



DINAS A SIR CAERDYDD  
CITY AND COUNTY OF CARDIFF

**GWYS Y CYNGOR**

DYDD IAU, 26 IONAWR 2017

**COUNCIL SUMMONS**

THURSDAY, 26 JANUARY 2017,

Fe'ch gwysir I fynychu cyfarfod **CYNGOR SIR DINAS A SIR CAERDYDD**, a gynhelir yn Siambr y Cyngor, Neuadd y Sir, Glanfa'r Iwerydd, Caerdydd on Dydd Iau, 26 Ionawr 2017 at 4.30 pm I drafod y materion a nodir yn yr agenda atodedig.

**Davina Fiore**  
Cyfarwyddwr Llywodraethu a Gwasanaethau  
Cyfreithiol

Neuadd y Sir  
Caerdydd  
CF10 4UW

Dydd Gwener, 20 Ionawr  
2017

---

Hyrwyddo cydraddoldeb a pharch at eraill Gwrthrychedd a priodoldeb Anhunaoldeb a stiwardiaeth  
Uniondeb Dyletswydd i gynnal y gyfraith Atebolrwydd a bod yn agored

<i>Eitem</i>		<i>Tua Amser</i>	<i>Max Amser</i>
<b>1</b>	<b>Munud o Dawelwch</b>  <i>Munud o dawelwch er cof y cyn-Arglwydd Faer a chynghorydd Dinas Caerdydd, y Cynghorydd John Smith a fu farw 28 Rhagfyr 2016.</i>	4.30 pm	30 mins
<b>2</b>	<b>Ymddiheuriadau am absenoldeb</b>  <i>Derbyn ymddiheuriadau am absenoldeb.</i>	4.35 pm	5 mins
<b>3</b>	<b>Datgan Buddiannau</b>  <i>Derbyn datganiadau buddiannau (i'w gwneud yn unol â Chod Ymddygiad yr Aelodau).</i>		
<b>4</b>	<b>Cofnodion</b>  <i>Cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 24 Tachwedd 2016 fel gwir gofnod (<b>I ddilyn</b>)</i>		
<b>5</b>	<b>DEISEBAU</b>  <i>Derbyn deisebau gan Aelodau Etholedig i'r Cyngor.</i>		
<b>6</b>	<b>Cwestiynau gan y Cyhoedd</b>  <i>Derbyn cwestiynau a nodwyd yn flaenorol gan y Cyhoedd.</i>	5.10 pm	15 mins
<b>7</b>	<b>Cyhoeddiadau'r Arglwydd Faer</b>  <i>Derbyn cyhoeddiadau'r Arglwydd Faer gan gynnwys Cydnabyddiaethau a Gwobrau.</i>	5.25 pm	20 mins
<b>8</b>	<b>Canllawiau Cynllunio Ategol</b> <i>(Tudalennau 1 - 230)</i>  <i>Cyfleusterau Rheoli Gwastraff Lleol Rhwymedigaethau Cynllunio Canllaw Dylunio Preswyl Adeiladau Uchel</i>  <i>Cynnig y Cabinet</i>	5.45 pm	30 mins
<b>9</b>	<b>Fargen Rhanbarth y Brifddinas Dinas Caerdydd</b> <i>(Tudalennau 231 - 446)</i>  <i>Adroddiad y Prif Weithredwr</i>	6.15 pm	45 mins
<b>10</b>	<b>Datganiadau</b>  <i>Derbyn datganiadau gan yr Arweinydd ac Aelodau'r Cabinet</i>	7.00 pm	45 mins

## Hysbysiad Cynnig

11	<p><b>Cynnig 1</b></p> <p>Cynigiwyd gan: Y Cynghorydd Neil McEvoy Eiliwyd gan: Y Cynghorydd Tariq Awan</p> <ol style="list-style-type: none"><li>1. Mae'r Cyngor hwn mewn egwyddor yn nodi'r canlynol:<ol style="list-style-type: none"><li>i. y difrod amgylcheddol enfawr wedi'i gynllunio trwy Gynllun Datblygu Lleol Caerdydd.</li><li>ii. y gwrthddywediad rhwng rhagolygon rhanbarthol Polisi Llywodraeth Cymru a nodwyd a natur unigol cynllunio awdurdod lleol trwy gynlluniau datblygu lleol.</li><li>iii. y gwrthddywediadau rhwng nodau ac egwyddorion Deddf Llesiant Cenedlaethau'r Dyfodol a nodwyd a'r realiti y bydd Cynllun Datblygu Lleol Caerdydd yn ei gyflawni yn y Ddinas.</li><li>iv. yn enwedig mae'r Cyngor hwn yn nodi y bydd canlyniadau Cynllun Datblygu Lleol Caerdydd yn mynd yn erbyn:<ol style="list-style-type: none"><li>a) Cymru sy'n gyfrifol yn fyd-eang</li><li>b) Cymru fwy iach, yn enwedig gan y rhagwelir na ddarperir gwelyau ychwanegol yn Ysbyty Athrofaol Caerdydd</li><li>c) Cymru ffyniannus</li><li>d) Cymru â diwylliant bywiog lle mae'r iaith Gymraeg yn ffynnu</li><li>e) Cymru sydd â chymunedau cydlynol</li><li>f) Cymru wydnwch</li><li>g) Cymru sy'n fwy cyfartal</li></ol></li></ol></li><li>2. Mae'r Cyngor hwn o'r farn nad yw Datblygu Lleol Caerdydd yn cyd-fynd â datblygu cynaliadwy:<ol style="list-style-type: none"><li>i. Bydd dinistrio manau gwyrdd a choetiroedd yn:<ol style="list-style-type: none"><li>a) peryglu bywyd gwylt</li><li>b) gwneud Caerdydd yn fwy tueddol i gael llifogydd</li><li>c) cynyddu ôl troed carbon Caerdydd</li><li>d) gwaethygu ansawdd awyr sydd eisoes yn wael</li><li>e) cynyddu nifer y ceir ar ffyrdd Caerdydd yn sylweddol, tra nad oes cynlluniau pendant i uwchraddio'r seilwaith trafniadaeth gyhoeddus</li></ol></li></ol></li><li>3. Mae'r Cyngor o'r farn glir bod angen ailystyried ffigurau'r boblogaeth a ddefnyddiwyd i gyfiawnhau twf tai cyn Refferendwm Brexit o ystyried y newid a ragwelir i'r polisi mewnfudo.</li><li>4. Mae'r Cyngor yn gofyn i swyddogion lunio adroddiad i'w</li></ol>	7.45 pm	30 mins
----	--	---------	---------

	<p>gwblhau rhwng 4 Mai 2017 a diwedd Mehefin 2017, gyda goblygiadau ariannol llawn er mwyn defnyddio Adran 68 Deddf Cynllunio a Phrynu Gorfodol i ofyn i Lywodraeth Cymru ddiddymu Cynllun Datblygu Lleol Caerdydd.</p>		
<b>12</b>	<p><b>Cynnig 2</b></p> <p>Cynigiwyd gan: Y Cynghorydd Elizabeth Clark Eiliwyd gan: Y Cynghorydd Robin Rae</p> <p>Mae'r Cyngor hwn yn nodi'r canlynol:</p> <ul style="list-style-type: none"> <li>• Yn ôl Ystadegau Llywodraeth Cymru, mae tipio anghyfreithlon yng Nghaerdydd wedi cynyddu 59% yn 2015/16 (6,214 o ddigwyddiadau) o'i gymharu â'r llynedd. Roedd angen i Gyngor Caerdydd dalu £410,000 y llynedd er mwyn clirio'r tipio anghyfreithlon hwn, bron i chwarter o'r holl arian a wariwyd ar dipio anghyfreithlon yng Nghymru.</li> <li>• Mae ffigurau tipio anghyfreithlon wedi'u gwaethygu o ganlyniad i gau Canolfan Ailgylchu Gwastraff y Cartref Waungron Road yn Ebrill 2014</li> <li>• Mae angen camau gweithredu brys er mwyn mynd i'r afael â phroblemau tipio anghyfreithlon Caerdydd</li> </ul> <p>Felly mae'r cynnig hwn yn galw am y canlynol:</p> <ul style="list-style-type: none"> <li>• Ysgubo strydoedd yn fwy, yn enwedig ar ôl diwrnodau casglu gwastraff</li> <li>• Ailgyflwyno casgliadau eitemau swmpus am ddim yn llawn</li> <li>• Camau gweithredu llym ar gyfer pobl sy'n tipio'n anghyfreithlon a'r rhai hynny sy'n dympio gwastraff</li> <li>• Pwyso ar Lywodraeth Cymru am ganiatâd i godi dirwyon ar gyfer pobl sy'n tipio'n anghyfreithlon</li> <li>• Mwy o gyflenwyr bagiau ailgylchu</li> <li>• Cynyddu nifer y canolfannau ailgylchu gwastraff y cartref fel y mae o leiaf 4 ledled y ddinas, gan gynnwys Heol Wedal."</li> </ul> <p>Dylid paratoi adroddiad ar y mater i'r Weithrediaeth a/neu'r Cyngor ei ystyried fel sy'n briodol"</p>	8.15 pm	30 mins
<b>13</b>	<p><b>Cwestiynau Llafar</b></p> <p><i>Derbyn cwestiynau llafar i'r Arweinydd, Aelodau'r Cabinet, Cadeiryddion Pwyllgorau a/neu Aelodau enwebedig o'r Awdurdod Tân.</i></p>	8.45 pm	90 mins
<b>14</b>	<p><b>Materion Brys</b></p>	10.15 pm	5 mins



<b>Materion y Cyngor nas Gwrthwynebir</b>			
<b>15</b>	<p><b>Penodi Llywodraethwyr Ysgol yr Awdurdod Lleol</b> (Tudalennau 447 - 452)</p> <p><i>Cymeradwyo argymhellion Panel Llywodraethwyr yr Awdurdod Lleol 12 Ionawr 2017</i></p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol.</i></p>	10.20 pm	5 mins
<b>16</b>	<p><b>Aelodaeth y Pwyllgor a Chydbwysedd Gwleidyddol</b> (Tudalennau 453 - 456)</p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol.</i></p> <p><i>Mae'r Cyfansoddiad yn darparu y bydd y Cyngor yn penderfynu ar ddyrannu seddau i grwpiau gwleidyddol yn unol â rheolau Adran 17 Deddf Tai a Llywodraeth Leol 1989 sy'n ymwneud â Chydbwysedd Gwleidyddol.</i></p> <p><i>Nodwch y gofynnir i'r Cyngor dan yr eitem hon gymeradwyo trefniadau eraill ar gyfer cydbwysedd gwleidyddol llym ar gyfer penodiadau i bob pwyllgor yr oedd angen pleidlais Nem Con ar ei gyfer – dyna bleidlais i gymeradwyo heb unrhyw anghytundeb.</i></p>		
<b>17</b>	<p><b>Cwestiynau Ysgrifenedig</b></p> <p><i>Yn unol â Rheolau Gweithdrefn y Cyngor, Rheol 17(f), caiff Cwestiynau Ysgrifenedig eu hystyried a'r ymateb ei gynnwys fel cofnod yng nghofnodion y cyfarfod.</i></p>		

Mae'r dudalen hon yn wag yn fwriadol

**CYNGOR DINAS CAERDYDD  
CITY OF CARDIFF COUNCIL****COUNCIL: 26 JANUARY 2017**

---

**CABINET PROPOSAL**

---

**SUPPLEMENTARY PLANNING GUIDANCE****Reason for this Report**

1. To advise on the outcome of consultation on the following draft Supplementary Planning Guidance (SPG) which help to deliver the Liveable City agenda, bring about positive improvements to neighbourhoods, and to recommend their approval, as amended, by the Council:
  - Locating Waste Management Facilities (Appendix A)
  - Planning Obligations (Appendix B)
  - Residential Design Guide (Appendix C)
  - Tall Buildings (Appendix D)

**Background**

2. The Council has a number of SPGs which were prepared to supplement the policies contained in previous adopted plans. In order to ensure conformity with the recently adopted Cardiff Local Development Plan (LDP) policies, a review of these is underway and a programme of SPG to support and amplify the policies in the LDP is currently being produced. These SPG's are the second tranche of this programme and further tranches will be brought before Cabinet and Council in next 12 months.
3. Welsh Government guidance encourages local planning authorities to prepare SPG to provide advice on how LDP policies will be implemented. This should help those involved in the development and planning process understand the purpose and objectives of policies and assist the submission of permissible planning applications.
4. SPG must be consistent with planning legislation, Welsh Government guidance and the LDP. It should be prepared in consultation with the public and appropriate interests, and their views should be taken into account before formal Council approval. SPG may be given weight as a material consideration when making decisions on planning applications.

5. In September and October 2016 consultation was undertaken for six weeks on the SPGs in line with the LDP Community Involvement Scheme. Consultation included the following:
  - A 6 weeks public consultation period
  - A public notice in the local press to notify anyone with an interest
  - Copies of the documents were made available to view in all Cardiff Libraries, County Hall and on the Council website.
6. In addition to this Councillors were notified about the current SPG consultation and an email/letter notification was sent out to consultees on the SPG Consultation List – this list included the formal LDP consultees and anyone else who has requested to be kept informed of SPG consultations, including businesses, interested groups and individuals. Each of the SPG appended to this report contains appendices outlining the specific consultation undertaken, a summary of the representations submitted and the changes made in response.
7. Most of the comments received were minor and technical in nature and a summary of the content of each of the SPG's together with a summary of any significant comments received and any proposed changes is included below:

### **Locating Waste Management Facilities**

8. The SPG provides further information on the waste policies contained within the LDP. In particular, it will assist potential applicants in identifying locations which will be acceptable, in principle, for waste facilities. It encourages waste management facilities to be located in existing or allocated general industrial areas, unless it can be shown that they could be acceptably located elsewhere. It also contains detailed guidance on specific requirements for differing types of waste proposals, environmental considerations and likely mitigating measures which may be imposed. It lists the detailed information which should accompany planning applications for waste proposals in order for the proposals to be adequately assessed.
9. No consultation responses were received in response to the public consultation exercise, so no changes were made as a result. Minor amendments were made to the references in the 'Local Policy' section.

### **Planning Obligations**

10. This is a new SPG, which sets out the Council's approach to planning obligations when considering applications for development in Cardiff. It provides further guidance on how the relevant policies set out in the Cardiff Local Development Plan are to be implemented and will assist in securing the provision of sustainable development across the city.
11. Historically, planning obligations have been identified within separate topic based SPG's, which meant that an applicant may have to review up to a dozen separate documents to identify the circumstances in which

need for infrastructure provision and / or site specific mitigation may arise as a result of their proposed development.

12. The aim of this SPG is to provide greater clarity to developers, agents and other stakeholders regarding the basis on which planning obligations will be sought, by drawing all of this information together into one document. It supplements Policies KP6 (New Infrastructure) and KP7 (Planning Obligations) of the LDP and:
  - Sets out Cardiff's approach to securing infrastructure provision and environmental improvements through planning obligations,
  - Clarifies the relationship between planning obligations and the Community Infrastructure Levy (CIL),
  - Provides guidance on the type and nature of planning obligations sought and the basis for contributions,
  - Will enable the consideration of infrastructure matters at the earliest possible stage in the development process.
  
13. Representations were received from ten consultees, providing around sixty-five individual comments. These representations are identified at appendices of the Planning Obligations SPG, together with associated responses and, where relevant, details of associated amendments that have been made to the document. In summary these include / relate to:
  - Introductory chapter of the SPG amended to clarify that planning obligations will be sought where the need arises as a result of a proposed development,
  - Clarification provided that upon adoption of a Community Infrastructure Levy (CIL), items contained on a R123 List would not be sought through S106 Planning Obligations,
  - Minor amendments made to Affordable Housing, Transportation / Highways, Open Space, Schools / Education, Community Facilities and Primary Healthcare Facilities chapters, reflecting comments raised and / or to provide further clarification on specific issues.
  - Local Training and Employment: Clarification of circumstances where contributions towards bringing forward compensatory employment opportunities would be sought.
  - District Heating and Sustainable Energy: Confirmation that further guidance relating to the content of Renewable Energy Assessments will be provided through the forthcoming Cardiff Renewable Energy Assessments SPG.
  - Biodiversity, Tree Protection and Sustainable Urban Drainage: Comment raised that these chapters contain more information that is relevant to Planning Obligations and should be scaled back. These chapters have been retained in their original format as it is considered that this will help enable the consideration of infrastructure matters at the earliest possible stage in the development process.
  
14. All of the amendments made to the SPG are relatively minor in nature and do not alter the main thrust of the document.

### Annual document updates.

15. Within the Planning Obligations SPG, certain chapters contain details of how financial contributions toward infrastructure provision will be calculated (e.g. where a financial contribution is provided towards off site open space provision). Over the lifespan of the SPG, these figures will need to be updated in line with (for example) the Retail Price Index and it is requested that approval be given for the SPG to be reviewed / amended on an annual basis to take on board these changes.
16. Whilst the Planning Obligations SPG contains details of the infrastructure requirements and site specific mitigation arising from proposed developments, there are certain topics where more detailed technical guidance is also required (for example how a developer would need to design and layout an area of open space). This information will be contained in forthcoming supplementary planning guidance and is referenced within relevant chapters of the Planning Obligations SPG (refer to contents page).
17. When these supporting SPG's are adopted, there will be a need to amend relevant references within the Planning Obligations SPG and it is requested that approval be given for the document to be updated to take on board these changes. For clarity, any future amendments to the Planning Obligations SPG would be identified on page 1 of the document.

### **Residential Design Guide**

18. This SPG seeks to outline the issues that a design for new residential development in Cardiff should address as it seeks planning permission. It applies to major residential development proposals providing 10 dwellings or more, and which require a Design and Access Statement. It provides further guidance on how these major developments can conform to policies KP4, KP5, KP13, KP15, EN10, T1, C3, and C6 of the Cardiff LDP, where the policies relate to residential design quality.
19. Representations were received from five consultees, providing around twenty-one individual comments. The main changes made to the document are summarised in Appendices of the Residential Design Guide SPG and are as follow:
  - The tone of the document was changed to explain more clearly how standard house types can be used and adjusted to achieve our urban design objectives, whilst also emphasising the role of streetscape and landscape design
  - Minor changes in wording to consider how new homes fit into the natural landscape
  - Changes to specified densities in line with the LDP policy and some more flexibility in how the measurement of density is assessed in certain situations.
  - The addition of up-to-date references related to green infrastructure

- Additional measures to improve the legibility of apartments.

## **Tall Buildings**

20. The SPG seeks to expand on LDP policy Good Quality and Sustainable design (KP5) and specifically section (xii) which seeks to locate tall buildings in accessible locations and within clusters. The current SPG dated 2008 is now out of date and has been updated to reflect the Council's current ambitions for development for tall buildings.
21. The SPG outlines the Council's vision for Cardiff to be the most Liveable City in Europe and that tall buildings need an exceptional standard of design; tall buildings are characterised as 8+ storeys or circa 25m. The Guide deals with pertinent tall building issues from recent development proposals and guides where the development of tall buildings is most appropriate, mainly within the city centre and bay.
22. The Guide emphasises the need to respect heritage, and Appendix A illustrates a zone of very high sensitivity shrouding Cardiff Castle and the Civic Centre. Principles are included to ensure the positioning of tall buildings to retain key views to notable architectural features in the roofscape (Millennium Stadium masts, church steeples etc). Outside of the city centre, tall buildings are characterised as double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors.
23. Three consultation responses were received from the Design Commission for Wales (DcFW), Natural Resources Wales and one local resident in the Cardiff Bay area. All comments were considered and some minor amendments have been made to the text to further clarify where appropriate. In relation to comments about further plans and visual analysis work being provided in the SPG, it was considered that this was not necessary and should be undertaken on a case by case basis by developers in discussion with the local planning authority and within the guidance parameters.
24. A summary of the changes following consultation were as follows:
  - Electronic links to documents were provided and additional references to DCfW;
  - Greater clarity and more accurate descriptions were provided;
  - Text strengthened to emphasise waterfront skyline and respecting historic buildings of character;
  - Text reinforced and expanded in relation to distinguishable features, public realm, continuity of street frontages, land uses, materials, microclimate, security, deliveries, street interface.

## **Reason for the Recommendation**

25. To comply with Welsh Government guidance on the process for preparing Supplementary Planning Guidance.

## Legal Implications

26. The Cardiff Local Development Plan (LDP) was adopted on 28 January 2016 and contains policies and proposals which provide the basis for deciding planning applications. The policies in the adopted Cardiff LDP have special status under section 38(6) of the Planning and Compulsory Purchase Act 2004 which means that planning decisions must be taken in accordance with it unless material considerations indicate otherwise.
27. Whilst the LDP contains policies and proposals which provide the basis for deciding planning applications supplementary planning guidance (SPG) can be used as a means of setting out more detailed guidance on the way in which those policies will be applied in particular circumstances or areas. SPG may be taken into account as a material consideration when determining planning applications.
28. In order for a SPG to be given as much weight as possible as a material consideration it must be formulated, prepared and adopted in the proper manner. The Locating Waste Management Facilities, Planning Obligations, Residential Design Guide and Tall Buildings SPGs have been subject to public consultation and where appropriate amendments have been made to reflect the comments received.

## Powers and Duties

29. The Council has a duty to seek to continually improve in the exercise of its functions (which includes where appropriate powers) in terms of inter alia strategic effectiveness, service quality and availability , sustainability, efficiency and innovation pursuant to the Local Government (Wales) Measure 2009.
30. Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).
31. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010. Pursuant to these legal duties Councils must, in making decisions, have regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a) Age, (b) Gender reassignment (c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability,(f) Pregnancy and maternity (g) Marriage and civil partnership,(h) sexual orientation (i) Religion or belief – including lack of belief
32. The LDP was subjected to an Equalities Impact Assessment. The SPGs supplement and provide guidance on the policies which were prepared within this framework.



## **Financial Implications**

33. No direct financial implications are expected to arise for the Council following the approval of the specific Supplementary Planning Guidance included in this report. The indexation uplift will ensure that Planning Obligation contributions move in line with general price changes.

## **CABINET PROPOSAL**

Council is recommended to;

1. Approve the Supplementary Planning Guidance attached to this report at appendices A to D.
2. Delegate authority to the Director of City Operations, in consultation with the Cabinet Member for Transport, Planning and Sustainability and Chair of Planning Committee, to review and make consequential amendments to the Planning Obligations SPG (Appendix B) to take account of any annual changes in financial contribution calculations (e.g. changes in line with the Retail Price Index) and the adoption of other supporting supplementary planning guidance by the Council.

## **THE CABINET**

19 January 2017

*The following Appendices are attached:*

- Appendix A – Supplementary Planning Guidance: Locating Waste Management Facilities
- Appendix B – Supplementary Planning Guidance: Planning Obligations
- Appendix C – Supplementary Planning Guidance: Residential Design Guide
- Appendix D – Supplementary Planning Guidance: Tall Buildings

Mae'r dudalen hon yn wag yn fwriadol



# LOCATING WASTE MANAGEMENT FACILITIES

## SUPPLEMENTARY PLANNING GUIDANCE



DRAFT JANUARY 2017



## CONTENTS

1. Introduction	1
2. Policy Context	1
European Policy	1
National Policy	1
Local Policy	2
3. Scope of Guidance	3
4. Underlying Principles	4
Waste Hierarchy	4
An Integrated and Adequate Network	4
Nearest Appropriate Installation	4
Self Sufficiency	4
Protection of Human Health and the Environment	4
5. Need for Waste Management Facilities	4
6. Locational Considerations	5
Appropriate Locations in Principle	5
Specific Locational Requirements	5
7. Environmental Considerations	6
Emissions	7
Birds and Vermin	7
Dust	7
Land Instability	7
Litter	7
Nature and Archaeological Conservation	7
Noise	8
Odours	8
Protection of Surface and Groundwater	8
Transport	8
Visual Impact	8
8. Mitigating Measures	8
Planning Conditions	8
Operating Hours	9
9. Licensing	9
10. Waste Planning Assessments	9
Appendix A Summary of Consultation	11

**This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg**

## 1. INTRODUCTION

- 1.1 This Supplementary Planning Guidance Note (SPG) supplements policies in the adopted Cardiff Local Development Plan (LDP) relating to the location of waste management facilities.
- 1.2 Welsh Government supports the use of supplementary planning guidance to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance. SPG helps to ensure certain policies and proposals are better understood and applied more effectively. They do not have the same status as the adopted development plan, but are a material consideration in the determination of planning applications.
- 1.3 This SPG has been produced to provide further detail on the following waste policies contained within the LDP:
- KP12 'Waste';
  - W1 'Sites for Waste Management Facilities'.
- 1.4 It is intended to:
- Identify the developments to which the policies apply;
  - Identify locations which are acceptable in principle for waste facilities; and
  - Provide advice to prospective applicants and the general public on the criteria against which proposals for waste facilities will be considered.

## 2. POLICY CONTEXT

### EUROPEAN POLICY

- 2.1 The **Waste Framework Directive** (2008/98/EC) provides the legislative framework for the collection, transportation, recovery and disposal of waste. It requires Member States to establish an integrated and adequate network of installations for the disposal of waste and for the recovery of mixed municipal waste. The network should be adequate to deal with the range and volume of waste arisings.
- 2.2 The **Landfill Directive** (1999/31/EC) aims to prevent or reduce the negative effects of landfilling on the environment, by introducing stringent technical requirements for the landfilling of waste and setting targets for the reduction of biodegradable municipal waste going to landfill. Facilities for the management of waste which has been diverted from landfill will be required, as well as facilities for the disposal of waste streams which have been prohibited from being disposed of by landfilling.

### NATIONAL POLICY

- 2.3 The Welsh Government's general policy for waste management is contained in the document **Towards Zero Waste – One Wales: One Planet (2010)**, a long term overarching framework for waste management and resource efficiency in Wales until 2050. It sets out how Wales will reduce the amount of waste it produces and make the transition to a high recycling society. It sets out the following key targets:
- At least 70% recycling across all sectors by 2025;

- Zero waste by 2050, where all products and services are delivered with waste prevention in mind.

- 2.4 In order to deliver these outcomes, a series of ‘sector plans’ have been produced which contain specific targets and policies. The **Collections, Infrastructure and Markets Sector Plan (CIM) (2012)** sets out medium term plans for the waste collection services, reprocessing infrastructure and recycle markets that will be needed across Wales. It also explains the need for facilities for the sustainable recovery and disposal of wastes which cannot be dealt with higher up the waste hierarchy.
- 2.5 **Technical Advice Note 21 ‘Waste’ (2014)** sets out the framework for facilitating the delivery of sustainable waste management infrastructure through the planning process. It states that, when considering development proposals for waste management facilities, planning authorities should take into account their potential contribution to the objectives, principles and strategic waste assessments set out in Towards Zero Waste and relevant sector plans. It requires planning applications for waste management facilities to be accompanied by a waste planning assessment containing sufficient information to enable an assessment of the application and its contribution to meeting the requirements set out in the CIM Sector Plan. TAN21 provides advice on appropriate locations for waste management facilities.
- 2.6 Chapter 12 of **Planning Policy Wales (Edition 9, 2016)** aims to ensure that appropriate facilities are established to meet the Welsh Government’s objectives for waste management. The identification of suitable locations for waste management should be considered as part of plan preparation. The extent to which a waste management proposal demonstrates a contribution to the waste management objectives, policy, targets and assessments contained in national waste policy will be a material planning consideration.

## LOCAL POLICY

- 2.7 This SPG provides more detail on LDP policies KP12 ‘Waste’ and W1 ‘Sites for Waste Management Facilities’.
- 2.8 Policy KP12 states:  
Waste arising from Cardiff will be managed by:
- Promoting and supporting additional sustainable waste management facilities, measures and strategies in accordance with the Collections, Infrastructure and Markets Sector Plan (2012) and TAN 21 (2014) in a manner that follows the waste hierarchy and the principles of an integrated and adequate network of waste installations; nearest appropriate installation; self-sufficiency and protection of human health and the environment;
  - Encouraging the provision of in-building treatment facilities on existing and allocated areas of general industry;
  - Supporting the provision and maintenance of sustainable waste management storage and collection arrangements in all appropriate new developments; and
  - Supporting waste prevention and reuse and the provision of facilities that use recycled or composted products.
- 2.9 Policy W1 states:  
Proposals for the development of waste management facilities will be permitted where:
- There is a demonstrable need assessed against regional requirements;
  - They conform with the waste hierarchy and the principles contained in the Waste

- Framework Directive of An Integrated and Adequate Network; Nearest Appropriate Installation; Self Sufficiency and the Protection of Human Health and the Environment;
- iii. They would not cause unacceptable harm to the environment, built heritage or to human health;
  - iv. They include acceptable proposals for restoration, aftercare and after- use, including the beneficial after-use of by-products;
  - v. They would not endanger aviation safety;
  - vi. They include acceptable proposals for the protection of adjoining and nearby land from landfill gas and leachate migration or contamination;
  - vii. They are not located within an area at risk from flooding;
  - viii. They would not cause unacceptable air, noise or light pollution, dust, vibration or odours, or attract excessive vermin;
  - ix. They provide safe means of access to the highway and adequate on- site parking and turning facilities; and
  - x. They are accompanied by a Waste Planning Assessment containing sufficient information to enable an assessment of the proposal.

Facilities for the handling, treatment and transfer of waste will generally be encouraged towards existing use class B2 general industrial land.

### **3. SCOPE OF GUIDANCE**

3.1 This document provides guidance on the assessment of proposals for new waste management facilities, including those required to deliver the aims of Towards Zero Waste and the associated Sector Plans. These include:

- Facilities in which goods are prepared for re-use;
- Re-use facilities;
- Waste separation facilities;
- Recycling or recovery facilities;
- Composting sites;
- Waste collection facilities – civic amenity sites, bring sites, scrap yards etc;
- Waste transfer stations;
- Thermal processes e.g. gasification, pyrolysis;
- Thermal treatment (with or without energy recovery); and
- Landfilling or land-raising operations.

3.2 Such facilities should be capable of dealing with the full range of waste streams arising. Such waste streams include:

- Municipal waste;
- Industrial waste;
- Commercial waste;
- Construction and demolition waste;
- Special, hazardous or clinical waste; and
- Agricultural waste.

## **4. UNDERLYING PRINCIPLES**

### **4.1 WASTE HIERARCHY**

All proposals for the development of waste management facilities across the County should conform to the principle of the waste hierarchy. This is a theoretical hierarchy where the various options for waste management appear in priority order. The hierarchy favours prevention and reuse, followed by: preparation for reuse; recycling; recovery and finally disposal. The aim should be to ensure that waste is driven as far up the hierarchy as possible.

### **4.2 AN INTEGRATED AND ADEQUATE NETWORK**

The broad aim is to achieve sustainable waste management by ensuring the provision of an integrated and adequate network of waste installations which will enable the aspirations of the waste hierarchy to be delivered in practice.

### **4.3 NEAREST APPROPRIATE INSTALLATION**

Waste should be disposed of or recovered in one of the nearest appropriate installations, whilst ensuring that the environment and human health are protected. In order to achieve this, it is important that a broad range of waste management facilities are available, so that waste can be managed as close to where it arises as possible.

### **4.4 SELF SUFFICIENCY**

Proposals should assist in the aim of moving towards self-sufficiency in waste management, although it is not necessary for all areas to have the complete range of waste facilities that may be needed.

### **4.5 PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT**

Proposals for waste facilities should be designed and located so that a high level of protection for the environment and for human health can be ensured.

## **5. NEED FOR WASTE MANAGEMENT FACILITIES**

5.1 It is important to establish a need for waste management facilities in order to assess a proposal's contribution towards the development of an integrated and adequate waste infrastructure network in the local area. Under provision or overprovision of facilities could encourage the import or export of waste over longer distances, contrary to the underlying principles identified above. It is also important to ensure that need outweighs any potential adverse harm to the environment or human health.

5.2 TAN21 indicates that, in considering development proposals for waste facilities, local planning authorities should take into account their potential contribution to the objectives, principles and strategic waste assessments set out in Towards Zero Waste and the Collections, Infrastructure and Markets Sector Plan.

5.3 These documents currently identify a continued need to develop more waste treatment and recovery facilities in the short to medium term, in order to reduce the quantity of waste disposed of by landfill. The long term aim is to develop an integrated and adequate waste infrastructure network based on high levels of reuse and recycling. This means that, at present, there is a need for further waste management facilities which will contribute towards these aims. The extent to which a proposal demonstrates a contribution towards these short, medium and long term aims will be a material planning consideration.



- 5.4 Under the provisions of TAN 21, the Welsh Government intends that joint arrangements for waste monitoring should be set up between local planning authorities, in conjunction with WG and Natural Resources Wales. It is intended that Waste Planning Monitoring Reports will be produced, containing information on predicted waste arisings and existing capacity data in order to determine whether there is a need for further waste facilities in each region. However, at present monitoring arrangements are yet to be established, but should this happen then this data will be used to determine need.

## **6. LOCATIONAL CONSIDERATIONS**

### **APPROPRIATE LOCATIONS IN PRINCIPLE**

- 6.1 The most appropriate locations for new waste management facilities will be those with the least adverse impacts upon human health and the local environment and which will allow the proposal to make the most significant contribution to the provision of an integrated and adequate network.
- 6.2 As waste is increasingly dealt with higher up the waste hierarchy, it is likely that many modern waste facilities will involve industrial processes which will be no different to any other industrial facilities in terms of appearance, operating conditions or impact on the local area. Waste management facilities will, therefore, be encouraged towards existing or allocated general industrial (Use Class B2) areas, unless it can be shown that they could be acceptably located elsewhere.
- 6.3 The LDP Proposals Map identifies areas of land which have been allocated for general industry. Waste facilities would also be acceptable in principle in other existing areas used for the purpose of general industry. The 'Cardiff Business and Industrial Landbank Monitor' is produced by the Council annually in July and provides information on unimplemented industrial consents and allocations across the County, including those for B2 use.
- 6.4 Given the potential of waste management facilities to generate significant numbers of vehicle movements, sites should be well located in terms of the primary road network. Consideration should also be given to alternative modes of transport, where possible.
- 6.5 The detailed environmental implications of specific proposals will need to be fully considered when any planning applications are received by the local planning authority.

### **SPECIFIC LOCATIONAL REQUIREMENTS**

- 6.6 General industrial sites are not likely to be suitable for landfill operations or windrow composting. Careful consideration will be given to the location of waste facilities likely to create dust, litter or noise which may also not be suitably located within general industrial areas.
- 6.7 Proposals for waste facilities which include the recovery of heat from mixed municipal waste may be beneficially located in close proximity to heat users. Careful consideration will be given to the suitability of co-locating these facilities alongside potential users.
- 6.8 As waste is increasingly dealt with by reuse, more opportunities may be sought to locate

facilities within commercial areas or retail frontages. Reuse facilities which involve storage and distribution may be appropriately located on business land, dependent upon the nature of the industrial processes involved. Facilities which involve the resale of goods may be appropriately located in retail frontages where there is no detrimental impact upon the shopping role of the centre or the individual frontage, where a shop front can be maintained and where access for drop-offs and collections is adequate.

- 6.9 More onerous locational requirements will apply for some waste streams, in particular hazardous waste. The co-disposal of hazardous and non-hazardous waste is prohibited by the Landfill Directive. Hazardous waste destined for landfill will be directed to a dedicated hazardous waste landfill site. The Landfill Directive also imposes more stringent requirements on hazardous waste sent to landfill. Such waste may require additional treatment prior to landfilling. The CIM Sector Plan acknowledges that it is unlikely that a new hazardous waste landfill will be developed in Wales because so little hazardous waste requiring landfilling is produced and sufficient disposal capacity exists at four landfill sites within 40 miles of the Welsh border in England to deal with hazardous waste arisings. If the annual monitoring reports to be provided as set out in TAN 21 identify a shortfall of provision for hazardous waste treatment or disposal in the South East Wales area, then an application would be assessed against Policy W2.
- 6.10 The Landfill Directive provides specific locational advice for landfill sites. The following considerations should be taken into account:
- Distance from the boundary of the site to residential and recreational areas, waterways, water bodies and other agricultural or urban sites. Landfill facilities should be located at a minimum distance of 250m from occupied property;
  - The topography of the site and the impact on visual amenity and landscape character;
  - The impact on the highway network;
  - The existence of groundwater, coastal water or nature protection zones in the area;
  - Protection of the nature or cultural heritage of the area; and
  - The presence of nearby airports or heliports.
- 6.11 The need for additional landfill void will be assessed against the regional requirements set out in the CIM Sector Plan.

## **7. ENVIRONMENTAL CONSIDERATIONS**

- 7.1 Waste management proposals can generate concern due to the characteristics of the processing activities themselves, as well as the transportation of materials to and from the site. A wide range of environmental considerations should be addressed in any proposal in order to ensure that any potential adverse impact is minimised. Where environment impact is unacceptable and cannot be mitigated, it is unlikely that planning permission will be granted.
- 7.2 All proposals which fall within Schedule 1 to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 must be subject to Environmental Impact Assessment. These include waste disposal installations for the incineration, chemical treatment, or landfill of hazardous waste and of other waste where the capacity exceeds 100 tonnes per day.

- 7.3 In terms of proposals which fall within Schedule 2 of these Regulations, the local planning authority will provide a screening opinion as to whether EIA is required. Proposals which would fall under Schedule 2 include those where:
- Disposal is by incineration; or
  - The area of the development exceeds 0.5ha; or
  - The installation is sited within 100m of any controlled waters; or
  - If any part is within a 'sensitive area' as defined in Regulation 2(1) of the 2016 EIA Regulations.

## **GENERAL ENVIRONMENTAL CONSIDERATIONS**

### **EMISSIONS**

- 7.4 Atmospheric emissions have the potential to cause public concern and air quality issues can be a material planning consideration. Emissions are controlled through the Environmental Permitting (England and Wales) Regulations 2010 and are regulated by Natural Resources Wales.

### **BIRDS AND VERMIN**

- 7.5 Waste management sites can attract both birds and vermin. Vermin can present a potential health hazard. Congregating birds can be a nuisance to residential communities living near facilities, but can also cause a significant hazard to aviation safety. All applications for landfill, or areas where waste is temporarily stored outdoors, that fall within 8 miles of Cardiff International Airport will be referred to the Civil Aviation Authority for comment and all applications for landfill that fall within 10 miles of RAF St. Athan will be referred to the Ministry of Defence.

### **DUST**

- 7.6 Dust has the potential to represent a nuisance and air quality can be a material planning consideration. Planning conditions may be imposed to require waste operators to prepare a scheme or enforce measures to suppress dust emissions.

### **LAND INSTABILITY**

- 7.7 The stability of proposed waste sites should be investigated and facilities designed accordingly. Any new landform resulting from landfilling or land raising should be stable and should be designed to fit in with the scale and nature of the surrounding topography.

### **LITTER**

- 7.8 Landfill sites, waste transfer stations and civic amenity sites can potentially cause problems in terms of litter. Operating plans and procedures should be used to reduce the impact of this issue.

### **NATURE AND ARCHAEOLOGICAL CONSERVATION**

- 7.9 Where any ecological interest is known or suspected to be significant on or adjacent to proposed development sites, an ecological/geological/soil survey should be undertaken before any decision is taken on the future use of the site. Consideration should also be given to the potential effect on sites of archaeological importance. Facilities should not have an adverse impact on areas or sites designated for protection, such as:
- Local Nature Reserves (LNR);
  - Sites of Importance for Nature Conservation (SINC);
  - Sites of Special Scientific Interest (SSSI);

- Special Areas of Conservation (SAC);
- Special Protection Areas (SPA); or
- RAMSAR sites.

## **NOISE**

7.10 Consideration will be given to the impact of waste proposals on residential development and other noise sensitive receptors. Planning conditions are likely to be imposed to limit the amount of noise and restrict the time of operation.

## **ODOURS**

7.11 Waste facilities can produce unpleasant odours which will need to be given full consideration at the planning application stage. Measures to ensure that odour suppression techniques are used can be controlled by planning conditions.

## **PROTECTION OF SURFACE AND GROUNDWATER**

7.12 Potential effects on surface and ground water resources are a material planning consideration. Planning conditions will be imposed to ensure that there is no possibility of run-off, spillage or leachate pollution of surface or ground waters. Waste management facilities proposed in areas that are regularly or potentially subject to flooding are unlikely to be acceptable. In areas where flooding is possible, the potential pollution of surface or ground water will be taken in to account.

## **TRANSPORT**

7.13 Waste management facilities can generate a large number of vehicle movements. Consideration will be given to the traffic likely to be generated by the proposal. Sites should ideally be well located in terms of the primary road network, or in close proximity to alternative modes of transport. Planning permission may be refused if the existing road network is incapable of supporting the additional vehicle movements likely to be generated, or if the traffic impact on local communities is unacceptable and cannot be mitigated.

## **VISUAL IMPACT**

7.14 The development of waste facilities can have significant impacts upon landscape and visual amenity, dependent upon the type of facility proposed and its location. Screening and amenity bunds may be required to reduce the potential impact.

# **8. MITIGATING MEASURES**

## **PLANNING CONDITIONS**

8.1 It should be expected that a range of conditions will be attached to any grant of permission for a waste management facility in order to address particular environmental concerns. These may include:

- Transport, access and vehicle movements;
- Restrictions on the types or quantities of waste that can be accepted;
- Hours of operation;
- Noise limits;
- Timescale of operations;
- Visual impact and landscaping;
- Site layout;

- Restoration and aftercare.

8.2 However, it should be noted that where such problems cannot be satisfactorily addressed through mitigating measures, permission is unlikely to be granted.

## **OPERATING HOURS**

8.3 The proposed hours of operation of a facility will be closely linked to issues of noise control, traffic movements and levels of lighting. A condition setting out the hours of working will normally be attached to each waste management facility. Where sites are located close to residential areas or other sensitive land uses, it will normally be inappropriate to allow operations or traffic movement to occur at night, or on Sundays or bank holidays. However, it is appreciated that some activities may require 24 hour operation, such as plant maintenance, facilities to control gas emissions and surface water pumping.

## **9. LICENSING**

9.1 A waste management licence is required under the Environmental Protection Act 1990. Licences are required to recover, transport, deposit or dispose of waste. They ensure that the authorised activities do not cause pollution of the environment, harm to human health or serious detriment to local amenities.

9.2 Planning permission is required before a new permit or waste management licence is granted. Developers who are considering the development of any waste management facility should discuss the proposal with the local planning authority and the relevant pollution control regulator. Further advice can be obtained from Natural Resources Wales.

## **10. WASTE PLANNING ASSESSMENTS**

10.1 Technical Advice Note 21 introduced the requirement that all applications for a waste facility which is for disposal, recovery or recycling should be accompanied by a Waste Planning Assessment. This should contain all information necessary to enable the planning authority to make a decision on the application.

10.2 The Waste Planning Statement should include:

### **WASTE POLICY STATEMENT**

- A description of how the proposals will contribute to the relevant provisions of 'Towards Zero Waste' and the Collections, Infrastructure and Markets Sector Plan;
- A statement of compliance with policy related to need and location requirements;
- A calculation of existing and projected future demand;
- Identify the markets that will be served by the proposed development;
- A calculation to identify the current shortfall in treatment capacity;
- A description of the consultation undertaken by the applicant;
- A signed declaration that in making the application the applicant has paid due regard to the waste hierarchy.

**TIME SCALE**

- Lifespan of the operation, including any proposed measures for future proofing;
- Days and hours of operation.

**TYPES AND QUANTITIES OF WASTE TO BE MANAGED**

- Estimated annual quantity of each waste type to be received and estimated total capacity where relevant;
- The destination of any end product (residues and any hazardous materials) from the site;
- The minimum and maximum quantities that the facility could process and remain operational;
- The amount of waste (in tonnes) the facility is designed to treat.

**DESIGN, LAYOUT, BUILDINGS AND PLANT**

- The processes involved, including transportation to and from the site;
- Layout and design of buildings, plant, operational areas, haul roads and external lighting;
- Details on landfill gas and leachate control, if relevant;
- Proposed restoration and aftercare.

**AMENITY AND NUISANCE**

- The compatibility of the proposed development with existing or neighbouring land uses;
- Measures to prevent and control land contamination, light pollution, noise, smell, dust, birds and vermin, and litter;
- Any emissions associated with the proposed operations.

**AIR POLLUTION**

- The impact of emissions to atmosphere of any product gasses resulting from specialist treatment/recovery processes.

**ENERGY EFFICIENCY (if relevant)**

- Explanation of how energy recovered from the incineration process will be maximised;
- Evidence that the proposal would or would not meet the R1 energy efficiency calculation.

103 Further information on Waste Planning Assessments can be seen in Annex B of TAN 21.

## APPENDIX A

### SUMMARY OF CONSULTATION

Public consultation was undertaken between the 8<sup>th</sup> of September and the 20<sup>th</sup> of October 2016. A press notice was placed in a local newspaper on Wednesday the 7<sup>th</sup> of September 2016. Copies of the draft guidance were placed in all Cardiff libraries and at County Hall Reception. The draft guidance was also placed on the Council website. Letters notifying that consultation was being undertaken on the draft guidance were sent to all Councillors, the Welsh Government, Community Councils in Cardiff, interested persons and the following organisations known to have a general interest in planning in Cardiff, or a potential interest in this guidance:

Alder King	Cardiff Heliport
Alternatives for Transport	Cardiff International Airport Ltd.
AMEC Environment & Infrastructure UK Limited	Cardiff Local Access Forum
Arts Council of Wales	Cardiff Metropolitan University
Arup	Cardiff Naturalists
Asbri Planning Ltd	Cardiff Pedestrian Liberation
Associated British Ports	Cardiff Transition
Association of Inland Navigation Authorities	Cardiff University
Atkins	Cardiff West Communities First
Austin-Smith: Lord	Carolyn Jones Planning Services
Baker Associates	CDN Planning
Barton Willmore	Celsa Manufacturing (UK) LTD
Bellway Homes (Wales Division) Ltd	Cemex Uk Operations Ltd
Biffa	CFW Architects
Bilfinger GVA	CGMS Consulting
Black Environment Network	Chartered Institute of Housing in Wales
Blake Morgan LLP	Chichester Nunns Partnership
BNP Paribas Real Estate	Chris Morgan
Bovis Homes	Chwarae Teg
Boyer Planning	Civil Aviation Authority
Bristol City Council	Coal Authority
Bryant Homes (South West)	Coleg Glan Hafren
BT Group plc	Communities First Adamsdown
Business in the Community Wales	Community Housing Cymru
C2J	Community Land Advisory Service Cymru
Cadwyn Housing Association	Confederation of British Industry
Caerau and Ely Communities First	Confederation of Passenger Transport
Caerphilly County Borough Council	Connections Design
Campaign for the Protection of Rural Wales	Country Land and Business Association
Cardiff & Vale Parents Federation	CSJ Planning Consultants
Cardiff & Vale University Health Board (UHB)	Danescourt Community Association
Cardiff Access Group	David Lock Associates
Cardiff Against the Incinerator	Davies Sutton Architects
Cardiff Bus	Davis Meade Agricultural
Cardiff Bus Users	Derek Prosser Associates
Cardiff Civic Society	Design Circle RSAW South
Cardiff Community Housing Association	Design Commission for Wales
Cardiff Cycling Campaign	Development, Land & Planning Consultants Ltd
Cardiff Ethnic Minority Elders	Disability Wales
Cardiff Greenpeace	Disability Arts Cymru

DLP Consultants  
DPP Cardiff  
Drivers Jonas  
DTB Design  
DTZ  
Dwr Cymru Welsh Water  
Edenstone Homes  
Equality and Human Rights Commission  
Ethnic Business Support Project  
Federation of Small Businesses  
First City Limited  
FirstGroup plc  
Firstplan  
Forestry Commission Wales  
Freight Transport Association  
Friends of Nantfawr Community Woodland  
Fulfords Land & Planning  
G L Hearn  
G Powys Jones MSc FRTPI  
Garden History Society  
Geraint John Planning Ltd  
GL Hearn Ltd  
Glamorgan - Gwent Archaeological Trust Ltd  
Glamorgan Gwent Housing Association  
GMA Planning  
Graig Community Council  
Graig Protection Society  
Great Western Trains Company Limited  
Grosvenor Waterside  
GVA  
GVA Grimley  
H O W Commercial Planning Advisors  
Hafod Housing Association Limited/ Hafod Care Association Limited  
Halcrow  
Hammonds Yates  
Harmers  
Heath Residents Association  
Herbert R Thomas LLP  
Home Builders Federation  
Hutchinson 3G UK  
Hyland Edgar Driver  
Hywel Davies  
Interfaith Wales  
Jacobs Babtie  
Jeremy Peter Associates  
JLL  
John Robinson Planning & Design  
John Wotton Architects  
Jones Lang LaSalle  
Keep Wales Tidy  
Kelly Taylor & Associates

Kingsmead Assets Limited  
Knight Frank  
Landscape Institute Wales  
Level Ltd  
Linc-Cymru  
Lisvane Community Council  
Llandaff Conservation Group  
Llandaff Society  
Lovell Partnership  
Loyn & Co Architects  
LUC  
Madley Construction  
Mango Planning and Development Limited  
Marshfield Community Council  
Martin Robeson Planning Practice  
McCarthy & Stone (plc)  
McCarthy and Stone (Western Region)  
Meadgate Homes Ltd  
Mineral Products Association  
Morgan Cole  
Mott MacDonald  
Nathaniel Lichfield and Partners  
National Youth Arts  
Natural Resources Wales  
Neame Sutton  
Network Rail  
Network Rail Infrastructure Ltd  
Newport City Council  
NFU Cymru  
North West Cardiff Group  
Novell Tullet  
O2 UK  
Oakgrove Nurseries  
Old St Mellons Community Council  
Orange  
Origin3  
Pantmawr Residents Association  
Peace Mala  
Peacock & Smith  
Pegasus  
Pentyrch Community Council  
Persimmon Homes  
Peterson Williams  
Peterstone Community Council  
Philippa Cole  
Planning Aid Wales  
Planning Potential  
Police & Crime Commissioner  
Powell Dobson  
Powergen  
Prospero Planning  
Quarry Products Association



Quinco  
Race Equality First  
Radyr & Morganstown Association  
Radyr and Morganstown Community Council  
Radyr and Morganstown Partnership and  
Community Trust (PACT)  
Radyr Farm  
Radyr Golf Club  
Rapleys  
Redrow Homes (South Wales)  
Reeves Retail Planning Consultancy Ltd  
Renplan  
Reservoir Action Group (RAG)  
Rhiwbina Civic Society  
Rhondda Cynon Taf County Borough Council  
RICS Wales  
Rio Architects  
Riverside Communities First Team  
Robert Turely Associates  
Roberts Limbrick  
Robertson Francis Partnership  
Royal Commission on the Ancient & Historical  
Monuments of Wales  
Royal National Institute for the Blind  
RPS Group Plc  
RSPB Cymru  
Save Creigiau Action Group  
Savills  
Savills (Cardiff)  
Scope Cymru  
Scott Brownrigg  
Sellwood Planning  
Shawn Cullen  
SK Designs  
SLR Consulting  
South Wales Chamber of Commerce Cardiff  
South Wales Police Crime Prevention Design  
Adviser  
South Wales WIN  
Splott and Tremorfa Communities First  
Sport Wales  
SSE Energy Supply Ltd  
St Fagans Community Council  
Stedman Architectural  
Stewart Ross Associates  
Stonewall Cymru  
Stride Treglown Town Planning

Stuart Coventry Scott Wilson  
Sullivan Land & Planning  
Sustrans Cymru  
SWALEC  
Taff Housing Association  
Tanner & Tilley  
Taylor Wimpey  
Terry Nunns Architects  
The 20th Century Society  
The Boarding Centre Ltd  
The Design Group 3  
The Georgian Group  
The Institute of Cemetery and Crematorium  
Management  
The Land Mark Practice  
The Planning Bureau  
The Royal Town Planning Institute  
The urbanists  
The Victorian Society  
The Wildlife Trust of South & West Wales  
Theatres Trust  
T-Mobile (UK) Ltd  
Tongwynlais Community Council  
Torfaen County Borough Council  
Turley Associates  
United Welsh Housing Association  
Urban City Ltd  
Urdd Youth Group  
Velindre NHS Trust Corporate Headquarters  
Virgin Media  
Vodafone  
Wales & West Housing Association  
Wales Council for Voluntary Action  
Wales Women's Aid  
Watts Morgan  
Welsh Ambulance Services NHS Trust - South East  
Region  
Welsh Government  
Welsh Government - Economy Skills and Transport  
Division  
Welsh Language Commissioner  
Welsh Language Society  
Welsh Tenants Federation Ltd  
Wentlooge Community Council  
White Young Green Planning  
Wimpey Homes  
Wyevale Garden Centres Ltd

No responses were received as a result of the public consultation exercise, as such no alterations were made.

Mae'r dudalen hon yn wag yn fwriadol

# Cardiff Planning Obligations SPG

(Supplementary Planning Guidance)





## Contents

Chapter	(Future) Supporting SPG's	Page	
1.	Introduction	2	
1.1	About this Document	2	
1.2	Mechanisms for Securing Infrastructure	3	
1.3	Legislation and Policy Context	4	
1.4	The Community Infrastructure Levy (CIL)	5	
1.5	Cardiff's Approach to Planning Obligations and CIL	6	
2.	Affordable Housing	7	
3.	Transportation and Highways	<i>(Managing Transport Impacts SPG)</i>	13
4.	Public Rights of Way	<i>(Managing Transport Impacts SPG)</i>	19
5.	Provision of Functional Open Space	<i>(Green Infrastructure SPG)</i>	21
6.	Protection of Open Space		27
7.	Schools and Education		28
8.	Community Facilities		33
9.	Primary and Community Healthcare Facilities		36
10.	District and Local Centres		38
11.	Public Realm, Community Safety and Public Art		39
12.	Waste Management Facilities	<i>(Waste Collection and Storage SPG)</i>	41
13.	Local Training and Employment		43
14.	Renewable Energy and Low Carbon Technology	<i>(Renewable Energy Assessment SPG)</i>	46
15.	Biodiversity	<i>(Green Infrastructure SPG)</i>	48
16.	Tree, Woodland and Hedgerow Protection	<i>(Green Infrastructure SPG)</i>	55
17.	Flood Risk Management and Sustainable Urban Drainage	<i>(--- SPG)</i>	58
18.	Development Viability		64
	Appendix 1: Residential Viability Appraisal Checklist		65
	Appendix 2: Consultation on the Draft Planning Obligations SPG		67
	Appendix 3: Consultation Representation and Responses		71

---

## 1. Introduction

### 1.1 About this Document

- 1.1.1. This Planning Guidance is supplementary to the Cardiff Local Development Plan (LDP) 2006-2026 and sets out the Council's approach to planning obligations when considering applications for development in Cardiff. It provides further guidance on how the policies set out in the-LDP are to be implemented and will assist in securing the provision of sustainable development across the city.
- 1.1.2. This SPG will help to ensure that developments contribute toward the provision of necessary infrastructure and measures required to mitigate their impact. The delivery of the right level and type of infrastructure at the right time is not only essential to support the development of new homes, economic growth and the creation of sustainable communities, but also provides benefits to the city's existing residents, workers and visitors. Failure to provide sufficient supporting infrastructure can have a detrimental impact on the overall quality and associated use of local, countywide and regional amenities.
- 1.1.3. The aim of this SPG is to provide clarity to developers, agents and other stakeholders regarding the basis on which planning obligations will be secured. It supplements Policies KP6 (New Infrastructure) and KP7 (Planning Obligations) of the Cardiff Local Development Plan 2006-2026 and:
- Sets out Cardiff's approach to securing infrastructure provision and environmental improvements through planning obligations,
  - Clarifies the relationship between planning obligations and the Community Infrastructure Levy (CIL),
  - Provides guidance on the type and nature of planning obligations and the basis for contributions,
  - Will enable the consideration of infrastructure matters at the earliest possible stage in the development process.
- 1.1.4. This document covers in detail those infrastructure elements that will be secured through planning obligations and sets out the forms of development from which the Council will seek contributions where the need arises as a result of a proposed development. It identifies the nature of what will be required, the scale of development from which particular types of contribution will be sought and, where relevant, sets out the basis on which the level of obligation will be calculated.

---

## 1.2 Mechanisms for Securing Infrastructure

- 1.2.1. The following mechanisms are available to secure both site specific and countywide infrastructure provision:

### **Planning Conditions**

- 1.2.2. Planning Conditions are attached to a planning permission and set out details of required standards, timescales and / or works which must be carried out at prescribed stages in the development process. Where necessary, they can also require further details to be submitted in order to make the development acceptable. Planning Conditions should not be duplicated by Planning Obligations.

### **Planning Obligations**

- 1.2.3. Planning obligations run with the land (the application site) in perpetuity and may be enforced by the Council as the local planning authority against the original covenantor and its successors in title to the land. Planning Obligations can be secured either through a S106 Agreement, where there are mutual obligations between the Council and those with a legal interest in the application site, or a Unilateral Undertaking, which binds by planning obligations those with a legal interest in the land, but impose no obligations on the Council.
- 1.2.4. Planning obligations are useful arrangements to overcome obstacles which may otherwise prevent planning permission from being granted and can either be provided through delivering what is needed to the required standard or as a financial contribution, or by a combination of both.

### **S278 / S38 Agreements**

- 1.2.5. These agreements relate specifically to Highway works. They also run with the land in perpetuity and may be enforced against the owner, mortgagees and their successors in title to the land (anyone with a legal interest in the land).

#### Section 38 Agreement

- 1.2.6. Where, as part of a development, it is proposed to construct a new road or junction, the normal legal means by which the road becomes a public highway is via an agreement under Section 38 of the Highways Act 1980.

#### Section 278 Agreement

- 1.2.7. A Section 278 Agreement is a legally binding document between the Local Highway Authority and a developer to ensure that any works to be carried out to an existing area of adopted highway are completed to the standards and satisfaction of the Local Highway Authority.

### **Community Infrastructure Levy**

- 1.2.8. In April 2010, the Government introduced the Community Infrastructure Levy (CIL) Regulations. CIL enables Local Planning Authorities to raise a levy on new development in their area, which can then be used to fund infrastructure to help support growth. Unlike planning obligations, CIL is a set charge and is non-negotiable. Where it is introduced by a local authority, it sits alongside the use of planning obligations but will not directly replace them.

---

## 1.3 Legislation and Policy Context

- 1.3.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that the determination of a planning application must be in accordance with the development plan unless material considerations indicate otherwise. Welsh Government advice supports the use of SPG to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance and may be taken into account as a material planning consideration in planning decisions. The policy context is given below.

### **National Legislation and Policy Context**

#### Planning Obligations.

- 1.3.2. The legislative and policy guidance framework governing the use of planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12 of the 1991 Planning and Compensation Act) and Welsh Office Circular 13/97 'Planning Obligations'. This enables any person with an interest in land in the area of a local authority to enter into a planning obligation that:
- Restricts the development or use of the land in any specified way;
  - Requires specified operations or activities to be carried out in, on, under or over the land;
  - Requires the land to be used in any specified way; or
  - Requires a sum or sums to be paid to the authority on a specified date or dates or periodically.

#### Community Infrastructure Levy (CIL).

- 1.3.3. Part 11 of the Planning Act 2008 introduced the Community Infrastructure Levy. Relevant legislation is further set out in the Community Infrastructure Levy (CIL) Regulations 2010 and subsequent CIL (Amendment) Regulations.
- 1.3.4. Regulation 122(2) of the CIL Regulations (as amended) states that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.

#### Well-being of Future Generations (Wales) Act 2015.

- 1.3.5. The Well-being of Future Generations (Wales) Act 2015 establishes a 'sustainable development principle', which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

#### Planning Policy Wales.

- 1.3.6. Planning Policy Wales (PPW) Edition 9 (November 2016) sets out the land use planning policies of the Welsh Government. Chapter 3.5 provides guidance relating to planning conditions, obligations and the Community Infrastructure Levy.

### **Local Policy Context**

#### Cardiff Local Development Plan 2006-2026.

- 
- 1.3.7. Policy KP6 (New Infrastructure) of the Cardiff Local Development Plan 2006-2026 identifies that ‘New development will make appropriate provision for, or contribute towards, the necessary infrastructure required as a consequence of the proposed development. Such infrastructure will be delivered in a timely manner to meet the needs of existing and planned communities’.
  - 1.3.8. Policy KP7 (Planning Obligations) specifies that planning obligations will be sought to mitigate any impacts directly related to the development.
  - 1.3.9. Policies KP2(A) to Kp2(H) provide a summary of the key infrastructure requirements relating to LDP Strategic Sites (sites of 500 homes or more and / or with significant employment / mixed uses).
  - 1.3.10. Additional LDP Key Policies and Detailed Policies relating to specific infrastructure elements are identified within each subsequent chapter of the SPG.

#### Cardiff Infrastructure Plan.

- 1.3.11. The Cardiff Infrastructure Plan (IP) is a ‘living document’ that sits alongside the LDP and identifies infrastructure required to facilitate and sustain the growth of the city. The IP is informed by the Cardiff Local Development Plan and its associated Supplementary Planning Guidance documents.

## 1.4 The Community Infrastructure Levy (CIL)

- 1.4.1. Planning Policy Wales (Edition 9, November 2016) provides the following overview of the CIL Regs:
  - ‘3.5.6 The Community Infrastructure Levy Regulations 2010 came into force in April 2010 and are non-devolved. The CIL is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms. As a result, there may still be some site specific impact mitigation requirements without which a development should not be granted planning permission. Some of these needs may be provided for through the CIL but others may not, particularly if they are very local in their impact. There is therefore still a legitimate role for development-specific planning obligations to enable a local planning authority to be confident that the specific consequences of development can be mitigated’.

### **The Relationship between Planning Obligations and CIL**

- 1.4.2. CIL Regulation 123 prevents the use of planning obligations to fund infrastructure projects or types of infrastructure that may be funded by the CIL (this is referred to as ‘double dipping’). Upon the adoption of a CIL, a local authority maintains on its website a Regulation 123 (R123) List identifying the projects or types of infrastructure that it intends may be wholly or partly funded by CIL. These specific infrastructure projects or types of infrastructure cannot then be funded through planning obligations.
- 1.4.3. In order to ensure that planning obligations and CIL can operate in a complementary way, from 6th April 2015, the pooling of contributions which are secured through S106 agreements has been limited (by Regulation 123) to five planning obligations for the same infrastructure project or type of infrastructure.
- 1.4.4. The two main exemptions to the ‘pooling of five’ are the provision of Affordable Housing, which the CIL Regulations identify will not be restricted in this way and Highway Infrastructure provided through S278 Agreements. In addition, those items which have historically been secured via S106 agreements, but are not classed as ‘infrastructure’, for example, Traffic Regulation Orders and Travel Plans will also not be restricted by the ‘pooling of five’.



## 1.5 Cardiff's approach to Planning Obligations and CIL

### Planning Obligations

- 1.5.1. Where the need arises as a result of a proposed development, site specific infrastructure provision and mitigation measures will be secured through planning obligations.
- 1.5.2. The following chapters, under each infrastructure category, provide guidance as to the circumstances where infrastructure provision and / or site specific mitigation will be sought. Each case will be considered on its merits having regard to the specific circumstances of the site and the proposed development.

### CIL

- 1.5.3. In addition to Planning Obligations, it is proposed that, upon the adoption of a Cardiff CIL, a charge will be levied on Residential, Retail and Student Accommodation developments to raise funds that will contribute towards wider strategic and other local infrastructure provision across the city.
- 1.5.4. As part of the preparation of a Cardiff CIL, consultation was undertaken between 8<sup>th</sup> September 2016 and 20<sup>th</sup> October 2016 on a Draft Charging Schedule (DCS), which proposed the following rates:

Development type		CIL rate £/m2
Residential Zone 1	Countywide zone for developments of 1-499 dwellings	70
Residential Zone 2	Sites of 500 or more dwellings (including all developments within LDP Strategic Sites).	Nil
Retail		200
Student Accommodation		100

- 1.5.5. Following the above consultation period, a Draft Charging Schedule is then submitted for Independent Examination and an associated Inspectors Report is published prior to the adoption of a CIL by a Local Authority.
- 1.5.6. Details of current progress on the adoption of a CIL can be viewed at [www.cardiff.gov.uk/cil](http://www.cardiff.gov.uk/cil). Upon the adoption / implementation of a CIL, this Planning Obligations SPG will be updated to identify the charges that have been put in place.
- 1.5.7. As identified in the CIL Regulations, following the adoption of a CIL, Affordable Housing will continue to be secured through Planning Obligations.
- 1.5.8. Infrastructure projects and types of infrastructure which may be funded either in whole or in part by CIL (and therefore would not be sought through planning obligations) will be identified on a R123 List.

## 2. Affordable Housing

### Policy Context

- 2.1. Planning Policy Wales (paragraphs 9.1.2 and 9.2.14) states that Local Authorities should promote sustainable residential environments and make appropriate provision for affordable housing, including social rented housing (owned by local authorities and registered social landlords) and intermediate housing (where prices or rents are above those of social rent but below market housing prices or rents).
- 2.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- H3: Affordable Housing

### Affordable Housing Provision

Development Type		Provision Sought
All residential developments that:  i. Contain 5 or more dwellings; or ii. Sites of or exceeding 0.1 hectares in gross site area; or iii. Where adjacent and related residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Council will seek affordable housing based on the affordable housing target percentages set out opposite.  Excluding: Student Accommodation and Specialist Accommodation that provides a significant element of care.	Brownfield Sites	20% Affordable Housing
	Greenfield Sites	30% Affordable Housing

### Key Principles

- 2.3. Affordable housing will be provided onsite in order to promote social integration and to contribute toward the development of sustainable communities. Alternatives to onsite provision will only be considered in exceptional circumstances.
- 2.4. The provision of affordable housing is based on 'evidence of housing need'. Within Cardiff, evidence of housing need is based upon the Local Housing Market Assessment - Update (2015), which is supplemented by the Common Waiting List for both Council and Registered Social Landlord (RSL) stock in the city and any other relevant information.
- 2.5. The Council will ensure that the spirit and purpose of LDP Policy H3 is not circumvented by the artificial sub-division of sites.
- 2.6. LDP Policy H3 applies to all proposed residential developments covered by the identified thresholds (para 2.2), including conversions, changes of use and mixed use developments where the site description and plans show 5 or more dwellings. Schemes providing specialist accommodation are included within this definition, except those in which residents require a significant element of care.
- 2.7. Student Accommodation is classified as a 'sui generis' use. Where a planning application identifies that a site and / or an element within a mixed use development will be specifically and exclusively used for this purpose, the corresponding units will not be expected to contribute toward affordable housing provision.

---

## Definition of Affordable Housing

- 2.8. Welsh Government Technical Advice Note 2 (Planning and Affordable Housing) at paragraph 5.1 defines Affordable Housing as ‘housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers’.
- 2.9. The Council recognises that there are two types of affordable housing:
- **Social Rented Housing (SR):** where rented dwellings are provided by a Registered Social Landlord (RSL) or the Council.
  - **Intermediate Housing:** where prices or rents are above those of social rents but below market housing prices or rents. This includes:
    - a) Intermediate Rented Housing (IR). Where rented dwellings are provided by a Registered Social Landlord or the Council at a rent level of no more than 100% Local Housing Allowance (inclusive of service charges) in perpetuity.
    - b) Low Cost Home Ownership (LCHO). Where sale prices are at least 30% -40% below market house prices.
- 2.10. It should be noted that housing provided at a discount by the developer to the first occupier does not constitute affordable housing, as this form of provision fails to retain affordable housing for as long as the need arises.

## Tenure

- 2.11. The Council will seek an appropriate mix of tenures on application sites. The affordable housing tenure mix sought will be predominantly social rented with a small proportion of Low Cost Home Ownership (if applicable). Provision will need to be determined on a site-by-site basis through discussions between the Council and the applicant / developer in order to take account of local housing need and factors such as accessibility to local facilities and transport infrastructure.

## Transfer and Prices

- 2.12. For Social Rented and Intermediate Rented, developers will be required to transfer units to an approved organisation, usually a Registered Social Landlord (RSL) or the Council itself. Developers should be aware that the affordable units should be transferred to the RSL or the Council at a value no greater than the fixed capital payments advised by the Local Authority. The capital payment that will be made by an RSL or the Council for purchase of the affordable units is based on the rental income that can be charged for an affordable rented unit. The payment will differ depending on whether the affordable unit is a social rented unit or an intermediate unit. Payment tables are available upon request and are updated annually.
- 2.13. It should be noted that if a development is, or is likely to be, subject to a service charge or additional charge, then any such reasonable charge shall be included within the rent of the Affordable Housing Units, provided that in the case of Intermediate Rented Units the imposition of any such charge shall not increase the rent to a level that exceeds 100% of the published Rent Officer Local Housing Allowance then in force.

- 
- 2.14. For Low Cost Home Ownership (Shared Equity) units the fixed capital payment will be based on an affordable percentage of the open market value of the relevant property, and will usually range between 60%-70% of the open market value. The unsold equity share will be held by either the Council or an RSL.
- 2.15. Low Cost Home Ownership (LCHO) will only be acceptable where the sale price is low enough for purchase by those in genuine housing need. As future sales must also be at the same percentage discount and must also be to those in genuine housing need, either an RSL or usually the Council itself will act as an agent to ensure arrangements are adhered to, and that this form of affordable provision is retained for as long as the need exists.

### **Providers of Affordable Housing - Registered Social Landlords (RSLs)**

- 2.16. The most suitable suppliers of affordable housing are RSLs, usually Housing Associations, because:
- RSLs have a duty to allocate tenancies in a fair, consistent, transparent manner, based on housing need;
  - they ensure control over future occupancy and future levels of rents or ownership;
  - they are subject to regular monitoring to ensure standards of service are maintained;
  - the Council and RSLs allocate from the common waiting list to ensure local people in need occupy the affordable housing units without income restrictions;
  - RSL's have a duty to allocate to secure contracts;
  - RSLs are established contact points for people in housing need.
- 2.17. The Council will be able to advise developers of a suitable RSL partner for the delivery of affordable housing. Any alternative supplier of affordable housing must be agreed by the Council, and it must be demonstrated that their objectives and controls are similar to RSLs. The Council has 7 RSL partners with Welsh Government Approved Development status:
- |  |                            |
|--|----------------------------|
| ■ Cadwyn Housing Association           | ■ Taff Housing Association |
| ■ Cardiff Community Housing Associatio | ■ United Welsh             |
| ■ Hafod & Hafod Care Housing Associati | ■ Wales & West Housing     |
| ■ Linc Cymru                           |                            |
- 2.18. In addition, the Council itself is also a supplier and delivery partner for affordable housing provision. There may be occasions where the Council will be the delivery partner of the affordable housing provision. This will be discussed and agreed as part of the planning application process.

### **Onsite Provision**

- 2.19. Consistent with LDP Policy H3,-affordable housing will be provided on-site unless there are exceptional circumstances (and associated evidence) to support alternative provision.
- 2.20. Affordable housing should be located throughout a site and not concentrated in one part of a development. For larger developments in particular, affordable housing is best located in clusters that are properly integrated into the development and situated near local amenities, facilities and transport hubs.

- 
- 2.21. Affordable housing provision should generally reflect the type and size of market housing On a site (for example if all market dwellings are houses, affordable housing provision should not be all flats). In addition, there should be no difference in external appearance between open market and affordable housing units, notwithstanding that the affordable rented housing units will be expected to meet Welsh Government Development Quality Requirements (DQR).
- 2.22. The completion of the affordable housing will normally be linked to the completion of a specified percentage of the general market housing to ensure that schemes are developed as a whole. Where a large development is proposed in phases, the delivery of affordable houses should also be phased to further integrate general market and affordable housing. This is in keeping with the aims of inclusive and mixed communities.

### **Standards of Design and Construction**

- 2.23. The Council seeks that all affordable rented units (social rented and intermediate rented) meet the standards identified in 'Development Quality Requirements', Welsh Government, 1<sup>st</sup> July 2005 (or subsequent amendments). Further design guidance is provided through Planning Policy Wales, Tan 12 (Design), the Cardiff Local Development Plan and associated Supplementary Planning Guidance.

### **Off Site Provision**

- 2.24. Off-site provision will only be considered in exceptional circumstances where robust supporting evidence is provided, and agreed in writing, by the Council. In such circumstances, the developer will be expected to provide an alternative site for, and deliver, the required affordable housing.
- 2.25. In considering offsite provision, the following criteria would have to be met:
- The Council agrees that there are exceptional justifications for provision off-site.
  - The Council and the developer agree on the quantity and type of affordable housing that would have been provided on-site.
  - The alternative form of provision would be equivalent in all respects to the affordable housing that would have been provided on-site
  - The developer has demonstrated that the affordable housing will be provided on a mutually agreed site that will accommodate the requirement, within a reasonable period of time (up to 3 years).
- 2.26. Any offsite location proposed would need to be suitable for affordable housing (i.e. accessible to local facilities / transport infrastructure) and located near enough to the main development to meet the identified need.-This will be subject to agreement with the Local Authority.
- 2.27. The developer will need to establish a clear, deliverable and guaranteed means of achieving the criteria outlined above before planning permission can be granted. This may mean first obtaining planning permission for the off-site development. It will need to include satisfactory phasing arrangements, and take account of any additional affordable housing provision and other infrastructure requirements that would normally be expected to be provided on the alternative site. Such arrangements will usually be secured by a Section 106 Agreement.

## Financial Contribution in lieu of onsite provision

- 2.28. In circumstances where it has been agreed that there are exceptional justifications for provision offsite and where (1) a developer does not own or control an alternative site and (2) it is not feasible for the developer to be able to purchase a suitable alternative site, a financial contribution in lieu of affordable housing may be considered.
- 2.29. Registered Social Landlords (RSL's) are able to build affordable housing by securing private finance to supplement a Social Housing Grant. A financial contribution should therefore be equivalent to the Social Housing Grant required to develop an RSL new-build scheme of the same proportion and type of affordable units that would otherwise have been expected on-site. This would allow a financial contribution to contribute to the overall affordable housing provision without recourse to public subsidy.
- 2.30. Before a calculation can be made, it will be necessary to have agreed the appropriate proportion of affordable housing and mix, based on an affordable housing mix representative of the development as a whole. The formula for calculating a financial contribution in lieu of onsite provision is:

- **Grant Eligibility ((ACG £ per unit) x (58% SHG)) x N = £ financial contribution.**

Where:

- **Grant Eligibility:** Determined by multiplying the Acceptable Cost Guidance per dwelling by the Social Housing Grant rate (see below).
  - **ACG (Acceptable Cost Guidance):** Is an amount based on the price within which the Welsh Government stipulates an RSL must buy land, build the unit and pay costs. It is calculated per social housing dwelling and relates to dwelling type and occupancy (e.g. 2 person 1 bed flat) for different cost bands in Wales. ACG is published by the Welsh Government.
  - **58% SHG (Social Housing Grant rate):** This is normally expressed as the total proportion of actual scheme costs that will be funded by the Welsh Government and is determined in accordance with the grant procedures as published by their Housing Directorate.
  - **N:** Number of off-site surrogate affordable housing units (rounded to the nearest whole unit).
- 2.31. If it is agreed that the contribution would be paid at a future date, then interest payments will be negotiated. These arrangements will be the subject of an agreement under Section 106 of the Town and Country Planning Act 1990.

## Specialist Housing and / or Older Persons Accommodation

- 2.32. The Council has a duty to have regard to the housing requirements of older people and those with specialist accommodation needs. In certain circumstances, particular housing needs cannot be addressed within the existing housing stock and new purpose built units may be required.
- 2.33. Where there is evidence of need and it is considered appropriate, specialist and / or older persons housing may be sought / provided as part of the affordable housing contribution. Where such housing is proposed, this may be agreed by the Council as part or all of the affordable housing requirement, subject to agreement on housing need and in particular affordability.

---

2.34. The Council expects that specialist housing for older persons or specific client groups should be provided on-site. The specification for such accommodation will need to be discussed in detail with the Council and can include bungalows. Where specialist and / or older persons accommodation is to be provided as the affordable housing contribution, site suitability (for example, topography and proximity to local facilities) will be taken into consideration.

### **S106 Agreements**

2.35. A Section 106 Agreement is likely to cover:

- The amount and type of affordable housing to be provided;
- The location of and the amounts to be paid for the affordable housing;
- Occupancy criteria and nomination rights for the affordable housing;
- Arrangements to ensure the provision is affordable for as long as the need arises;
- Transfer of land or dwellings from the developer to an RSL or the Council; the payments that an RSL or the Council will be able to make
- The timescale, or phasing, for building the affordable housing, in relation to the construction of the remainder of the development;
- Contingency arrangements, if the RSL or the Council does not implement the affordable housing by a certain date;
- The level of any financial contribution, its timing, and any related arrangements about fees,
- The details of any alternative site for the delivery of the affordable housing (if applicable).

