity role, linking those communities with high levels of deprivation and low car ownership (in the northern part of this corridor) with areas of buoyant economic activity and a wide range of services and facilities (in the southern part of this corridor).

### **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.

Core Policy CS8 – Transportation, includes specific reference to the A4119/A473 corridor. It is recognised that the corridor is a strategic transport corridor and this corridor area is subject to high demands for economic and housing developments. This policy safeguards the provision improvements to this corridor via a strategic transport corridor management system.

Policy SSA14.1 Employment Locations - Coed Ely, Tonyrefail (14.32ha of B1 and B2 use) directly links to the A4119 at this location is a strategic development which is supported by the Welsh Government.

Policy SSA10.2-10.10 Housing Allocations – 1280 housing units would benefit and be served by the A4119.

### **9.1.4 The South East Wales Valleys Local Transport Plan (January 2015)**

This plan identifies the issues and opportunities for transport in the South East Wales Valleys area. The A4119 Ely Valley Road dualling will complement proposals set out in the plan's short term programme for improvements to the A4119 bus corridor.

### **9.1.5 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 "A4119 Corridor: Regional Rhondda Gateway." 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. Part of this Strategy identifies Coed Ely and the A4119 as a Development Opportunity, recognising the major impact of developing approximately 14.32 hectares of reclaimed employment

land at the Coed Ely former colliery site coupled with the dualling of the A4119.

- 9.2 The proposals to construct the A4119 Ely Valley Road Dualling – Llantrisant Business Park to Coed Ely Roundabouts will make a significant contribution towards the Corporate Priorities “Building a Strong Economy” and “Improving our Communities”. 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.
- 9.4 On 21<sup>st</sup> September 2017 Council approved the Strategic Opportunity Areas and in particular the A4419 Corridor : Regional Rhondda Gateway.
- 9.5 The dualling of the A4119 Ely Valley Road – Llantrisant Business Park to Coed Ely Roundabouts 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 enhancement of this important transport corridor brings with it not only local benefits but also improved connectivity within the region, delivering greater economic opportunities.
- 10.2 The dualling of the A4119 Ely Valley Road Llantrisant Business Park to Coed Ely Roundabouts will improve journey time reliability, reduce journey times, remove a significant pinch point from the strategic transport corridor, reduce congestion and improve capacity.
- 10.3 The dualling will act as a catalyst for the Strategic Opportunity Area and in particular the Coed Ely development site.
- 10.4 The submission of a planning application and, subject to a successful determination (or formal confirmation that planning permission is not required) the making, confirming and implementation of the CPO and SRO (if required) will enable the Council to achieve the project.
- 10.5 In order to commence the process it is recommended that delegated authority be granted to the Director of Highways and Streetcare to submit a planning application on behalf of the Council (if required) relating to the project; and obtain sufficient funding for each stage of the project: to negotiate the purchase of any land in third party ownership (as shown in Appendix A) as required for the project and

initiate all procedures relating to making, confirming and implementation of a CPO and SRO including but not limited to the following steps:

- 10.5.1 Seeking 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;
- 10.5.2 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;
- 10.5.3 To acquire the necessary interests in the land; and
- 10.5.4 Referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber).

**Other Information:-**

***Relevant Scrutiny Committee***

Public Service Delivery, Communities & Prosperity Scrutiny Committee.

***Contact Officer - Andrew Griffiths 01443 490409***

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

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**Background Papers**

None.

Officer to contact: