

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2017**

**COMMUNITY INFRASTRUCTURE LEVY ('CIL')**

**REPORT OF THE DIRECTOR OF REGENERATION AND PLANNING IN  
DISCUSSION WITH THE CABINET MEMBER FOR ENTERPRISE  
DEVELOPMENT AND HOUSING, COUNCILLOR R BEVAN**

**Author:** Simon Gale (Service Director Planning)

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek Cabinet approval of the contents of the CIL Annual Monitoring Report and amendments to the Regulation 123 List.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that the Cabinet:

- (1) Agree the contents of the CIL Annual Monitoring Report (Appendix A).
- (2) Approve the amended Regulation 123 List (Appendix B) for publication on the Council web-site for a period of 28 days and consultation as set out in paragraph 5.10.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To enable the Council to continue to operate a Community Infrastructure Levy in accordance with the statutory regulations.

**4. BACKGROUND**

- 4.1 The Community Infrastructure Levy Regulations 2010 (as amended) require the Council to produce an **annual report detailing CIL income and expenditure** (Appendix A). Set out in paragraphs 5.1 – 5.5 below are the details of the second of these annual reports since the Council introduced CIL in December 2014
- 4.2 The Community Infrastructure Levy Regulations 2010 (as amended) also require the Council to publish an Infrastructure List (known as the Regulation 123 List). The list should set out the infrastructure which the Council considers it is likely to apply Community Infrastructure Levy (CIL) revenue to.

- 4.3 At the meeting of the Cabinet held on 8<sup>th</sup> September 2016, Cabinet approved for consultation and subsequent adoption the latest updated version of the Regulation 123 List.
- 4.4 At a meeting of Cabinet on 23<sup>rd</sup> July 2015, Members agreed the process for formulating, monitoring and revising the Regulation 123 List, which includes that the relevant Scrutiny Committee/Group review the operation of the list and consider the annual 123 list and annual finance monitoring report and make recommendations to Cabinet where appropriate.

## 5. MATTERS FOR CONSIDERATION

### CIL INCOME & EXPENDITURE

- 5.1 The Regulations require that CIL income must be split into three parts:
- 80% to be applied to infrastructure to support growth of the Council's area (known as the 'Strategic CIL' and is to be spent on items on the Regulation 123 List).
  - 15% to be passed to the Community/Town Council in whose boundary the development that paid CIL is located for the provision of local infrastructure improvements of other measures that support the development of the area.
  - 5% to be applied towards implementation and ongoing administration.
- 5.2 The total CIL income in **2016/17** was **£84,731.11**
- 80% as Strategic income = £67,872.60
  - 15% Local income = £12,621.95
  - 5% Administration income = £4,236.56
- 5.3 The **annual monitoring report** at Appendix A provides a breakdown of the CIL receipts received.
- 5.4 Appendix B sets out the distribution of 15% of CIL receipts to Community/Town Councils.
- 5.5 There was no expenditure of strategic income or administrative income in 2016/17.

### THE REGULATION 123 LIST

- 5.6 Whilst some amendments are needed to the Council's updated **Regulation 123 List** (considered by Cabinet on 8<sup>th</sup> September 2016) the broad thrust of the list remains the same in that it proposes highway and education projects that support and mitigate the growth anticipated through the Council's Local Development Plan.

- 5.7 There are six proposed changes to the highway projects part of the list. To remove from the list i) the A4119/A473 roundabout capacity improvements as this work is complete and has been funded separately, ii) the A4059/A4233 Tesco roundabout Aberdare – Duelling of A4059 from the Abernant Road roundabout and extension of widening for A4059 as recent improvements to the approaches to the Ynys roundabout have been completed which increase network capacity in the area and iii) the Stag Square as improvement works to the signal controls have now been implemented. The fourth change is to revise the wording of the works to the A4119/B4595 (Talbot Green) signals to capacity enhancements; this will allow a possible different solution to the current review of this junction. To add i) the A4059 southbound approach to Asda roundabout capacity enhancements and ii) the A4119 Castell Mynach signalised junction to the list. There is pressure on this junction for additional lanes and bus lanes to accommodate RCT growth together with the major developments consented in NW Cardiff.
- 5.8 The only proposed change to the education element on the list is to remove rebuild/remodel and extend Y Pant Comprehensive School from the list as the work has been funded elsewhere. The work on Y Pant Comprehensive School is now complete.
- 5.9 Attached at Appendix C is a table which sets out in detail what schemes have been removed, which have been added or amended, and the reasons for the change.
- 5.10 It is recommended that the Cabinet consider the updated **Regulation 123 List** (Appendix B) which subject to approval will be published on the Council web-site for 28-days and if there are no adverse comments received then the 123 List can be adopted. It is further recommended the notification of the consultation is sent to all elected Members, Town and Community Councils and to the Members of the Council’s Developers Forum.