### 3. Transportation and Highways

#### Policy Context

- 3.1 Planning Policy Wales (paragraph 8.1.1) identifies that the Welsh Government aims to extend choice in transport and secure accessibility in a way which supports sustainable development and helps to tackle the causes of climate change by: encouraging a more effective and efficient transport system, with greater use of the more sustainable and healthy forms of travel, and minimising the need to travel.
- 3.2 Technical Advice Note (TAN) 18: 'Transport' advocates close integration of land use and transport planning to achieve an efficient and sustainable transport system and to address the impacts of road traffic growth. Ensuring that new development includes appropriate provision for sustainable transport modes is identified as key to the delivery of transport integration and addressing transport concerns.
- 3.3 The Active Travel (Wales) Act 2013 requires local authorities to continuously improve facilities and routes for pedestrians and cyclists. It also requires new road schemes to consider the needs of pedestrians and cyclists.
- 3.4 The Cardiff Local Transport Plan (LTP) 2015-2020 identifies the key transport issues relevant to Cardiff, the high level interventions needed to address these issues and the specific priorities for the local authority to deliver in the Local Transport Plan period (2015-2020). The plan also outlines the Council's medium and long-term priorities up to 2030.
- 3.5 This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policies:
- KP8: Sustainable Transport
  - T1: Walking and Cycling
  - T2: Strategic Rapid Transit and Bus Corridors
  - T3: Transport Interchanges
  - T5: Managing Transport Impacts
  - T6: Impact on Transport Networks and Services
  - T8: Strategic Recreational Routes
  - En4: River Corridors
- 3.6 Additional guidance will be provided in the [\(Cardiff\) Managing Transport Impacts and Parking Standards SPG](#).

#### Infrastructure Provision / Mitigation

Development Type		Provision Sought
All development types.	Where the need arises as a result of a proposed development.	<ul style="list-style-type: none"><li>■ The in-kind provision of and / or a financial contribution towards the provision of onsite and off-site highway / transportation infrastructure, network enhancements and service improvements.</li></ul>

#### Key Principles

- 3.7 The Council will maximise opportunities for trips generated by new development to be made by walking, cycling and public transport and seek to ensure that the highway network is able to accommodate road traffic movements associated with new development in a safe and efficient manner.
- 3.8 Development proposals which have the potential to impact on the highway and transportation network will be considered within one of three categories:



- Developments at or above the identified thresholds for the provision of a Transport Assessment (TA),
- Developments below a TA threshold that may require the preparation of a Transport Statement (TS),
- Other developments that may generate the need for local interventions.

3.9 As identified in WG Technical Advice Note 18 (Transport), applicants for developments at or above specified thresholds will be required to submit, as part of their application, a **Transport Assessment (TA)** that identifies the scale of anticipated transport impacts of a development and a series of proposed measures (including infrastructure provision) to mitigate those impacts.

3.10 The need for, scale, scope and level of detail required for a Transport Assessment should be established as early as possible in the development management process (i.e. at the pre-application enquiry stage), as a TA may positively influence the overall nature and detailed design of a development. Failure to provide sufficient information as part of an application can result in delays to the decision making process.

3.11 Developments falling below TA thresholds may have transport impacts which warrant some level of investigation and assessment. In such circumstances, the Council may require the preparation of a Transport Statement (TS), which again should be established at the pre-application enquiry stage.

Onsite Provision:

3.12 Developers will be expected to provide all on-site highway and transportation infrastructure necessary to serve their development, including, for example;

- |                        |   |  |
|------------------------|---|--|
| ■ Roads,               | ■ Controlled and uncontrolled crossings,        | ■ Bus lanes,                                   |
| ■ Junctions,           | ■ Parking and parking control measures,         | ■ Bus shelters,                                |
| ■ Traffic signals,     | ■ Car clubs,                                    | ■ Travel information,                          |
| ■ Footways,            | ■ Speed limits and associated control measures, | ■ Lay-bys,                                     |
| ■ Cycle ways,          | ■ Street lighting,                              | ■ Telematics and communications,               |
| ■ Cycle parking,       | ■ Bus stops,                                    | ■ Sensor technology,                           |
| ■ Cycle hire,          |   | ■ CCTV   |
| ■ Lockers,             |   | ■ Connections to the existing highway network. |
| ■ Changing facilities, |   |  |

Offsite Provision:

3.13 Developers will be expected to provide / contribute toward, either through in-kind provision, or through a financial contribution, offsite highway works, public transport infrastructure / facilities and local interventions (e.g. walking, cycling and accessibility improvements) where the need arises as a result of the proposed development.

**Impacts on Highway Function**

3.14 Through introducing new access points, and increasing flows or turning movements, new developments can potentially impact on the function of a highway route for different modes by:

- Making roads busier and less attractive for people cycling and walking;
- Reducing safety and accessibility for pedestrians, cyclists or those travelling by public transport;
- Increasing delay for pedestrians and cyclists at junctions and crossings;
- Increasing bus journey times and reducing journey time reliability;
- Increasing journey costs;
- Changing travel patterns;

- 
- Increasing traffic speeds;
  - Making traffic queues and delays longer at junctions and reducing journey time reliability; and
  - Reducing road safety.
- 3.15 Such impacts can potentially impair the operation of the local highway network, add to congestion problems, reduce road safety and conflict with the LDP's objectives to increase sustainable travel and achieve modal shift.
- 3.16 Therefore, in considering development proposals, the Council will need to understand and assess the impact of developments on the function of roads directly serving a development, within the immediate vicinity of the site and within the wider highway network.
- 3.17 The TA or TS will need to quantify the new movements which would be generated by the proposed development and show their impact upon the function of roads directly serving the development and the wider highway network. Where necessary, the TA/TS should identify measures to mitigate these impacts and make the development acceptable in relation to the LDP's sustainable transport policies.
- 3.18 The infrastructure provision / mitigation measures associated with improvements to the highway network may include, for example:
- Modifications to junctions e.g. to improve efficiency of operation and/or to provide enhanced provision for bus movements and active travel modes.
  - Transport services to encourage sustainable travel (e.g. bus services, car clubs, cycle hire).
  - Travel information, incentives and promotion of sustainable travel (e.g. public transport timetables, real-time information, maps, annual public transport season tickets, cycle vouchers, travel planning etc).
  - Facilities to enable efficient interchange between modes.
  - Speed limits and associated control and traffic management measures.
  - Changes to highway layouts, road markings, signage and on-street parking to manage traffic movements and/or to provide improvements to facilities for pedestrians, cyclists and buses (e.g. crossings, cycle lanes, cycle parking, lockers, bus lanes etc).
  - Connections with and extensions and improvements to the Cardiff Strategic Cycle Network (Enfys).
  - Connections and extensions to routes forming part of the Cardiff Walkable Neighbourhoods Plan and associated priority measures, such as crossings facilities and traffic calming.
  - Connections with and extensions and improvements to the identified in the future Council's Active Travel Integrated Network Map.
  - Accessibility: Improvements for safe access for people with disabilities, the elderly, the infirm and those with young children.
  - Infrastructure to improve the management of the highway network including telematics/traffic management utilities and equipment, parking controls and management facilities, CCTV etc.

### **Integrated Transport (Public Transport)**

- 3.19 Increasing the proportion of trips made by public transport will be essential in order to manage demand for car travel and achieving the LDP 50:50 modal split target.
- 3.20 Where the Council's analysis of Transport Assessments / Statements and other relevant information provides evidence of transport impacts, the Council will seek to secure mitigation of those impacts through the following courses of action (either individually or in combination):

- The provision of public transport infrastructure, rapid transit routes (including the provision of land) and associated infrastructure including interchange facilities within the master plans and layout of strategic development sites as identified through Policies KP2(A) to KP2(H);
- The safeguarding of land for strategic rapid transit and bus corridor routes;
- Securing off-site strategic rapid transit and bus corridor infrastructure including, for example; bus lanes, bus priority, bus gates and junction modifications that enhance the function of roads and bus corridors;
- New or enhanced public transport services (e.g. attractive bus service frequency, park and ride etc);
- Facilities to enable efficient interchange between modes (e.g. interchanges, transport hubs, park and ride, taxi stands etc).
- Securing improvements to the wider local bus network by way of bus priority measures, interchange facilities, junction and service improvements;
- Securing Travel Plans / dedicated Travel Plan coordinators and incentive schemes (e.g. annual public transport season tickets);
- Bus shelters, boarders / build-outs, real time information systems, timetables, travel information, travel maps, anti-crime (cctv) cameras; and
- Cycle parking, lockers and cycle changing facilities.

3.21 On-site infrastructure will normally be secured through the development by way of conditions of planning permissions. The provision of off-site measures will generally be secured by way of S106 Planning Obligations or Section 278 agreements. Commuted maintenance of new highway infrastructure will generally be secured by way of Section 38 and Section 278 agreements. The provision of travel planning and transport services will generally be secured by way of S106 Planning Obligations.

#### **Transport Assessments.**

3.22 Transport Assessments (TAs) provide the means of identifying and understanding the scale of anticipated transport impacts of a proposed development, or redevelopment. TAs are prepared by the applicant as part of their planning application and should provide a comprehensive and consistent review of all the potential transport impacts of a proposed development or redevelopment so that they are easily understood by the Local Authority and the public.

3.23 The purpose of a TA is to quantify the potential transport impacts arising from a proposed development and to identify the physical infrastructure and other transport measures that will mitigate these impacts to ensure that a development accords with LDP policies. A TA should provide sufficient information to enable decision makers to understand how the proposed development is likely to function in transport terms.

3.24 All applications for developments (including changes of use) falling into the following categories will be expected to be accompanied by a TA:

<b>Use</b>	<b>Transport Assessment Threshold</b>
Food retail	1,000m <sup>2</sup> gross floor area
Non-food retail	1,000m <sup>2</sup> gross floor area
Cinemas and conference facilities	1,000m <sup>2</sup> gross floor area
Leisure facilities	1,000m <sup>2</sup> gross floor area
Business	2,500m <sup>2</sup> gross floor area
Industry	5,000m <sup>2</sup> gross floor area
Distribution and Warehousing	10,000m <sup>2</sup> gross floor area
Hospitals	2,500m <sup>2</sup> gross floor area
Higher and further education	2,500m <sup>2</sup> gross floor area

Use (Continued)	Transport Assessment Threshold
Schools	All new schools
Stadia	1,500 seats
Housing	100 dwellings
Hotels	1,000m2 gross floor area

*Technical Advice Note 18 (2007) Annex D.*

- 3.25 TAN 18 (2007) identifies that the output of the TA should be a **Transport Implementation Strategy (TIS)**, which is intended to achieve three things:
- ‘identify what policy objectives and requirements are set by the (local) development plan in terms of access to the development and movements in and around the site;
  - identify what access arrangements are required for a successful development (meeting the needs of the developer, end user, addressing impacts on neighbours and existing movements surrounding the site);
  - specify the package of physical, management, monitoring and promotional measures needed to accommodate the requirements identified above, such as physical infrastructure, the design and location of buildings, parking management, financial incentives and dedicated travel plan co-ordinators’.
- 3.26 Further guidance on the content of a Transport Assessment (TA) and Transport Implementation Strategy (TIS) will be contained in the Council’s Managing Transport Impacts and Parking Standards SPG, which will provide an explanatory note and checklist of requirements to help ensure that any TA which is submitted to the Council contains all of the information which is required by the planning authority in assessing a planning application.
- 3.27 Where a number of smaller developments are proposed in close proximity to one another it may be more appropriate to undertake one overarching TA and this could be done as part of a master-planning exercise.
- 3.28 There may be circumstances where a development falls below the identified TA thresholds, but due to the nature or location of the proposal, the Council considers it necessary for the applicant to prepare a TA as part of their application. In such circumstances the need for a TA would be expected to be established at the pre-application enquiry stage.
- 3.29 It is important that modelling included in TA’s take account of likely background growth in traffic on the network and the impacts of the proposed development, in combination with the likely impacts of other neighbouring sites that will be brought forward during the plan period.

#### **Transport Statements.**

- 3.30 Some developments which fall below the size thresholds where a TA would be required may have transport impacts which warrant some level of investigation and assessment. Examples include developments which require direct access onto major arterial routes or strategic bus corridors or where they may affect parts of the highway network or specific junctions which experience particularly high volumes of traffic or there are potential impacts on non-motorised user groups or safety. In such instances, applicants will be expected to prepare (as part of their application) a Transport Statement (TS) providing a qualitative and quantitative assessment of the existing transport conditions in and around a development site and the transport impacts of the development in terms of trip generation. The TS should also set out the measures that will be taken to address those impacts.

- 
- 3.31 Further guidance on the content of a Transport Statement (TS) will be contained in the Council's 'Managing Transport Impacts and Parking Standards' SPG, which will provide an explanatory note and checklist of requirements to help ensure that any TS which is submitted to the Council contains all of the information which is required by the planning authority in assessing a planning application.

### **Travel Plans**

- 3.32 A Travel Plan is a long term management and monitoring strategy for an occupier (or group of occupiers) of a site that seeks to deliver sustainable transport objectives through positive action. Travel Plans are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable travel, such as walking, cycling and the use of public transport.
- 3.33 Travel Plans should set out specific outcomes, targets and measures, and clear future monitoring and management arrangements. They should address all journeys resulting from a proposed development by anyone who may need to visit or stay and they should seek to fit in with wider strategies for transport in the area.
- 3.34 Travel Plans will be expected to form part of all Transport Implementations Strategies (TIS's) accompanying a Transport Assessment (TA). They may also be required for:
- Developments which could generate significant amounts of travel in, or near to, air quality management areas and in other locations where there are local initiatives or targets for the reduction of road traffic, or the promotion of public transport, walking and cycling,
  - Developments where a Travel Plan would help address a particular local traffic problem associated with a planning application, for example, where there is potential for overspill parking to occur from developments with low or nil off-street parking provision,
  - Smaller incremental developments that contribute toward an impact of overall travel demand in the wider area.
- 3.35 The need for a Travel Plan would be identified at the pre-application enquiry stage. Where a pre-application enquiry has not been submitted, a Travel Plan may be secured by condition as part of a planning application.
- 3.36 Further guidance on the content of a Travel Plan will be contained in the Council's Managing Transport Impacts and Parking Standards SPG, which will provide an explanatory note and checklist of requirements to help ensure that any Travel Plan which is submitted to the Council contains all of the information which is required by the planning authority in assessing a planning application.

### **S38 / S278 Highway Works**

- 3.37 In circumstances where works that are undertaken by a developer are to be adopted by the Council and / or where works are undertaken by a developer to an area of Adopted Highway, they will need to be constructed to the Council's Highway Specifications as specified in the Highways Agreement pursuant to which the works are being carried out.

### **Commuted Maintenance Sums (CMS).**

- 3.38 Where works are carried out by a developer to the adopted highway, or are to be adopted by the Council, developers will be expected to provide a commuted maintenance sum and bond as provided for the relevant Highways Agreement.

## 4. Public Rights of Way

4.1 Welsh Office Circular 5/93 'Rights of Way' (Annex D, paragraphs 2) states that the effect of development on a Public Right of Way is a material consideration in determining a planning application.

4.2 This Chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:

- T8: Strategic Recreational Routes

Additional guidance will be provided in the [Cardiff Managing Transport Impacts and Parking Standards SPG](#) and the [Cardiff Green Infrastructure SPG](#).

### Infrastructure Provision / Mitigation

Development Type		Provision / Mitigation Sought
All development types	Where a Public Right of Way crosses an application site, or is adjacent to an application site.	<ul style="list-style-type: none"><li>■ The retention of the Public Right of Way.</li><li>■ The upgrading of the route (where need arises as a result of the proposed development).</li></ul>
	Where a proposal would cause an obstruction to a Public Right of Way.	In circumstances where a route diversion is agreed with the Council, the in-kind provision of an equally commodious route that provides a continuous and unbroken facility.

### Key Principles

- 4.3 There are approximately 200km of public rights of way in Cardiff, which include footpaths, bridleways and byways. The rights of way network is managed and maintained by the Highway Authority.
- 4.4 Developers are expected to give due consideration as to whether a public right of way crosses their development site. The Highway Authority has a duty to protect the public rights of way network under Section 130 of the Highways Act 1980 and will expect routes to be retained on their existing alignment, especially where they provide a convenient well used route to local facilities, links areas and are used for recreational reasons or for access to the countryside.
- 4.5 The Highway Authority is responsible for maintaining a 'Definitive Map and Statement of Rights of Way' which provides a legal record of the existence, status, width and position of a public right of way. If a right of way is shown on the Definitive Map, but does not physically exist on the ground, in law the right of way still exists until a legally confirmed order removes or redirects its alignment. The Definitive Map and Statements are available for the public to view. If a developer requires information of what rights of way are within their application site they should contact the Council's Public Rights of Way Team.
- 4.6 Where it is agreed that a legal order is necessary, the full cost of making that order will be borne by the developer. Where a new route is to be provided, it will need to be constructed to an adoptable standard and will need to conform to the requirements of Cardiff Council's Highway Standards.

---

### **When Might a Diversion be Acceptable?**

- 4.7 A developer would need to demonstrate why retaining an existing public right of way would prejudice an otherwise acceptable development or layout. A diversion may be acceptable if an equally convenient and commodious route can be found. In some cases it may be possible to create a more convenient route as a result of a development or enhance the quality of a route, particularly on large sites. These opportunities should be considered, even if it means diverting a right of way. On larger sites, the public rights of way network should be considered in a comprehensive manner and as part of the network of off road routes for moving round the site, and linking it with surrounding communities and countryside.
- 4.8 Welsh Office Circular 5/93 'Rights of Way' (Annex D) advises that if a path is diverted, it should not usually be on the footway or carriageway of an estate road. Instead, paths should lead through landscaped or open space areas away from vehicular traffic to ensure that the character of the public right of way is maintained as far as possible and that the route remains legible to users.
- 4.9 When determining an application for the diversion or alteration to a public right of way, the Council will need to be satisfied that it is necessary (not just desirable or preferable) for the path to be altered. Legal orders can take up to a year to come into effect and it is therefore recommended that where relevant, developers enter into early dialogue with the Council.
- 4.10 Welsh Office Circular 5/93 identifies that the granting of planning permission does not give the developer any right to interfere with, obstruct or move a Public Right of Way. Where a legal order is required, the original definitive line must be kept open at all times until the new route comes into effect.
- 4.11 A Developer may consider dedicating any path under Section 25 of the Highways Act 1980 for the creation of a footpath or bridleway by agreement to the Highway Authority to create a cohesive strategic network. Further guidance will be provided through the Cardiff Managing Transport Impacts and Parking Standards SPG.

### **Design Considerations**

- 4.12 On larger sites, the public rights of way network should be considered as part of the integrated transport system, while retaining their individual characteristics and status.
- 4.13 New or upgraded paths and diverted rights of way will need to be well designed, suitably constructed (e.g. hard surfaced tarmac for footways / cycle ways) and avoid the need for people to make unduly long circuitous routes. Guidance on design standards will be provided in the Cardiff Green Infrastructure SPG.



