

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

### **CABINET**

**15<sup>TH</sup> DECEMBER 2016**

### **MOUNTAIN ASH CROSS VALLEY LINK**

#### **REPORT OF THE DIRECTOR OF HIGHWAYS AND STREETCARE SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR A MORGAN**

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

- 1.1 The purpose of the report is to;
- Seek approval for the submission of a planning application for the Mountain Ash Cross Valley Link
  - Subject to a successful planning application and obtaining funding, authorisation for the making, confirming and implementation of the Compulsory Purchase Order (CPO) for Mountain Ash Cross Valley Link.

#### **2. RECOMMENDATIONS**

It is recommended that the Cabinet delegate to the Director of Highways and Streetcare Services the power to:

- 2.1 Submit a planning application for the Mountain Ash Cross Valley Link
- 2.2 Subject to the grant of planning permission and the obtaining of funding to take all steps to secure the making, confirmation and implementation of the CPO for Mountain Ash Cross Valley Link in respect of the land identified on the plan at Appendix A including but not limited to, the following procedural steps:
- 2.2.1 Seeking confirmation of the CPO by the Welsh Government (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 at any Public Inquiry which may be necessary.
- 2.2.2 Publication and service of notices of confirmation of the CPO and thereafter to execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry.

2.2.3 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 highway network in the Cynon Valley will link the B4275 approximately 1km south of the town centre of Mountain Ash across to the A4059. The link is not only integral to the regeneration and environmental improvement of the area linked to the Mountain Ash Town Centre Regeneration Strategy, but also to the wider economic opportunities for the Cynon Valley and the Cardiff Capital Region.

3.2 The project will have major transportation, environmental and regeneration benefits:-

- It will divert traffic away from the built up B4275 across the valley onto the A4059, bringing major traffic relief to both Mountain Ash Town centre and the Miskin, Penrhiwceiber area.
- It will reduce traffic heading northbound along the A4059 after Cwm Cynon, thus reducing congestion and improving traffic journey times
- It will facilitate further enhancement of the town centre street scene by significantly relieving traffic flows, particularly northbound, in the town centre.
- It will improve access to existing and new businesses at Cwm Cynon Business Park, complementing the first phase of the link already constructed off the A4059
- It will improve the connectivity within the Cynon Valley, and more wider within the region.

### **4. BACKGROUND**

4.1 The scheme will provide a 2-way, 3 lane link road extending from the Cwm Cynon Access to the B4275 Miskin Road. The existing junction of the Cwm Cynon Access with the A4059 will be upgraded to accommodate the additional turning movements to and from the A4059 a left hand turning lane will be provided for those travelling along the A4059 in a northerly direction. Miskin Road will be improved to a 2-way, full width, road and traffic and pedestrian movements will be safely controlled at the new link road junction using traffic signal controls.

- 4.2 The implementation of the scheme will require the authority to acquire the land identified on the plan in Appendix A. A number of parcels of land are already in the ownership of the Council. A further fourteen parcels of land owned by eight third parties, and five parcels in unknown ownership, are required for its implementation. The works will necessitate the demolition of three properties, one being in a dilapidated condition, and garages on some of the parcels concerned. In order for the authority to progress with this scheme a CPO is required. This will start the process of receiving objections and dealing with them either by negotiation or if necessary a public inquiry. The CPO, if successful, will enable this Council to acquire the land required for the new road, whether it be on a permanent basis or as a temporary measure during construction. This use of CPO powers is usual in a highway scheme such as this. However, a CPO should be a last resort and the Council should first seek to acquire the necessary land and rights by agreement with the landowner. This process has been taking place and will continue alongside the making of the CPO. This minimises the work required for any public inquiry that will 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 Mountain Ash Cross Valley Link has been designed to minimise the amount of land take whilst ensuring that the current design standards for the highway are met. The proposed cross valley link will be subject to a public exhibition/information process in November 2016 prior to planning submission.
- 4.4 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 Mountain Ash Cross Valley link scheme to proceed. In addition, the human rights of those adversely affected by the scheme have been balanced against the benefit to the community of:
- Enhancement of the town centre environment, assisting its regeneration.
  - Reduced congestion on the B4275 and A4059.
  - Environmental relief to properties along the B4275.
  - Improved road safety.
  - Reduction in greenhouse gases.
  - Improved walking and cycling routes.
  - Improved reliability of public transport.

- Improved connectivity and regional links to the benefit of the economic opportunity of the Cynon Valley and the region.

4.5 The Mountain Ash Cross Valley Link is in accord with a number of national policies namely:

### **Welsh Assembly Government Policy**

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

The Mountain Ash Cross Valley Link 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 Mountain Ash Cross Valley Link will provide improved access to 2 of the 14 key settlements identified in the WSP.

#### **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:

- Reducing greenhouse gas emissions and other environmental impacts
- Integrating local transport
- Improving access between key settlements and sites
- Enhancing international connectivity
- Increasing safety and security

The Mountain Ash Cross Valley Link will help achieve these priorities by reducing traffic and bringing environmental relief to residential and commercial properties. The scheme will result in reduced journey times travelling along the B4275, reduced congestion on the A4059 which will improve access between key settlements and sites, and open up development opportunities in the Cynon Valley.

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

The Mountain Ash Cross Valley Link 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 PROPOSED WAY FORWARD**

- 5.1 The results of the pre-application consultation with stakeholders will need to be incorporated where appropriate into the planning application submission for the project.
- 5.2 A planning application submission for the Mountain Ash Cross Valley Link to be submitted.
- 5.3 Funding discussions to continue with the Welsh Assembly Government over the potential availability of grants.
- 5.4 Subject to planning approval and funding, the CPO for the Mountain Ash Cross Valley Link be made, confirmed and implemented.

## **6 EQUALITY AND DIVERSITY IMPLICATIONS**

- 6.1 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 Mountain Ash Cross Valley Link will enhance existing movements across the valley between communities.

## **7 CONSULTATION**

- 7.1 Consultation has been undertaken with the stakeholders and parties affected by the Mountain Ash Cross Valley Link proposals and these include the Council's departments, statutory bodies, statutory undertakers, Network Rail and third parties whose land is required for the proposals.

- 7.2 A pre-consultation exercise in accordance with the Town and Country Planning (Development Management Procedures) (Wales) (Amendment) Order 2016 is currently underway and subject to the responses will be fed into the planning submission.
- 7.3 A public exhibition has been held in two venues at Penrhiwceiber and Mountain Ash on the 16<sup>th</sup> and 18<sup>th</sup> November 2016 respectively. Both sessions were well attended and the proposals generally received a very positive response from attendees, which numbered of the order of 270. The comments will be reviewed and used to inform amendments to proposals which will be incorporated into planning application proposals.

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

- 8.1 On 28<sup>th</sup> October 2015, the Council approved Investment Priorities under the Mid Year Review initiated by Cabinet. This identified an additional £3.6M of funding towards transport infrastructure for projects to improve accessibility, reduce congestion, encourage sustainable travel and improve road safety, providing a total Council investment in Transport Infrastructure of £4M.
- 8.2 On 24<sup>th</sup> November 2015, Cabinet approved the Supplementary Capital Programme for Highways, Transportation and Strategic Projects which committed £1.95M towards the Cross Valley Link. This was to develop proposals and commence land assembly to deliver the long standing aspiration to improve access to Mountain Ash and relieve growing congestion on the A4059 strategic route and associated town bridge junctions.
- 8.3 On the 24<sup>th</sup> of November 2016 Cabinet approved a further £2M being allocated to support implementation of this key project.
- 8.4 The Council has been successful in securing £0.3M for 2016/17 from the Welsh Government via the Local Transport Fund grant (£0.098M of which was accelerated into 2015/16).
- 8.5 The Council will be submitting a bid to the Welsh Government in excess of £0.8M to be funded from the Local Transport Fund for further development and progression of the project during 2017/18. Transport officers are working closely with the Welsh Government to clarify expenditure profiles and confirm funding requirements for subsequent years, including the potential for accelerated expenditure and early delivery of associated accommodation works in 2017/18.