## 6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full report is not required at this time. The screening form can be accessed by contacting the author of the report or the Cabinet Business officer.
- 6.2 Furthermore, the equality and diversity implications of any infrastructure schemes that will be funded by CIL will be considered in the development of those projects.

## 7. CONSULTATION

- 7.1 This report has been considered and agreed by the Finance and Performance Scrutiny Committee on 4 October 2017. Subject to Cabinet approval further

consultation will be required in respect of the proposed amendments to the Regulation 123 List as set out in paragraph 5.10 above.

## **8. FINANCIAL IMPLICATION(S)**

- 8.1 No additional budget requirements and the CIL receipts and spend for the year 2016/17 is set out at Appendix A.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 9.1 The report and appendices have been prepared in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

## **10. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES / FUTURE GENERATIONS - SUSTAINABLE DEVELOPMENT**

- 10.1 Infrastructure funded through CIL will support the Building a Strong Economy and Creating Neighbourhoods Where People are Proud to Live and Work priorities in the Corporate Plan.

## **11. CONCLUSION**

- 11.1 It is to be expected that the CIL receipts would be relatively low over the first two years of its implementation as the majority of development that is currently being undertaken in the County Borough was granted planning permission prior to CIL being implemented.
- 11.2 The minor changes to the Regulation 123 List is considered appropriate to improve the efficiency of the CIL process and to assist in funding schemes that support growth in the County Borough.

### **Other Information:-**

**Relevant Scrutiny Committee**  
*Finance and Performance Scrutiny Committee*

**Contact Officer**  
*Simon Gale, Service Director of Planning. 01443 494716*

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**DISCUSSION PAPER FOR A PRIVATE MEETING OF THE CABINET**

**9 NOVEMBER 2017**

**REPORT OF THE DIRECTOR OF REGENERATION AND PLANNING IN DISCUSSIONS  
WITH THE CABINET MEMBER FOR ENTERPRISE DEVELOPMENT AND HOUSING  
COUNCILLOR ROBERT BEVAN**

**Item:**

**Background Papers**

Officer to Contact: Simon Gale, Service Director of Planning. 01443 494716



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(CIL)

CIL Regulations 2010 (as amended)

Regulation 62

Monitoring Report 2016/17

Published xxx 2017 (subject to Cabinet Approval)

## **Regulation 62 – Monitoring Report 2016/17**

### **Background**

Rhondda Cynon Taf (RCT) Council's Community Infrastructure Levy (CIL) Charges took effect on 31 December 2014 and the Council is both a CIL Charging and a CIL Collecting Authority. Regulation 62 of the CIL Regulations 2010 (as amended) requires CIL Charging Authorities to produce an annual report detailing CIL income and expenditure. This is Rhondda Cynon Taf's second annual report covering the period 1 April 2016 to 31 March 2017.

### **Allocation of CIL**

CIL income is required to be allocated as follows:

- Up to 5% of CIL can be applied towards implementation and ongoing administration
- 15% of CIL is passed to the Community/Town Council in whose boundary the development that paid the CIL is located, for the provision of local infrastructure improvements or other measures to support the development of the area (referred to as local CIL).
- 80% of CIL is to be applied to strategic infrastructure to support the growth of the CIL Charging Authority's area (referred to as Strategic CIL).

### **Total CIL Income**

Total CIL income in 2016/17 was £84,731.11

Details of each CIL receipt and how it is apportioned is attached at Appendix A.

Strategic 80% (to be spent on items on Regulation 123 List)

Strategic Income in 2016/17 was £67,872.60

Strategic income carried forward from 2015/16 was £223,956.24

Balance of Strategic CIL income £291,828.84

Local 15%

Local CIL income in 2016/17 was £12,621.95

Rhondda Cynon Taf has 12 Community/Town Council areas, which are: Gilfach Goch, Hirwaun, Llanharan, Llanharry, Llantrisant, Llantwit Fadre, Pontyclun, Pontypridd, Rhigos, Taffs Well, Tonyrefail and Ynysybwl

Local CIL (15% passed to Community/Town Councils) income received between 1<sup>st</sup> April 2016 and 30<sup>th</sup> September 2016 was £6,507.42

Balance £3,896.17 received between 1<sup>st</sup> October 2016 and 31<sup>st</sup> March 2017 will be passed to the relevant Community/Town Council by 28<sup>th</sup> April 2017.