## 5. Provision of Functional Open Space

### Policy Context

- 5.1. Planning Policy Wales (paragraph 11.1.10) states that the planning system should ensure that adequate land and water resources are allocated for formal and informal sport and recreation, taking full account of the need for recreational space and current levels of provision and deficiencies. At paragraph 11.3.2 it identifies that Local Planning Authorities may be justified in seeking Section 106 Planning Obligations to contribute to the maintenance of safe and attractive facilities and open space. Further guidance is provided in: Planning Policy Wales Technical Advice Note 16: Sport, Recreation and Open Space.
- 5.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- C5: Provision for Open Space, Outdoor Recreation, Children’s Play and Sport.
- 5.3. Additional guidance will be provided in the [Cardiff Green Infrastructure SPG](#).

### Infrastructure Provision

Development Type		Provision Sought
All Residential developments, (where need arises as a result of a proposed development).  Including: Student Accommodation and sheltered housing / residential homes.  Excluding: Specialist accommodation that provides a <u>significant element of care</u> .	Over 8 units	A financial contribution towards the provision of, or improvements to off-site functional open space.
	Over 14 units	Either: <ul style="list-style-type: none"> <li>■ The onsite provision of functional open space;</li> <li>■ A combination of onsite provision and a financial contribution towards the provision of, or improvements to off-site functional open space;</li> <li>■ A financial contribution towards the provision of, or improvements to off-site functional open space.</li> </ul> <p>To be determined through individual site characteristics, an assessment of existing local provision and the scale of the proposed development.</p>
Large-scale commercial developments		Provision of open space and / or improved links to nearby open space.

### Key Principles

- 5.4. Functional open space (FOS) relates to those areas that make provision for active sport and recreation including, equipped children’s play areas, teen equipment, sports pitches and areas providing space for informal recreational use (refer to paragraph 5.13). It does not include amenity space (refer to paragraph 5.15).
- 5.5. Residential developments will be expected to make provision for 2.43 hectares of functional open space per 1000 projected population. This is in accordance with the guidance provided through PPW Technical Advice Note 16 (Open Space) and the ‘Fields in Trust’ Benchmark Standards.



- 5.6. Functional open space provision on new residential developments will be expected to reflect the requirements of the occupiers of the site (for example, if family housing is proposed, an element of equipped children’s play space is likely to be sought).
- 5.7. Where functional open space facilities exist in the local area, it may be more suitable to secure a financial contribution toward expanding / upgrading those facilities to support the additional demand generated by the development, as opposed to duplicating provision on the new site.
- 5.8. A reduced level of functional open space provision (1.28 hectares per 1000 projected population) will be sought from student accommodation (sui generis), sheltered housing and retirement homes (use class C2). This level of contribution excludes the play element of functional open space and takes account of either (1) resident’s accessibility to student sports facilities (student accommodation) or (2) the anticipated reduction in use of formal functional open space facilities by future occupiers (sheltered housing / retirement homes).
- 5.9. Contributions will not be sought from residential institutions where residents require a significant element of care (i.e. nursing homes), or from such elements within a mixed use scheme.
- 5.10. Where on-site functional open space is provided, the developer will be expected to make satisfactory provision for its future management and maintenance.
- 5.11. The provision of functional open space should be phased and implemented alongside new development to ensure that residents are served with appropriate facilities over time.
- 5.12. Functional open space standards and guidelines will be provided in the Cardiff Green Infrastructure SPG. Schemes should be designed in dialogue with the Council’s Parks Services department.

**Definition of Functional Open Space**

- 5.13. For the purpose of this SPG Functional Open Space is considered to include:

Open Space Function	Definition
Equipped and Natural Children’s Play Areas	Areas specifically designed for children’s play with fixed play activities such as swings, slides or multi-units and / or more natural play environments.
Teen Equipment	Areas designed for teen use including Multiuse Games Areas (MUGAs), skate parks, outdoor fitness equipment and shelters.
Informal Functional Open Space	Areas providing space for informal recreational uses e.g. walking, jogging, cycling, informal ball games, and general leisure. This includes green corridors that can be used for active recreation due to presence of a permanent hard surfaced footpath.
Formal Functional Open Space	Areas of level and well drained land of sufficient size able to be used for formal recreation purposes such as football and cricket pitches. Also includes artificial turf and 3G pitches, greens, courts and athletic tracks, including dedicated ancillary facilities such as floodlighting, changing rooms and associated parking. (Excludes golf courses, indoor sports and leisure centres).

- 5.14. The above is not an exhaustive list of examples and other facilities may be required depending on the characteristics of the site and its locality. In all instances, provision must be available for public use to be considered within the definition of functional open space.

---

### Exclusions:

- 5.15. Some open spaces have particular value to the amenity of an area, but are not considered suitable for active sports and recreation and are therefore not included within the definition of functional open space and associated calculations, these include, for example:
- Allotments and community gardens,
  - Cemeteries and churchyards,
  - Large water features, including rivers, canals and reservoirs. (This relates to the body of water only. Land around these features may be considered towards Informal Functional Open Space, where they meet the relevant criteria identified at paragraph 5.13, i.e. green corridors that can be used for active recreation due to the presence of a hard surfaced footpath).
  - Hard landscaped squares,
  - Woodlands, hedgerows, grasslands, buffer zones / ecotones to woodlands road verges / incidental areas of grass and ponds,
  - Engineered SuDS features which are designed primarily to serve this purpose and do not serve a recreational function,
  - Areas that provide 'visual amenity', but are not physically accessible to the public.
- 5.16. The provision of functional open space does not negate a developer's requirement to provide sufficient amenity space in order to achieve good quality development.
- 5.17. Educational Land - For larger scale residential developments where a new school is also to be provided on a site, any associated outdoor sports provision is excluded from the calculation of 2.43 hectares per 1000 population.

### **Assessment of Functional Open Space Provision.**

#### What type of functional open space?

- 5.18. Functional open space provision on new residential developments will be expected to reflect the requirements of the future occupiers of the site and the particular characteristics of the associated development. For example, if family housing is proposed, equipped children's play space will be required along with formal and informal functional open space for youths and adults, such as multi-use games areas. All new facilities will be expected to be of an appropriate size and quality to meet the needs of future occupiers.
- 5.19. Provision will be determined on a site-by-site basis, with the nature of the proposal, the existing levels and types of functional open space in the local area and the recreational needs of the locality taken into account.
- 5.20. Where it is identified that existing facilities within the local area could be upgraded or extended to support the need generated by a proposed development, a financial contribution may be sought in lieu of on-site provision.

#### Distance Thresholds

- 5.21. As identified in the 'Fields in Trust' guidelines, functional open space should be easily accessible and located in close proximity to dwellings. For the purposes of this chapter of the SPG, the following distance thresholds will be considered when assessing the provision of facilities (from the edge of a development site):

- Equipped play and children’s play: 400m - 600m
- Teen equipment 600m - 1000m
- Informal functional open space 1000m
- Formal functional open space 1500m

5.22. In determining distance thresholds, features and obstacles to pedestrian and cycle movement, such as major roads, railways and rivers should be taken into consideration.

How Much Functional Open Space

5.23. Functional open space provision is calculated from the projected population of a development and the application of a minimum standard of 2.43ha per 1000 projected population. This is an aggregation of four components:

- Equipped play and children’s play areas: 0.25ha,
- Teen equipment: 0.30ha,
- Informal functional open space: 0.68ha,
- Formal functional open space: 1.20ha.

5.24. The projected population for a development is calculated using occupancy rates, derived from the 2011 census:

Number of Bedrooms	Occupancy Figure (persons per dwelling)
1	1.3
2	1.8
3	2.5
4	3.1
5	3.8
Where unknown	2.33 (average occupancy figure)

5.25. For student accommodation, occupancy figures are calculated at 1 person per bed space:

Number of Bedrooms	Occupancy Figure
Student Bedrooms	1.0

5.26. As identified in paragraph 5.8, proposals for student accommodation, sheltered housing and retirement homes are calculated at a reduced rate of 1.28ha per 1000 projected population (i.e. 2.43ha minus 0.25ha children’s play, 0.30 teen equipment and half contribution toward formal functional open space at 0.60ha).

5.27. Example Calculations:

A development is proposed, where 20 dwellings contain 3 bedrooms and 30 dwellings contain 4 bedrooms:

- Functional open space provision:  $(20 \times 2.5) + (30 \times 3.1) \times 2.43 / 1000 = 0.347ha$

A sheltered housing development is proposed containing 20 dwellings containing 2 bedrooms:

- Functional open space provision:  $(20 \times 1.8) \times 1.28 / 1000 = 0.046ha$

---

A student accommodation development is proposed containing 50 1 bedroom units:

- Functional open space provision:  $(50 \times 1.0) \times 1.28 / 1000 = 0.064\text{ha}$

#### **Financial Contribution in Lieu of Functional Open Space.**

- 5.28. In circumstances where it is agreed that a financial contribution is to be provided in lieu of onsite provision, the level of contribution is based on the cost of providing 1 hectare of functional open space, multiplied by the amount required by the proposed development:
- At 2016, the figure for providing 1ha of functional open space is **£426,975**.
- 5.29. This figure is derived from the commercial rates published in Spon's External Works and Landscape Price Book (2016 Edition) and additional figures provided by the Council's Parks Services Division representing the cost of implementing recent projects. The figure will be reviewed annually in line with the Retail Price Index.
- 5.30. As identified below, a pro rata contribution would be sought in circumstances where part of the functional open space contribution is provided onsite.
- 5.31. Example Calculation:

A residential development of 50 dwellings is proposed, where 20 units contain 3 bedrooms, 30 units contain 4 bedrooms and where 0.20ha of open space is provided onsite:

- Amount of functional open space provision:  $(20 \times 2.5) + (30 \times 3.1) \times 2.43 / 1000 = 0.347\text{ha}$
- Deduction of onsite functional open space provision:  $0.347\text{ha} - 0.20\text{ha} = 0.147\text{ha}$
- Amount of equivalent financial contribution:  $£426,975 \times 0.147 = \text{£62,765.33}$

#### **The Maintenance of Areas of Functional Open Space.**

- 5.32. Where on-site functional open space is provided, the developer will be expected to make satisfactory arrangements for its future management and maintenance in discussion with the Council as part of the planning application process. Various delivery models may be considered, including adoption by the Council.
- 5.33. The Council may consider accepting areas of functional open space for adoption provided it is over 0.20 hectares in size. For an area of functional open space to be adopted, the Council will require it to be laid out to satisfactory standards (as identified in the Cardiff Green Infrastructure SPG), maintained for a minimum period of 1 year and transferred to the Council with the payment of a commuted capital sum for the maintenance of the open space for 25 years. Smaller areas of functional open space, minimum size 0.08ha, may be provided on site but these are unlikely to be adopted by the Council, so alternative management arrangements would be required.
- 5.34. The 1 year maintenance period will commence on the date the laying out works are certified complete in their entirety by the Council's Parks Services Division. The maintenance work will be carried out in accordance with an approved specification and, for the avoidance of doubt, to no lesser standard than is set out in the Council's Specification for Grounds Maintenance Works for Parks and Open Space. Failure to maintain the open space to a relevant standard will result in the maintenance period being extended.

- 
- 5.35. The process for the transfer of functional open space to the Council will only commence on the satisfactory completion of a 1 year maintenance period as determined by the Parks Services Division. The developer will continue to be responsible for the maintenance of the open space to the specified standards until the transfer is complete and the commuted capital sum has been paid to the Council.

#### Commuted Maintenance Sums

- 5.36. Commuted maintenance sums need to be determined on a site-by-site basis to take account of the size and type of functional open space provision and the nature of any facilities provided within it. Commuted maintenance costs will be calculated once the detailed design of the functional open space has been agreed by the Council. Any commuted sum calculated at an earlier stage will form an estimate only and will be updated at detailed design stage. In the event that significant changes are made to the layout, design and / or specification of an area of functional open space during its implementation, associated commuted maintenance sums would be amended to reflect these changes.
- 5.37. It is recommended that the developers discuss the functional open space requirements for their development and the associated commuted capital sum payments with the Council's Parks Services Division with whom the payment must be agreed in advance of a final planning application, i.e. at pre-application stage.
- 5.38. The payment of commuted capital sums is likely to be secured by way of a planning obligation under Section 106 of the 1990 Town & Country Planning Act and individual sums will be index linked using RPI from the date they are formally agreed by the relevant parties to the date of payment.

#### Transfer of Open Space

- 5.39. The Developer will be expected to provide as-built plans, technical details, a schedule of quantities and other information for the functional open space, as set out in the Green Infrastructure SPG. They will be responsible for providing all necessary information and documentation to execute the legal transfer of the open space to the Council and paying the Council's reasonable costs. Developers will be responsible for maintaining the open space until the legal proceedings have been completed.

#### Management Companies

- 5.40. Where it has been agreed between the Council and the Developer / Owner of a site that maintenance will be carried out by an organisation other than the Council, the following information will need to be provided to and approved in writing by the Council:
- An appropriate Management Plan and Service Charge Regime in relation to the maintenance of the areas of Functional Open Space, which shall include proposals for default in the event of such management scheme failing to become operational or being properly maintained in perpetuity,
  - Details of a named Management Company and a manager responsible for liaising with the Council and owners / occupiers of the Dwellings,
  - Demonstrate to the Council that the management company has sufficient financial standing to perform the obligations required to maintain the Functional Open Space,
  - Provide to the Council a copy of the Certificate of Incorporation and the Memorandum and Articles of Association of the Management Company,
  - Specify arrangements including 'step in' rights for the Council whereby in the event of the Management Company defaulting in its maintenance obligations, that the Council will be able to obtain the necessary funds from the site owners or their nominee and arrange for maintenance to be carried out.

## 6. Protection of Open Space

### Policy Context

- 6.1 Planning Policy Wales (paragraph 11.1.10) states that the planning system should ensure that adequate land and water resources are allocated for formal and informal sport and recreation, taking full account of the need for recreational space and current levels of provision and deficiencies. Further guidance is provided in: Planning Policy Wales Technical Advice Note 16: Sport, Recreation and Open Space.
- 6.2 This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- C4: Protection of Open Space.

### Infrastructure Mitigation

Development Type		Mitigation Sought
All development types.	Where a development proposal involves the loss of functional open space.	The In-kind provision of and / or a financial contribution towards the provision of compensatory functional open space / replacement facilities.

### Key Principles

- 6.3 Where a development proposal involves the loss of an area of functional open space, developers will be expected to compensate for the loss of the facility, either through in-kind provision, or through a financial contribution toward replacement facilities in the local area.
- 6.4 Compensatory requirements identified in this chapter of the SPG and LDP Policy C4 are additional to any functional open space requirements established through Chapter 5 (of this SPG) and LDP Policy C5.
- 6.5 Compensatory open space / replacement facilities should be located within an area that serves the catchment population affected by the loss of the functional open space (refer to Ch 5, para 5.21).

### Definition of Functional Open Space

- 6.6 Functional Open Space includes: (1) Equipped and Natural Children's Play Areas, (2) Teen Equipment, (3) Informal Functional Open Space and (4) Formal Functional Open Space (refer to Ch 5, paragraph 5.13).

### Amount of Compensatory Open Space to be Provided

- 6.7 Proposals will be assessed on a site by site basis, having regard to the open space function of the resource to be lost and the needs of the locality. The quantity and community benefit of the compensatory area should be at least equal to the scale and type of the functional open space being lost. For example if the proposal involves the loss of a children's play area, a replacement play area or an equivalent financial contribution will be sought.
- 6.8 In some circumstances it may be appropriate to provide an alternative form of functional open space provision that caters to the needs of the local population. For example, the loss of an area of informal open space may be better compensated for by investment in qualitative improvements to other open space in the locality (such as a sports pitch).
- 6.9 The specifications for the replacement facility and / or the equivalent level of financial contribution will be provided by the Council's Parks Services Division.

## 7. Schools and Education

### Policy Context

- 7.1. Cardiff Council has a responsibility to ensure that a sufficient number and variety of school places at primary and secondary level are available to meet the needs of the population of the county.
- 7.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- C7: Planning for Schools

### Infrastructure Provision

Development Type		Provision Sought
All Residential developments (where need arises as a result of a proposed development).  Excluding: Student accommodation, care homes / retirement homes and specialist accommodation that provides a significant element of care.	Where the site contains 15 or more dwellings.  NOTE: <u>For this chapter only</u> , 1 dwelling equals 1 house or 5.43 flats. (Refer to paragraph 6.7). A site may therefore contain 15 or more houses, 80 or more flats, or an equivalent combination thereof.	The in-kind provision of and / or a financial contribution towards the provision of: <ul style="list-style-type: none"><li>■ Nursery,</li><li>■ Primary,</li><li>■ Secondary,</li><li>■ Sixth Form</li><li>■ Special Educational Need (SEN)</li></ul> school places (including, where necessary, the provision of land), either through the development of new build schools, or through the expansion of existing schools.

### Key Principles

- 7.3. The Council will seek the provision of new school places in circumstances where the need generated by a proposed development cannot reasonably be met by existing schools, because the capacity at the schools in whose catchment areas the new housing development is proposed would, as a result of the development, be exceeded by demand.
- 7.4. New school places will either be provided through the expansion of existing schools (where a site is capable of accommodating additional pupil places), or through the provision of new build schools.
- 7.5. Contributions sought may be financial, land or built infrastructure and will relate to the number of pupils expected to be generated by the proposed development.

### How Contributions will be Assessed

- 7.6. Contributions toward new or expanded school facilities will be based on the following factors:
- a) The number and type of dwelling units in the development
  - b) The number of school age children likely to be generated by each dwelling
  - c) Capacity surplus within school catchment(s)
  - d) Whether schools within associated catchment areas are capable of accommodating additional pupil places through expansion.

- e) Special Educational Needs (SEN) provision
- f) Medium of Provision (English Medium : Welsh Medium)
- g) Cost per pupil place
- h) Any necessary land costs.

### Dwelling Thresholds (a)

- 7.7. Contributions will be sought from developments of 15 or more dwellings\*. The 2011 Population Census indicates that flats only generate 18.42% of dependent children (under 18 years of age) compared to houses. \*1 dwelling is therefore calculated as 1 house or 5.43 flats.

### Pupil Yields (b)

- 7.8. The number of children generated by a residential development will vary depending on the type and size of the dwellings of which it comprises. In order to be able to project a typical yield from a development, an initial assessment of the number of children likely to be generated by a proposed housing development is made based on yield factors derived from 2011 Census statistics and Number on School Rolls (NOR) data for Cardiff. These yields are indicated below:

Education Phase	House Yields:				
	1 bed	2 bed	3 bed	4 bed	5+ bed
Nursery	0.0102	0.0507	0.0579	0.0610	0.0555
Primary	0.0155	0.1247	0.2290	0.2947	0.3059
Secondary	0.0058	0.0604	0.1666	0.2553	0.2806
6th Form	0.0007	0.0165	0.0513	0.0864	0.1049

Education Phase	Flat Yields:				
	1 bed	2 bed	3 bed	4 bed	5+ bed
Nursery	0.0210	0.0390	0.0567	0.0470	0.0102
Primary	0.0501	0.0749	0.1793	0.2329	0.0649
Secondary	0.0336	0.0287	0.1125	0.1179	0.0373
6th Form	0.0092	0.0079	0.0345	0.0280	0.0116

Special Educational Need pupil requiring facility - primary: 1.62% (of total aggregate pupil yield)
Special Educational Need pupil requiring facility - secondary / 6 <sup>th</sup> form: 2.48% (of total aggregate pupil yield)

### Assessment of Existing Capacity (c)

- 7.9. The pupil yield generated by a proposed development will be assessed against the permanent capacity at the school(s) in whose catchment area(s) the new housing development is proposed, using guidance provided through Government Circular No: 021/2011 (Measuring the capacity of schools in Wales).
- 7.10. The Audit Commission recommended that local authorities should plan for a 95% occupancy rate in schools to allow for preference and demand volatility (e.g. year on year changes in the birth rate, parental choice etc.). Any school which has achieved 95% occupancy would therefore be regarded as having no surplus capacity.