- 8.6 The scheme is included in the Transportation Infrastructure budget within the Capital Programme. As the scheme is being progressed in stages, the costs and funding package will be updated and reported to Cabinet as part of the Council Performance reports. The current estimated cost of the Mountain Ash Cross Valley Link is of the order of £12m.

## **9 LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED**

- 9.1 The legal implications are considered in the body of this report. 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.

## **10 LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP.**

- 10.1 The Mountain Ash Cross Valley Link supports a number of the authorities' own plans, policies and strategies that relate not only to transport, but the wider local agenda.

**Single Integrated Plan (SIP)** – Replaces 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 SIP has been produced by an overarching partnership of organisations in the public and voluntary sectors including the Local Health Boards and the Police. Covering themes such as health, safety and prosperity, various goals and targets have been set with the aim of improving the quality of life for local people. These are closely aligned to the Welsh Government's 'Programme for Government Priority Areas'.

**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.

Policy NSA 20 includes specific reference to the Mountain Ash Southern Cross Valley Link and the Mountain Ash Northern Cross Valley Link. These road schemes are essential to improve accessibility for local residents to services and employment opportunities, improve the environment by removing vehicles from congested areas i.e. A4059 and B4275 and to attract investment into the area.

- 10.2 The proposals to construct the Mountain Ash Cross Valley Link 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.

- 10.3 The project directly addresses the Corporate Plan commitment to invest in highways infrastructure and to improve the transport network.
- 10.4 The Cross Valley Link will create a new access on foot or cycle to the wider active travel network which will promote more active and healthy lifestyles.

## **11 CONCLUSION**

- 11.1 The development of this important transport link brings with it not only local benefits but also improved connectivity within the region, delivering greater economic opportunities.
- 11.2 The project offers the opportunity to improve accessibility and connectivity in an area where limited cross valley linkage causes significant congestion on the local and strategic transport network affecting all highway users, including commercial delivery services and public transport.
- 11.3 The submission of a planning application and, subject to a successful determination, the making, confirming and implementation of the CPO for the project will enable the Council to achieve the project.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