Balance for areas where there is no Community/Town Council 2016/17 was £2,218.36

The amount passed to each Community/Town Council is set out in Appendix B.

Administration 5%

Administrative Income in 2016/17 was £4,236.56

Administrative income carried forward from 2015/16 was £13,973.35



Balance of Administration Income £18,209.91

CIL carried forward to 2017/18

The amount of CIL carried forward to 2017/18 is set out in the following table:

CIL CARRIED FORWARD	AMOUNT
Strategic CIL	£291,828.84
Local CIL	£3,896.17(to be paid in April 2017) Areas where there is no Town/Community Council £2,218.36
Administrative CIL	£18,209.91

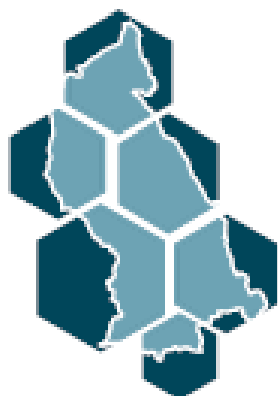
Appendix A –CIL INCOME RECEIVED IN 2015/2016

Date received	Planning Application Reference	Site Address	CIL Charge Development Type	Amount	Admin	Strategic	Local (Community/ Town Council)
14/04/16	15/1254	Pen Y Groes Farm, Egwysilian Rd, Taffs Well	Residential Zone 3	£12,871.82 Full amount	£643.60	£10,297.44	£1,930.78 Pontypridd Town Council
22/06/16	15/1276	Whats's Store, Aberaman Park Industrial Estate, Aberaman	A1 Retail	£14,789.12 Full Amount	£739.46	£11,831.30	£2,218.36 Non Community/Town Council Area
01/08/16	15/1611	Castellau Farm, Llantrisant	Residential Zone 3	£11,206.49 Full Amount	£560.31	£8,965.20	£1,680.98 Llantrisant
13/09/16	13/0633	Former Police Station, Cardiff Road, Taffs Well	Residential Zone 3	£19,304.39 First Instalment	£965.22	£15,443.51	£2,895.66 Taffs Well Community Council
03/10/16	15/0388	26 Cardiff Road, Taffs Well	Residential zone 3	£4,976.58 Full Amount	£248.84	£3,981.27	£746.48 Taffs Well Community Council
03/01/17	16/0630	The Mighty Cod, 35 Taff St, Pontypridd	Residential Zone 2	£2,278.31 Full Amount (*includes £584.76 of surcharges)	£113.91	£1,910.37	£254.03 Pontypridd Town Council
10/02/17	13/0633	Former Police Station, Cardiff Road, Taffs Well	Residential Zone 3	£19,304.39 Second Instalment	£965.22	£15,443.51	£2,895.66 Taffs Well Community Council

\*Note: Under Regulation 88, surcharges cannot be apportioned to community/town councils and must be split 5% administration and 95% strategic infrastructure.

Appendix B – CIL INCOME LOCAL INFRASTRUCTURE COMMUNITY/TOWN COUNCILS

Community/Town Council	15% to be passed to local council	Date passed	Amount Passed	Balance
Gilfach Goch	£0	n/a	n/a	
Hirwaun	£0	n/a	n/a	
Llanharan	£0	n/a	n/a	
Llanharry	£0	n/a	n/a	
Llantrisant	£1,680.98	30/09/16	£1,680.98	£0
Llantwit Fadre	£0	n/a	n/a	
Pontyclun	£0	n/a	n/a	
Pontypridd	£2,184.81	30/09/16	£1,930.78	£254.03 (paid in April 2017)
Rhigos	£0	n/a/	n/a	
Taffs Well	£6,537.80	30/09/16	£2,895.66	£3,642.14(paid in April 2017)
Tonyrefail	£0	n/a	n/a	
Ynysybwl	£0	n/a	n/a	
Non-Community Council/Town Council area	£2,218.36 To be spent in Aberaman South Ward	Not yet spent	n/a	£2,218.36



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**Regulation 123 List of Infrastructure  
 List Updated XXXXX 2017**

In accordance with the requirement of Community Infrastructure Levy Regulations 2010 (as amended) the following table comprises the Rhondda Cynon Taf County Borough Council Infrastructure List. The list includes the infrastructure the Council considers it is likely to apply Community Infrastructure Levy (CIL) revenue to:

**Education Projects:**

- New/additional education provision to serve the land at Mwyndy / Talbot Green;
- New/additional education provision to serve Trane Farm, Tonyrefail;
- New/additional education provision to serve Station Road, Church Village
- New/additional education provision to serve Taffs Well
- New/additional education provision at the former open cast site north of A473, Llanilid
- New/additional education provision at Ystrad Barwig Farm, Llantwit Fadre

**Transportation Projects:**

- Partial signalisation of the A473 Cross Inn roundabout;
- A4119/B4595 signals – Capacity enhancements
- Provision of the A473/A4119 Talbot Green to Ynysmaerdy Relief Road;
- A4119/A4093 roundabout, Tonyrefail – partial signalisation, widening of northbound approach, entry and circulatory widths and widening of the A4093 entry;
- A4059 southbound approach to Asda roundabout capacity enhancement
- Llanharan By-pass
- Cynon Gateway (A465)
- Mountain Ash Cross Valley Link
- South Coed Ely Link Dualling - upgrade the A4119 between Talbot Green and Coedely to dual carriageway standard
- A4119 Castell Mynach signalised junction

**Please note:**

*The Regulation 123 list is not prioritised and projects can be added to the list or removed at the discretion of the Council, subject to appropriate consultation.*

*The inclusion of a project or type of infrastructure on the list does not signify a commitment from the Council to fund (either in whole or part) the listed project or type of infrastructure. The order of the list does not imply any preference or priority*

## Consultation on proposed amendment to Regulation 123 List

### Background

Rhondda Cynon Taf County Borough Council is a Community Infrastructure Levy (CIL) Charging Authority. Since its CIL charges took effect on 31<sup>st</sup> December 2014, it has published a Regulation 123 list on its web-site.

The Regulation 123 list is a list containing infrastructure projects that may be fully or partly funded by CIL.

### Proposed Changes

The proposed changes to the Council's Regulation 123 list are set out in the following table:

<b>Infrastructure Requirement (Original List)</b>	<b>Proposed Amendment</b>	<b>Reason For Amendment</b>
<b>Education Projects</b>		
New/additional education provision to serve the land at Mwyndy / Talbot Green;	To remain unaltered	N/A
New/additional education provision to serve Trane Farm, Tonyrefail	To remain unaltered	N/A
Rebuild / remodel and extend Y Pant Comprehensive School	Remove from list	Work funded separately and complete
New/additional education provision to serve Station Road, Church Village	To remain unaltered	N/A
New/additional education provision to serve Taffs Well	To remain unaltered	N/A
New/additional education provision at the former open cast site north of the A473, Llanilid	To remain unaltered	N/A
New/additional education provision at Ystrad Barwig Farm	To remain unaltered	Dependent on appeal call-in decision on application for new residential development
<b>Transportation Projects:</b>		
A4119/A473 roundabout – capacity improvements	Remove from list	Work funded separately and near completion
Partial signalisation of the A473 Cross Inn roundabout	To remain unaltered	N/A

A4119/B4595 signals – provision of direct link between the A4119(n) and the B4595(e), removal of corresponding left turn at the junction and optimisation of the signals	Revision to wording	This junction is currently being reviewed and may propose a different solution. Proposed revision to wording will allow a possible different solution:  A4119/B4595 signals: capacity enhancements.
Provision of the A473/A4119 Talbot Green to Ynysmaerdy Relief Road	To remain unaltered	N/A
A4119/A4093 roundabout, Tonyrefail – partial signalisation, widening of northbound approach, entry and circulatory widths and widening of the A4093 entry	To remain unaltered	N/A
A4059/A4233 Tesco roundabout Aberdare – Duelling of A4059 from the Abernant Road roundabout and extension of widening for A4059 southbound approach.	Remove from list	Recent improvements to the approaches to the Ynys roundabout have been completed which increase network capacity in the area
A4059 Southbound approach to Asda roundabout	Add to list	Capacity enhancements
Llanharan By-Pass	To remain unaltered	N/A
Cynon Gateway (A465)	To remain unaltered	N/A
Mountain Ash Cross Valley Link	To remain unaltered	N/A
Stag Square Improvements, Treorchy	Remove from list	Work has been funded separately that includes improvements to the signal controls which have been implemented and minor local changes to parking/loading and location of bus stops are in the process of being implemented.
South Coed Ely Link Dualling - upgrade the A4119 between Talbot Green and Coedely to dual carriageway standard	To remain unaltered	N/A
A4119 Castell Mynach signalised junction	Add to list	Additional lanes required including bus lanes to accommodate RCT growth together with the major development consented in NW Cardiff