- 7.11. All schools within the catchment of the development are assessed for surplus capacity by using NOR (number on roll) and population projections obtained from NHS and PLASC (Pupil Level Annual School Census) data. Pupil number assessments and place provision over a wider area are also considered as appropriate, including schools in nearby catchments that are full and for which projections would indicate that excess pupil numbers would be accommodated by schools within the development catchment(s).
- 7.12. Net pupil places required above projected capacity are then calculated by offsetting a developments projected pupil yield against any existing school place surplus.

#### **Expansion of Existing Schools (d)**

- 7.13. When expanding school provision to meet additional demand for school places, consideration is given to:
- Expansion of existing schools on unconfined sites
  - Expansion of existing school sites that abut potential development land
- 7.14. Sites where, if expanded, would not meet the Department for Education’s Building Bulletin recommendations or School Premises Regulations or are otherwise unsuitable for significant expansion are excluded from consideration.

#### **Special Educational Needs (SEN) Provision (e)**

- 7.15. Special Educational Need (SEN) pupils are those taught in either a special school or in a specialist facility on the site of a mainstream school.

#### **Medium of Provision – English-Medium: Welsh-Medium (f)**

- 7.16. An evaluation of different educational settings (i.e. English-Medium, Welsh-Medium, faith and voluntary aided schools) is undertaken based on historical take up of places in the catchment (authority) and how place availability would drive parental preference. Medium of provision is currently (at 2016) apportioned on a circa 80:20 (English-Medium: Welsh-Medium) basis.

#### **Cost per Pupil Place (g)**

- 7.17. The cost per pupil place is derived from the build costs associated with recent school developments in Cardiff built to Constructing Excellence in Wales and DfES Building Bulletins 98 / 99 standards. At 2016, these figures are:

<b>Year group</b>	<b>Cost per new pupil place</b>
Nursery cost	£5,662
Primary cost	£11,325
Secondary cost	£17,719
6th Form cost	£17,719
Special provision SEN cost - Primary	£38,849
Special provision SEN cost - Secondary	£53,952

---

## **Land Costs (h)**

- 7.18. Where a new school is to be provided 'in-kind' as part of a development, the developer will be required to make provision for sufficient and suitable land for the facility to meet the standards identified through Constructing Excellence in Wales, DfES Building Bulletins 98 and 99, and in compliance with Educational Employers Requirements' as specified by the Authority.
- 7.19. In circumstances where additional school places can be provided through the expansion of an existing school, but where this expansion would generate the need to purchase additional land, a pro rata contribution would be sought toward the cost of purchasing the land, based on the number of new pupils generated by the proposed development as a percentage of the total number of pupil places in the school.
- 7.20. Where a new build facility is to be provided off-site which would require the purchasing of land, the level of contribution sought will relate to the size of the area of land that will be required to provide the school (to meet the standards identified through Constructing Excellence in Wales and DfES Building Bulletins 98 and 99) and the equivalent land value purchase price.
- 7.21. Where expansion to an existing school can be made on an unconfined site a contribution toward land costs would not be sought.

## **In Kind Provision**

- 7.22. Where the need for a new school arises as result of a proposed development, the 'developer construct' option will be sought. It should be noted that the establishment of any new school would be subject to consideration and consultation under the relevant statutory requirements at the time.
- 7.23. Where a new school is to be built 'in kind' as part of a development, the size of the school will need to be equal to whole forms of entry (FE), as it is not possible to build and operate schools on a pro-rata FE basis. Primary schools are organised as 2 or 3 Forms of Entry plus 48 nursery places per form of entry. Secondary schools are usually within the range of 6-10 Forms of Entry, plus sixth form provision.
- 7.24. Where a new school is to be provided, the Council may require the school to be delivered to coincide with the occupation of a specific quantity of new housing. Where this is not possible and alternative capacity does not exist, it will be for the developer to provide temporary measures in advance of the new school opening.
- 7.25. Where a developer undertakes the construction of a school, an architectural design team experienced in the design of school buildings must be used. The Council will need to approve in writing the designs and the developer's employers requirements prior to the tender being let. The Council's accommodation standards are as per DfES Building Bulletin 98 (Building framework for secondary school projects) and 99 (Building framework for primary school projects). Construction and design compliance conditions are stipulated in the 'Educational Employers Requirements'
- 7.26. Upon completion of the school, the developer will be responsible for providing all necessary information and documentation to execute the legal transfer of ownership of the school to the Council and paying the Council's reasonable costs. Developers will be responsible for maintaining the school until the legal transfer proceedings have been completed.

## Example School Provision Calculation

7.27. A planning application is submitted for an area of the city where both the primary and secondary schools in the allocated catchment areas are at capacity, other than for Welsh medium which has a surplus of capacity at primary level of 25 places

7.28. The application is for 86 flats (15 x 1 bed flats, 71 x 2 bed flats) and 120 (3 bed) houses.

### Pupil yield

Year Group	1 bed flat x 15	2 bed flat x 71	3 bed house x 120	Aggregate Yield
Nursery	$0.0102 \times 15 = 0.153$	$0.0390 \times 71 = 2.77$	$0.0579 \times 120 = 6.95$	9.87
Primary:	$0.0155 \times 15 = 0.233$	$0.0749 \times 71 = 5.32$	$0.2290 \times 120 = 27.48$	33.03
Secondary	$0.0058 \times 15 = 0.087$	$0.0287 \times 71 = 2.04$	$0.1666 \times 120 = 19.99$	22.11
6th Form	$0.0007 \times 15 = 0.011$	$0.0079 \times 71 = 0.56$	$0.0513 \times 120 = 6.15$	6.72

### Special Educational Needs (SEN) Calculation

- Aggregate yield, primary:  $33.03 \times 0.0162 = 0.53$  places
- Aggregate yield, secondary and 6th form:  $28.83 \times 0.0248 = 0.71$  places

Removal of SEN pupils from their respective peer groups:

- Nursery: 9.87 (n/a)
- Primary:  $33.03$  (aggregate yield) –  $0.53$  (SEN) =  $32.5$
- Secondary + 6th form:  $28.83$  (aggregate yield) –  $0.71$  (SEN) =  $28.12$

### Medium of provision (80:20 - English medium: Welsh medium)

Year group	Aggregate Yield (Excluding SEN)	English medium (80%)	Welsh medium (20%)
Nursery	9.87	7.90	1.97
Primary	32.5	26	6.5
Secondary + 6 <sup>th</sup> form	28.12	22.50	5.62

### Surplus Capacity Deduction /Net Aggregate Pupil Yield

Year group	Gross Aggregate	Surplus Capacity	Net Aggregate
Nursery	9.87 (7.90Eng / 1.97Wel)	None	9.87
Primary	32.5 (26Eng / 6.5Wel)	(25 welsh medium) = - 6.5	26
Secondary + 6 <sup>th</sup> form	28.12 (22.50Eng / 5.62Wel)	None	28.12

### Costs per pupil place

Year group	Net Aggregate Pupil Yield	Cost per Pupil Place	Total
Nursery	9.87	£5,662	£55,884
Primary	26	£11,325	£294,450
Secondary + 6 <sup>th</sup> form	28.12	£17,719	£498,258
SEN Primary	0.53	£38,849	£20,590
SEN Secondary	0.71	£53,952	£38,306
<b>Total Contribution</b> (excluding provision of land / land costs)			<b>£907,488</b>

## 8. Community Facilities

### Policy Context

- 8.1. Planning Policy Wales (paragraph 4.6.1) identifies that ‘development can help to arrest the decline in community facilities and deliver environmentally-sound modernisation, re-use or replacement of urban infrastructure’. At paragraph 9.2.7 it states that ‘plans should state clearly the contribution which developers will be expected to make towards the provision of infrastructure, community facilities and affordable housing’.
- 8.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- C1: Community Facilities

### Infrastructure Provision

Development Type		Mitigation Sought
All residential developments (where the need arises as a result of a proposed development).	Of 25 or more dwellings	A financial contribution towards community facility provision
Including: Student accommodation and sheltered or extra care housing.  Excluding: Specialist accommodation that provides a significant element of care.	Strategic Sites, and / or sites of 500 or more dwellings	The in-kind provision of on-site community facilities (including land, build and fit-out to allow occupation without requiring any additional building works) and / or a financial contribution towards community facility provision.

### Key Principles

- 8.3. Providing a range of facilities that are accessible to as many people as possible is a key component in creating sustainable communities. Geographical requirements are generally linked to the standards under-pinning the ‘walkable-neighbourhoods’ concept, ensuring that non car-dependent households have easy access to appropriate community amenities.
- 8.4. Growth in population arising from new development generates demand for and increases pressure on community facilities. To meet the needs of future residents, it may be necessary to meet this additional demand through:
- The provision of new facilities
  - The extension to, or upgrading of existing facilities
- 8.5. Where the in-kind provision of a new facility is required, developers will be expected to supply the land and facility (including fit-out to allow occupation without requiring any additional building works), together with associated highway infrastructure and parking provision. Developers will be expected to submit proposals for on-going management / maintenance of the facility, including the identification of an appropriate management body.

- 
- 8.6. A reduced level of community facility provision will be sought from student accommodation and sheltered or extra care housing developments where a **significant element** of communal facilities are provided onsite.

#### **Definition of Community Facilities**

- 8.7. For the purpose of this SPG, Community Facilities are considered to include those facilities used by local communities for leisure and social purposes, including community centres and meeting places, community halls, community hubs and libraries, local shopping centres, leisure centres and youth centres.
- 8.8. The definition of community facilities relate to sites and premises that are run by not-for-profit organisations including voluntary organisations, community associations and Cardiff Council. Privately run commercial facilities and members only clubs are excluded.
- 8.9. Whilst faith buildings are not included in the above definition, facilities attached to such buildings which are used by and are accessible for the wider community may be included.
- 8.10. The provision of dedicated facilities ancillary to parks, open spaces and sports pitches (i.e. changing rooms) are not included within the definition of community facilities as this is sought through the provision of functional open space (refer to chapter 5).
- 8.11. Consideration will be given to proposals that incorporate an element of community use within a school building, however this would be subject to discussions with the Council regarding the type of provision proposed with regard to local need, hours that a facility would be accessible to the public and management / access arrangements relating to community use.

#### Shared Facilities

- 8.12. Where community facilities are to be provided onsite, developers will be expected to investigate opportunities for the provision of shared facilities, where a variety of services are provided under one roof. The benefits of providing community facilities in this way are:
- Reduced costs, i.e. one building is cheaper to deliver and run than several smaller facilities;
  - Reduced footprint from shared space;
  - Increased footfall, in turn benefitting other functions;
  - Providing a central 'hub' where people can meet for a variety of reasons, promoting social integration;
  - Rationalised management and maintenance.

#### **How is Community Facility Need Identified?**

- 8.13. There are a variety of ways in which the Council identifies community facility need. These include needs assessments, consultation with community groups / service providers and audits of existing facilities.
- 8.14. The level and type of contribution sought will be specific to each individual application, taking account of the scale and nature of the proposed development, existing / planned community facilities within the surrounding area and their ability to support and cater for associated population growth.

### What Level of Contribution will be Sought

- 8.15. Community facility calculations are based on a floorspace provision of **0.32 sqm** per person. This is applied to the 2011 census data in order to identify a level of floorspace provision per dwelling, based on the total number of bedrooms and associated occupancy figures (as identified below):

Number of Bedrooms	Occupancy Figure (persons per dwelling)
1	1.3
2	1.8
3	2.5

Number of Bedrooms	Occupancy Figure (persons per dwelling)
4	3.1
5+	3.8
Where Unknown	2.33 (average occupancy figure)

- 8.16. For student accommodation, occupancy figures are calculated at 1 person per bed space:

Number of Bedrooms	Occupancy Figure
1 Student Bedroom	1.0

### Worked Examples

Development Type	Dwellings / Rooms	Occupancy Rate	Floorspace Provision
A: Residential	20 x 3 bed dwellings 30 x 4 bed dwellings	20 x 2.5 = 50 persons 30 x 3.1 = 93 persons	143 x 0.32 = 45.76sqm
B: Student Accommodation	67 Bedrooms	67 x 1.0 = 67 persons	67 x 0.32 = 21.44sqm

### Financial Contributions

- 8.17. The current average build cost of community facilities as calculated by BCIS classification CI/SfB 532 is **£1723 per square metre** (Q3 2015). In circumstances where a financial contribution towards off-site provision is sought, the financial equivalent will be calculated as:

Total floorspace provision x £1732 per sqm = **Financial Contribution.**

Development Type	Floorspace Provision	Equivalent Financial Contribution
A: Residential	143 x 0.32 = 45.76sqm	45.76sqm x £1732= £79,256.32
B: Student Accommodation	67 x 0.32 = 21.44sqm	21.44sqm x £1732 = £37,134.08

## 9. Primary and Community Healthcare Facilities

### Policy Context

- 9.1. Planning Policy Wales (paragraph 12.1.1) identifies that ‘adequate and efficient infrastructure, including services such as education and health facilities .... is crucial for the economic, social and environmental sustainability of all parts of Wales’.
- 9.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- C1 Community Facilities
  - C7: Health

### Infrastructure Provision

Development Type	Mitigation Sought
Strategic Sites and / or sites of 500 or more dwellings (where the need arises as a result of a proposed development).  Excluding: Student Accommodation.	The in-kind provision of on-site primary and community healthcare facilities (including land, build and fit-out to allow occupation without requiring any additional building works) and / or a financial contribution towards the provision of off-site primary and community healthcare facilities.

### Key Principles

- 9.3. The Cardiff and Vale University Health Board (UHB) is responsible for ensuring access to NHS primary care services in Cardiff. Primary Healthcare Facilities focus on General Practitioner (GP) Surgeries, but can also include other primary care services, (such as community pharmacists, dentists and optometrists) and community health facilities (such as district nursing, health visiting, podiatry, physiotherapy and audiology) to enable practices to offer an extended and more flexible range of facilities to their patients.
- 9.4. The provision of new primary healthcare GP places will be sought in circumstances where the need generated by a proposed development cannot reasonably be met by existing premises, because the capacity at the GP premises in whose catchment areas the new housing development is proposed would, as a result of the development be exceeded by demand.
- 9.5. To meet the needs of future residents, it may be necessary to meet this additional demand through:
- The provision of new facilities
  - The extension to, or upgrading of existing facilities
- 9.6. Where the in-kind provision of a new facility is required, developers will be expected to supply the land and facility (including fit-out to allow occupation without requiring any additional building works), together with associated highway infrastructure and parking provision.
- 9.7. With regard to Chapter 8.13, where Primary and Community Healthcare Facilities are to be provided onsite, developers will be expected to investigate opportunities for this floorspace provision to form part of a wider shared use community facilities.

### How Contributions will be Assessed

- 9.8. Contributions toward additional or improved primary healthcare GP facilities will be based on the following factors:

- a) The number and type of dwelling units in the development
- b) The number of people likely to be generated by each dwelling
- c) Capacity surplus within GP catchments
- d) Cost / floorspace requirement per patient place

Dwelling Type / Population Yield (a/b)

9.9. The number of people generated by a residential development will vary depending on the size of the dwellings of which it comprises. In order to be able to project a typical yield, an assessment of the number of people likely to be generated by a proposed housing development is made based on yield factors derived from 2011 Census statistics:

Number of Bedrooms	Occupancy Figure (persons per dwelling)
1	1.3
2	1.8
3	2.5
4	3.1
5+	3.8
Where Unknown	2.33 (average occupancy figure)

Capacity surplus within GP catchments (c)

- 9.10. The population yield generated by a proposed development will be assessed against capacity at GP practice(s) in whose catchment area(s) the new housing development is proposed.
- 9.11. Net patient places required above projected capacity are then calculated by offsetting a developments projected population yield against any existing GP place surplus.

Cost / floorspace requirement per patient place (d)

- 9.12. Primary healthcare facility calculations are based on floorspace provision per patient. The UHB works with a best practice GP to patient ratio of 1:1800.
- 9.13. As identified in the Welsh Health Building Note 36 ‘General Medical Premises in Wales’, floorspace requirements for a primary health care GP facilities include, public spaces (reception areas / public conveniences), primary and community care spaces (consulting / examination rooms and specialist clinical space) and staff spaces (facilities management / admin space). At 2016, the floorspace requirement per patient is **0.096 sqm**.
- 9.14. Where an equivalent level of financial contribution is to be calculated, the BICS classification CI/SfB 421 for health centre build (Q3 2015) is **£1708** per square metre.

**In Kind Provision**

- 9.15. Where the on-site need for a new primary healthcare facility arises as a result of a proposed development, the ‘developer construct’ option will be sought. Benefits of this approach are that the developer maintains control of delivering the facilities in a timely manner relative to the completion of residential dwellings.
- 9.16. Guidance on the design and layout of primary care is provided through the ‘Welsh Health Building Note 36 ‘General Medical Premises in Wales’. It should be noted that for operational reasons, facilities should be constructed over no more than 2 storeys.



## 10. District and Local Centres

### Policy Context

- 10.1. Planning Policy Wales (paragraph 10.2.1) identifies that Local planning authorities should develop through their ... development plans a clear strategy and policies for retail development which seek to achieve vital, attractive and viable centres.
- 10.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- KP2: Strategic Sites
  - R7: Retail provision within Strategic Sites

### Infrastructure Provision

Development Type	Mitigation Sought
<p>Strategic Sites:</p> <p>C - North West Cardiff D - Land north of J33 on M4 F - North East Cardiff (West of Pontprennau); G - East of Pontprennau Link Road.</p>	<p>The in-kind provision of on-site District and / or Local Centres, including:</p> <ul style="list-style-type: none"><li>■ For mixed-use components, the provision of the 'core and shell' of the centres commercial units (including land, build and fit-out to allow occupation without requiring any additional building works), together with the provision of associated services, parking and highway access.</li><li>■ For stand-alone retail (i.e. a small supermarket), the safeguarding of land for future development by commercial operators, including connection to all services and highway access as is reasonably required for the proper occupation of the site.</li></ul>

### Key Principles

- 10.3. Where retail units are to be provided as part of a mixed used development (for example with residential units to upper floors), the design of the buildings (i.e. plot layouts, ceiling heights, service corridors / access arrangements) will be expected to be future-proofed against potential changes in retail provision (i.e. to enable the coalescence or subdivision of units) and / or changes to alternative compatible uses.
- 10.4. Developers will be expected to provide details of, and implement a Marketing Strategy for, commercial units within District / Local centres. The marketing of individual premises should be for a period of no less than 24 months at comparable local market rates before alternative uses can be considered.