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

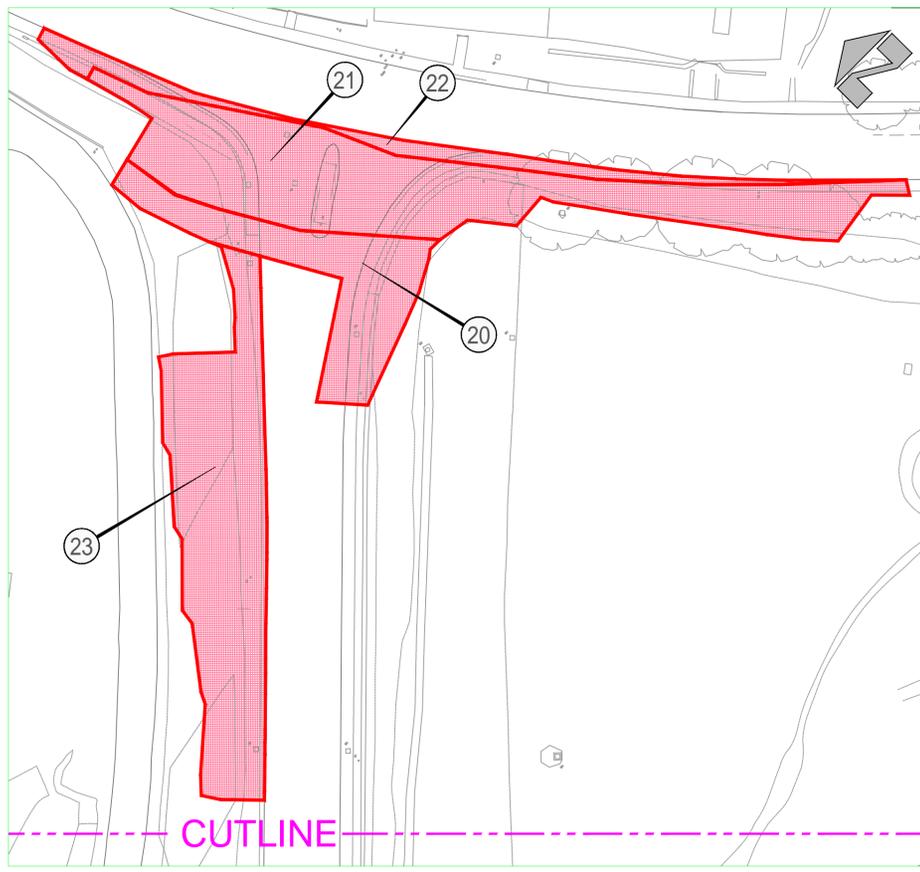
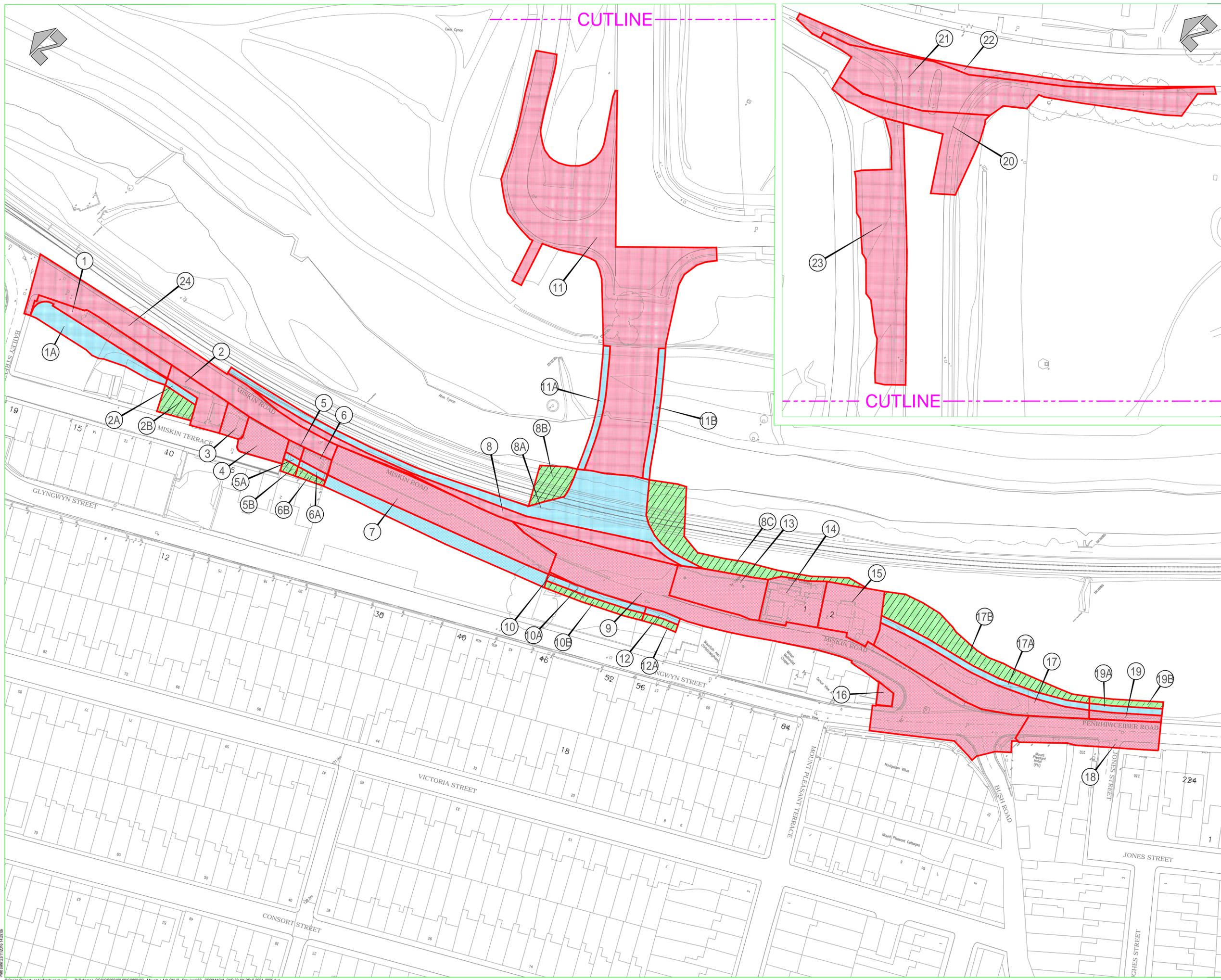
**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**15<sup>TH</sup> DECEMBER 2016**

