

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**CABINET****23RD JULY 2015****REPORT OF THE DIRECTOR OF REGENERATION AND PLANNING****Author: Simon Gale, Service Director Planning****COMMUNITY INFRASTRUCTURE LEVY ('CIL') – REGULATION 123 LIST****1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek Cabinet approval to amend the Community Infrastructure Levy Regulation 123 List

2. RECOMMENDATIONS

- 2.1 It is recommended that Cabinet:
- 2.2 Approve the amended Regulation 123 List (Appendix 1) for publication on the Council website for 28 days and consultation as set out in paragraph 5.2
- 2.3 Approve the subsequent adoption of the amended Regulation 123 List if no adverse comments are received.

3.0 BACKGROUND

- 3.1 The Community Infrastructure Levy Regulations 2010 (as amended) require the Council to publish an Infrastructure List (known as the Regulation 123 List). This List should set out the infrastructure which the Council considers it is likely to apply Community Infrastructure Levy (CIL) revenue to. Failure to publish such a list would have substantial implications on the use of planning obligations in the County Borough.
- 3.2 When Council met on 10th December 2014 and resolved to adopt CIL, it also approved the Council's first Regulation 123 List which had formed part of the consultation and public examination process leading up to the adoption of CIL. Some circumstances around the projects itemised on the List have changed and the list now needs to be amended.

- 3.3 The report to Council recognised that the List would need to be updated by Cabinet on an annual basis or as appropriate in the meantime.
- 3.4 The process for amending the List has since been considered by a Scrutiny Working Group and agreed by Cabinet.

4.0 MATTERS FOR CONSIDERATION

- 4.1 Whilst some amendments are needed to the Council's existing Regulation 123 List the broad thrust of the 123 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.
- 4.2 Many of the changes arise as a result of the transition period between the old Section 106 approach and the new CIL regime.
- 4.3 For example, the education provision for the Cwm Coking Works site which was on the original 123 List has now been secured through a Section 106 Agreement as the planning permission was issued just before CIL was introduced.
- 4.4 A small number of highway projects in the Cynon and Rhondda Valleys have been added to help facilitate LDP sites and growth in those areas. For example, the Cynon Gateway project has been added in response to the latest proposals for the dualling of the Heads of the Valley road, to ensure that Aberdare as a principal town along with the strategic sites in that area remain well connected to the trunk road network. Similarly the proposals for the Mountain Ash Cross Valley link and Stag Square, Treorchy are included to ensure that the strategic and allocated sites in those areas remain as attractive as possible to investment.
- 4.5 Attached at Appendix 2 is a table which sets out in detail what schemes have been removed, what has been added or amended, and the reasons for each change.

5.0 REGULATORY REQUIREMENTS

- 5.1 The CIL regulations make no reference to any specific requirements in respect of amending Regulation 123 Lists. However Paragraph 098 of the government's Community Infrastructure Levy Guidance (June 2014) states:

When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate local consultation.

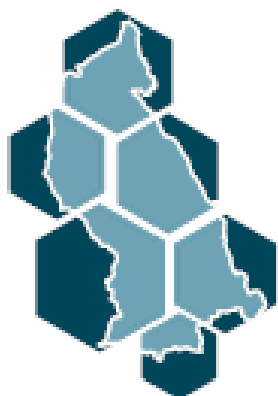
- 5.2 When the Council consulted on CIL itself there were no objections to the Regulation 123 List, so it is not proposed to carry out extensive and costly consultation now. It is recommended that the amended List be published on the Council's website for a period of 28 days and if there are no adverse comments received then the 123 List can be adopted. It is further recommended that notification of the consultation is sent to all elected Members, Town and Community Councils and to the members of the Council's Developers Forum

6.0 CONCLUSIONS

- 6.1 It is recommended that Cabinet approve the amended Regulation 123 List (Appendix 1) for publication on the Council website for 28 days and consultation as set out in paragraph 5.2 and then approve the subsequent adoption of the amended Regulation 123 List if no adverse comments are received.

Regulation 123 List of Infrastructure

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Regulation 123 List of Infrastructure Updated xxxxx

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 Primary School provision to serve the Land at Mwyndy / Talbot Green;
- New Primary School provision to serve Trane Farm, Tonyrefail;
- Rebuild / remodel and extend Y Pant Comprehensive School;
- New/additional education provision to serve Station Road, Church Village
- New/additional education provision to serve Taffs Well

Transportation Projects:

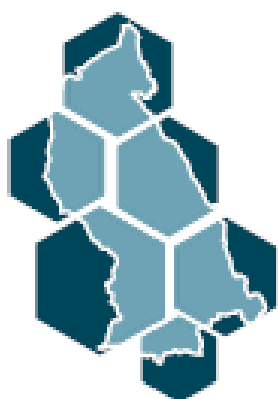
- A4119/A473 roundabout – further capacity improvements to the A4119 southbound entry to the roundabout;
- Partial signalisation of the A473 Cross Inn roundabout;
- A4119/B4595 signals – provision of direct link between the A4119(n) and the B4595(e), removal of corresponding left turn at the junction and optimisation of the signals;
- 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;
- A470 Upper Boat junction – signalise the A470 off-slips and associated improvements to the circulatory carriageway and other entry arms.
- A4059/A4233 Tesco roundabout Aberdare – Dualling of A4059 from the Abernant Road roundabout and extension of widening for A4059 southbound approach.
- Llanharan By-pass
- Cynon Gateway (A465)
- Mountain Ash Cross Valley Link
- Stag Square Improvements, Treorchy

Regulation 123 List of Infrastructure

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.



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Draft Updated List

Regulation 123 List of Infrastructure

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:

Infrastructure Requirement	Proposed Amendment	Reason For Amendment
Education Projects Including:	Remove word including	To avoid any confusion and to make it clear that the Education Projects are limited solely to those on the list
New Primary School provision to serve the Former Cwm Coking Works and Colliery, Ty Nant	Remove from list	Planning Permission was granted prior to the implementation of CIL and the school will now be delivered through a 106 agreement
New Primary School provision to serve the Land at Mwyndy / Talbot Green;	Amend wording to: New/additional education provision to serve the land at Mwyndy/Talbot Green	To give more flexibility. When the time comes it may be that an extended or remodelled school would be a more appropriate solution but does not rule out a new school.
New Primary School provision to serve Trane Farm, Tonyrefail	Amend wording to: New/additional education provision to serve Trane Farm, Tonyrefail	To give more flexibility. When the time comes it may be that an extended or remodelled school would be a more appropriate solution but does not rule out a new school.
Rebuild / remodel and extend Y Pant Comprehensive School	To remain unaltered	N/A
New/additional education provision to serve Station	Add to list	Additional school places will be required in this area to support this

Road, Church Village		housing development
New/additional education provision to serve Taffs Well	Add to list	Additional school places will be required to support any new housing developments proposed for this area
Transportation Projects Including:	Remove word including	The Transportation Projects are limited to those on the list
Signalisation of the A473/Glamorgan Retail Park roundabout	Remove from list	Planning Permission was granted for the Talbot Green new town centre prior to the implementation of CIL and the highway improvement will now be delivered through a 106 agreement
A4119/A473 roundabout – capacity improvements	Wording amended	A contribution has been received to undertake improvements to this roundabout, additional contingency funding may be required
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	To remain unaltered	N/A
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
A470 Upper Boat junction – signalise the A470 off-slips and associated improvements to the circulatory carriageway and other entry arms	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.	To remain unaltered	N/A
Llanharan By-Pass	Add to list	It was anticipated that the strategic site at Llanilid would be approved before CIL and the draft 106 agreement secured a significant contribution towards this project.

		As consent was not granted before CIL was introduced the by-pass will now need to be delivered at least in part through CIL
Cynon Gateway (A465)	Add to list	The current junction strategy for the A465 dualling does not optimise access to the Cynon valley. The scheme seeks to maximise connectivity between the A465 and the Cynon Valley – this will enhance the potential for development of strategic sites.
Mountain Ash Cross Valley Link	Add to list	The A4059 east of Mountain Ash suffers significant congestion. Improvements to cross-valley traffic movement will remove this constraint and enhance the potential for development of strategic sites.
Stag Square Improvements, Treorchy	Add to list	Stag Square suffers major congestion and inhibits regeneration aspirations for Treorchy. Improvements will enhance the potential for redevelopment of strategic sites in the upper Rhondda Fawr and the potential for regeneration of the town centre.

Please note

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