**REPORT OF THE DIRECTOR OF HIGHWAYS AND STREETCARE  
SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER,  
COUNCILLOR A MORGAN**

Officer to contact: Andrew Griffiths



PLOT	LAND OWNERS
1	RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX.
2	10 Miskin Terrace, Miskin, Mountain Ash CF45 3UD.
3	3 Miskin Terrace, Mountain Ash, CF45 3UD.
4	UNKNOWN / UNREGISTERED
5	Ivy Villa, Mary Street, Mountain Ash CF45 3UD.
6	1 Miskin Terrace, Mountain Ash, CF45 3UD.
7	RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX.
8	NETWORK RAIL INFRASTRUCTURE LIMITED of 1 Eversholt Street, London, NW1 2DN
9	UNKNOWN / UNREGISTERED
10	THE COAL AUTHORITY of 200 Lichfield Lane, Beryhill, Mansfield, Nottinghamshire NG18 4RG
11	RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX.
12	UNKNOWN / UNREGISTERED
13	RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX.
14	Miskin Cottages, Miskin Road, Miskin, Mountain Ash, Rhondda Cynon Taff.
15	41 Sunnybank Road, Blackwood NP12 1HZ
16	RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX.
17	Mount Pleasant Hotel, Miskin, Mountain Ash, RCT
18	RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX.
19	UNKNOWN / UNREGISTERED
20	UNKNOWN / UNREGISTERED
21	RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX
22	UNKNOWN / UNREGISTERED
23	RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL, The Pavilions, Clydach Vale, Tonypanydy CF40 2XX
24	UNKNOWN / UNREGISTERED

Title  
 Easement  
 Essential Licence

P01.2 HT LS LS PRIVATE OWNERS NAMES REMOVED 23/11/16

Rev	Drawn	Chk'd	App'd	Description	Date
				Purpose of Issue	
				S0 - Work in Progress	
				Classification	
				Commercial in Confidence	
				Client	
				Rhondda Cynon Taf County Borough Council	
				Project	
				Mountain Ash Cross Valley Link	
				Drawing	
				Land Acquisition for Compulsory Purchase	
				Scale @ A1	
				1:500	
				Drawn	
				HT	
				Checked	
				NM	
				Approved	
				LS	
				Project No.	
				GC/002193	
				Date	
				Nov 2016	
				Drawing Identifier	
				Project - Originator - Zone - Level - File Type - Role - Number	
				MACVL-CAP-62-XX-DR-C-0025	
				BS1192 Compliant revision	
				P01.2	

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