## 11. Public Realm, Community Safety and Public Art

- 11.1. Planning Policy Wales (paragraph 3.4.3) states that ‘When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility’.
- 11.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policies:
- KP5: Good Quality and Sustainable Design
  - EN13: Air, Noise, Light Pollution and Contaminated Land

### Infrastructure Provision

Development Type		Provision Sought
All development types.	Where the need arises as a result of a proposed development.	The in-kind provision of, and / or a financial contribution towards, a scheme of public realm improvements (which may include the provision of public art) and / or community safety measures, in the vicinity of the site.
<ul style="list-style-type: none"> <li>■ LDP Strategic Sites</li> <li>■ Development proposals that require a Masterplan or Site Development Brief</li> <li>■ Large scale redevelopment projects</li> </ul>		<ul style="list-style-type: none"> <li>■ A public realm strategy and an associated scheme of works for the site and immediate vicinity.</li> <li>■ A public art strategy and an associated scheme of public art, artworks and art interventions.</li> </ul>
<ul style="list-style-type: none"> <li>■ Out of Centre Retail Development (Where the need arises as a result of a proposed development).</li> </ul>		<ul style="list-style-type: none"> <li>■ A financial contribution towards district and / or local centre public realm improvements.</li> </ul>

### Key Principles

- 11.3. The public realm refers to the space between buildings where people have free access (whether publicly or privately owned), such as streets and public squares. New developments, either through an increase in floorspace and intensification of use, or due to the nature of a proposed development can increase pressure on, or affect the suitability of the surrounding pedestrian environment.
- 11.4. Public realm and / or community safety improvements will be sought towards the upgrading of the pedestrian environment in the area immediately surrounding or leading to an application site, where the need arises as a result of the proposed development. To help ensure that improvement works are completed in a timely manner relative to the occupation / opening of a proposed development, in-kind provision will normally be sought in the first instance.

### Off-Site Mitigation.

- 11.5. The quality of the pedestrian environment in the area surrounding a site should be taken into consideration as part of a development proposal. Where the public realm is of a poor quality, the in-kind provision of public realm / community safety improvements will be sought, which may include; the resurfacing and / or upgrading of footways / carriageways and the upgrading, relocation and / or introduction of kerbstones, channels, pedestrian crossing facilities, street furniture, bus shelters, street lighting, street trees, CCTV, and general equipment (i.e. utility boxes).

- 
- 11.6. Contributions towards public realm improvements will be considered in conjunction with requests towards highway improvements as identified in Chapter 3.
- 11.7. The level and type of contribution sought will be considered in relation to the scale of the proposed development and the quality of the existing pedestrian environment. Where there is an identified scheme of public realm improvement works in the vicinity of the site, a financial contribution may be sought in lieu of in-kind provision.
- 11.8. Guidance on the use of paving materials and street furniture is provided through the Cardiff Public Realm Manual. Schemes will be required to be built to Cardiff's Highways Specifications.

#### Air Quality Monitoring

- 11.9. Poor air quality can impact on people's health / quality of life and local authorities are required to assess air quality in their areas against National Air Quality Standards. Where the need arises as a result of a proposed development, developers will be requested to provide an Air Quality Assessment and, in the event of an adverse assessment, a proposed scheme of mitigation measures. In addition to a scheme of mitigation measures, a financial contribution may be sought towards the site specific monitoring of air quality emissions.

#### **Public Art**

- 11.10. Public art can play an important role in creating local distinctiveness and helping to make areas more legible. It can also form a valuable tool in helping to create connections between new developments and surrounding communities through engagement and active participation.
- 11.11. Public Art should be considered from the outset of a development proposal and should form part of an overall design vision, with commissions forming an integral part of the buildings and / or public spaces. Developers will be expected to demonstrate how public art will be incorporated into their scheme that reasonably relates to the scale of the proposed development.
- 11.12. For larger scale developments, particularly where a site is expected to be delivered in phases, the developer will be expected to prepare a public art strategy for the site.
- 11.13. Public art can take the form of physical works, temporary works or ephemeral projects and is defined as the original work of a living or acknowledged artist or designer that is accessible to the public either physically, visually and / or in the form of social engagement. Artworks should be site specific and not a mass produced object or a reproduction of an original design. Art should be created for a particular place and should form part of a collaborative process with others, such as architects, landscape designers, arts officers, members of the local community and the public. Such work can be:
- permanent works, such as three-dimensional artworks, bespoke street furniture, ecology / land art works or integrated two and three-dimensional works,
  - interior commissions, where they are freely accessible to the public for most or all of the time,
  - temporary, ephemeral or time-based commissions such as festivals, publications and artworks with a legacy through events,
  - projects that involve the up-skilling of local residents through the engagement with artists and public art.
- 11.14. Further guidance is provided through the Cardiff Public Art Strategy and Public Art SPG

## 12. Waste Management Facilities

- 12.1. Planning Policy Wales (paragraph 12.7.3) states that ‘Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development’.
- 12.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- W2: Provision for waste management facilities in development
- 12.3. Additional guidance is provided in the [Cardiff Waste Collection and Storage Facilities SPG\(2016\)](#).

### Infrastructure Provision

Development Type	Provision Sought
All Residential developments	Provision of receptacles for: <ul style="list-style-type: none"> <li>▪ recycling</li> <li>▪ garden</li> <li>▪ food and</li> <li>▪ residual waste</li> </ul>
All commercial developments	Provision of receptacles for: <ul style="list-style-type: none"> <li>▪ recycling</li> <li>▪ food and</li> <li>▪ residual waste</li> </ul>
Mixed use developments.	As above, however separate storage facilities must be made. Commercial waste must not be mixed with residential waste.
Class A3 (Food and Drink) uses	The provision of a litter bin / bins within the public realm (where the need arises as a result of the proposed development).

### Key Principles – Residential Developments

- 12.4. All residential developments are required to provide adequate storage for four dedicated waste streams; recycling, garden, food and residual waste. Provision must be made for the total volume of all waste streams produced over a 14 day period.
- 12.5. The Cardiff Waste Collection and Storage Facilities SPG identifies the capacity and number of bins (or bags) and caddies that will be required per house / flat / number of bedrooms / number of residents for residential schemes.
- 12.6. Developers will be required to purchase the bin provision necessary for each residential unit. 140 litre and 240 litre wheeled bins **must** be purchased from Cardiff Council. 660 litre and 1100 litre bulk bins can be purchased from other suppliers, however details of the bin dimensions, materials, colour and supplier will need to be submitted to and approved by the Council prior to purchase to ensure that they are compatible with collection vehicles and health and safety standards. Bin specifications are identified in appendix 3 of the Cardiff Waste Collection and Storage Facilities SPG. If details are not provided and as a result, waste receptacles are not safe to collect, the Council reserves the right to refuse collection until suitable bin specifications are met.

- 
- 12.7. The price of bin provisions can be found in Chapter 8 of the Cardiff Waste Collection and Storage Facilities SPG.

**Key Principles – Commercial Developments**

- 12.8. All industrial and commercial premises have a duty of care to ensure their waste is managed and disposed of correctly. Chapter 5 of the Cardiff Waste Collection and Storage Facilities SPG identifies approximate total waste storage capacities for a range of commercial developments. The actual capacity required will vary according to the exact nature of the commercial activities and the frequency of collections.

**Class A3 (Food and Drink) uses.**

- 12.9. Class A3 (Food and Drink) uses, particularly hot food takeaways (where the use is for the sale of hot food for consumption off the premises), have the potential to overload the capacity of existing litter bin provision in the surrounding area. Where it is identified that a proposed A3 use, either as part of a new development, or as a change of use of an existing premises would impact upon current facilities, a contribution, either through in-kind provision or as a financial contribution, may be sought.
- 12.10. For larger scale applications, litter bins may be provided through a wider scheme of public realm improvements associated with the development (refer to Chapter 11).

## 13. Local Employment and Training

- 13.1. Planning Policy Wales (paragraph 7.1.3) states that ‘wherever possible local planning authorities should seek to guide and control economic development to facilitate regeneration and promote social and environmental sustainability. In so doing, they should aim to....support national, regional, and local economic policies and strategies and.....deliver physical regeneration and employment opportunities to disadvantaged communities’.
- 13.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- EC1: Existing Employment Land
  - EC3: Alternative use of Employment Land and Premises
  - EC4: protecting Offices in the Central and Bay Business Areas

### Infrastructure Mitigation

Development Type		Mitigation Sought
All developments involving the loss of B1 floorspace within:	The Central and Bay Business Areas, where; <ul style="list-style-type: none"> <li>■ The loss of floorspace exceeds 1000m<sup>2</sup> and where no Class B1 employment use is proposed to mitigate this loss;</li> </ul>	A financial contribution towards bringing forward compensatory employment and training opportunities.
All developments involving the loss of Class B1, B2 or B8 employment land and / or floorspace within:	Areas of Existing, Permitted and Allocated Employment Land as designated on the Local Development Plan Proposals Map, where: <ul style="list-style-type: none"> <li>■ The loss of floorspace exceeds 1000 m<sup>2</sup> and where no employment use is proposed to mitigate this loss;</li> <li>■ A site exceeds 0.2 hectares and where no employment use is proposed on site to mitigate this loss.</li> </ul>	

### Key Principles

- 13.3. In circumstances where employment land or floorspace is lost as part of a proposed development, a contribution will be sought towards the provision of training and support to enable displaced employees and people who may have sought employment at the site, to gain employment elsewhere in the city.
- 13.4. A contribution would not be sought in circumstances where a mixed use development is proposed that retains a significant element of Class B use on a site.

### How Contributions will be utilised (The Cardiff Capital Fund)

- 13.5. The Capital Cardiff Fund aims to assist companies to safeguard and create employment in the city by offering packages of financial support in the form of grants, loans and equity investment. Eligible applicants include new start growth and established businesses within Cardiff’s key sectors (Creative Industries, Bio Science, ICT, Manufacturing and Business and Financial Services). Support is provided to businesses that require specialist advice, undertaking innovation, improving competitiveness, expanding, investing in technology and knowledge exploitation and investment for environmental improvements to commercial premises.

13.6. Funding is offered between £5,000 and £50,000 and the level of support for each case is linked to the economic development outputs such as job creation. Companies must demonstrate business to business activity and at the minimum a national market for their products or services. Typical funding projects within the Capital Cardiff scheme include:

- Relocation into Cardiff
- Capital Investment
- Job Creation/Retention
- Purchase of Capital Equipment
- Provision of workshop / business start-up units
- Research and Development
- Renovating a Property
- Environmental Works

13.7. Where appropriate the Council would also seek to utilise the funds through investing in appropriate projects to support business development, accessibility to employment to attract and create new jobs.

**What level of contribution will be sought**

13.8. The level of contribution sought will take account of:

- The number of people that could have been employed in the employment floorspace to be lost.
- The proportion of displaced employees that would be unable to find new employment without retraining or other support.
- The cost of providing the training and support necessary to enable a person to gain employment.
- Whether a proposal seeks to retain a significant element of Class B floorspace.

13.9. Assumptions for the number of square metres of floorspace required per employee are set out in the table below. From this information, an estimate of the number of employees that could have been employed within the floorspace / on the site to be lost through an alternative use can be calculated.

Employment floorspace type:	Floorspace per employee (m <sup>2</sup> ):
Office - B1a	14.5
Other Business Space – B1b/c and B2	47
Warehouse - B8	75

*Source: Employment Densities Guide, 2<sup>nd</sup> Edition 2010, Drivers Jonas Deloitte on behalf of OffPAT and HCA.*

13.10. In circumstances where an alternative use is proposed on employment land, an estimated floorspace density assumption will be applied to the land area (ha) in order to derive the sqm development potential on site.

13.11. Whilst the precise number of employees that would be unable to find new employment without retraining would depend upon the nature of the existing employment use, it is estimated that approximately 15% of employees within B1 use classes and 30% within B2 and B8 use classes would require retraining to enable them to access alternative employment.

13.12. Where is identified (and agreed by the Council) that existing businesses floorspace / employees are being relocated to suitable alternative premises within Cardiff as part of an application these figures would be deducted from calculations.

- 13.13. Recent information from Job Centre Plus indicates that it costs between £3,000 and £6,000 to provide the training and support necessary to enable a person to gain employment. A contribution of £2,000 per person requiring retraining or support will be sought, which would fund between one third and two thirds of the training and support costs, based on the Job Centre Plus information.

**Example Calculations**

Calculation	B1 office (1,250m <sup>2</sup> )	B8 Warehouse (5,000m <sup>2</sup> )
Total floorspace / floorspace per employee = estimated no of employees.	$1,250 / 14.5 = 86.2$	$5,000 / 75 = 66.6$
Employees requiring retraining	$86.2 / 100 \times 15 = 12.93$	$66.6 / 100 \times 30 = 19.98$
Contribution Sought	$12.93 \times \text{£}2,000 = \text{£}25,860$	$19.98 \times \text{£}2,000 = \text{£}39,960$



## 14. Renewable Energy and Low Carbon Technologies

- 14.1. Planning Policy Wales. (paragraph 4.12.2) states that ‘Development proposals should mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition. The overall aspiration is to secure zero carbon buildings while continuing to promote a range of Low and Zero Carbon (LZC) technologies as a means to achieve this’.
- 14.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- EN12: Renewable Energy and Low Carbon Technologies
- 14.3. Additional guidance will be provided through the Cardiff Renewable Energy Assessment SPG

### Infrastructure Provision / Mitigation

Development Type	Provision / Mitigation Sought
LDP Strategic Sites	■ To provide a Renewable Energy Assessment and propose an associated scheme of mitigation measures.
Developments containing 100 or more dwellings	
Commercial developments of 1000sqm or more	

### Key Principles

- 14.4. Cardiff Council supports the Welsh Government’s long term aspiration of zero carbon / zero energy buildings. TAN 12 (Design / 2016) recognises that opportunities for local Low or Zero Carbon (LZC) energy supply, such as Combined Heat and Power (CHP) and district heating systems can be maximised when higher densities and a mix of uses are proposed, which balance energy demand over different time periods. Larger proposals present unique opportunities to develop sites which not only comply with required standards, but also positively contribute towards Cardiff’s sustainable expansion, limiting energy use and subsequent emissions as far as possible.

### Types of Provision and Mitigation

- 14.5. Developers will be expected to prepare an Independent Energy Assessment, which investigates the technical feasibility and financial viability of incorporating LZC technologies and opportunities to minimise carbon emissions associated with heating, cooling and power systems beyond the minimum standards set out in Building Regulations Part L (conservation of fuel and power)
- 14.6. Consistent with TAN 12 and Welsh Government’s ‘Energy Efficiency in Wales’ Strategy, developers will be expected to follow the principles of the energy hierarchy, which advocates a sequential approach to minimising energy demand and carbon emissions:
1. **Energy Reduction** – Reduce the amount of energy used (‘smart’ heating and lighting, behavioural changes), use of passive design measures.
  2. **Energy Efficiency** – Using energy efficient systems (better insulation, efficient appliances and lighting).
  3. **Renewable Energy** – Generate heat and electricity from renewable sources (solar PV and thermal, wind, biomass, hydro, geothermal).

---

**4. Minimise carbon impact of other energy generation** – Using low carbon technologies to reduce residual CO2 emissions (heat pumps, CHP and CCHP systems).

- 14.7. Further guidance regarding the content of energy assessments will be provided through the Cardiff Renewable Energy Assessments Supplementary Planning Guidance, but as a minimum, assessments will be expected to include a non-technical executive summary and the following details:
- Carbon footprint: Anticipated total energy demand / carbon dioxide emissions associated with the development (both regulated and unregulated loads should be identified),
  - Assessment of options to reduce energy demand and emissions at each stage of the energy hierarchy,
  - Measures of mitigation and proposed CO2 reductions at each stage of the energy hierarchy, expressed in relation to compliance with Part L of the Building Regulations as the benchmark.
- 14.8. It should be noted that the Council’s policy is technology neutral and so potential solutions are not limited to the examples outlined above.

## 15. Biodiversity.

### Policy Context

- 15.1. Planning Policy Wales (paragraph 5.2.8) states that ‘The planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable’. At paragraph 5.1.4 it identifies that ‘it is important that biodiversity and landscape considerations are taken into account at an early stage in .... development management’.
- 15.2. Welsh Government Technical Advice Note 5 (Nature Conservation and Planning) provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.
- 15.3. Biodiversity information provided should observe the British Standard publication ‘Biodiversity – Code of Practice for Planning and Development (BS42020:2013)
- 15.4. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policies:
- KP16: Green Infrastructure
  - EN4: River Corridors
  - EN5: Designated Sites
  - EN6: Ecological Networks / Biodiversity
  - EN7: Priority Habitats and Species
- 15.5. Additional guidance will be provided through the [Cardiff Green Infrastructure SPG](#).

### Infrastructure Provision / Mitigation

Development Type	Provision / Mitigation Sought
Any development that impacts on one or all of the following biodiversity categories: <ul style="list-style-type: none"><li>■ River Corridors</li><li>■ Designated Sites</li><li>■ Ecological Networks and Features of Importance for Biodiversity</li><li>■ Priority Habitats and Species</li></ul>	<ul style="list-style-type: none"><li>■ The submission of information in support of a planning application to enable its biodiversity impacts to be properly assessed.</li><li>■ In circumstances where a biodiversity impact is identified, a proposed scheme of measures within the following hierarchy: (1) Avoidance, (2) Mitigation, (3) Compensation, (4) New Benefits.</li></ul>

#### River Corridors (LDP Policy EN4)

- 15.6. Cardiff contains four river corridors of the Taff, Ely, Rhymney and Nant Fawr. These watercourses and adjoining open spaces, (as defined on the LDP Proposals Map), possess high recreational, biodiversity, historic, cultural and landscape value.

#### Statutory Designated Sites (LDP Policy EN5)

- 15.7. Sites may be designated for their international, national or local importance in terms of nature conservation. Some designations are statutory because they are regulated by legislation.

#### [Internationally Designated Sites in Cardiff.](#)

15.8. Within Cardiff, four sites have been designated for their international importance for nature conservation, these are:

- Cardiff Beech Woods SAC
- Severn Estuary SPA
- Severn Estuary SAC
- Severn Estuary Ramsar Site

15.9. The consideration of the possible impacts of plans, projects or development upon international sites is established through a process known as a Habitats Regulations Appraisal (HRA) which must be undertaken by the Competent Authority(s) issuing the consent. In the case of planning permission, this is Cardiff Council as the Local Planning Authority. Development Proposals in Cardiff will be subject to Screening Criteria, which will be set out in the Cardiff Green Infrastructure SPG (Ecology and Biodiversity Technical Guidance Note - TGN), to determine whether HRA is needed. An applicant may be required to commission survey work in order to inform the HRA. Subsequently if the HRA finds that the project would result in an adverse effect on the integrity of an international site, then compensatory measures would be required. Annex 3 of TAN 5 provides further advice on development proposals likely to affect international sites.

#### Nationally Designated Sites in Cardiff

15.10. Sites of Special Scientific Interest (SSSIs) are statutory sites which are designated and protected by the Wildlife and Countryside Act 1981 (as amended). Cardiff Council has a duty to further the conservation and enhancement of the features which provide the special interest of an SSSI. The Act requires Natural Resources Wales (NRW) to be consulted regarding planning applications, or any works carried out or authorised by the Council, which may affect the features of interest of an SSSI. An applicant may be required to commission survey work in order to inform the assessment of the impact upon a SSSI. Subsequently if that assessment finds that the project would result in an adverse effect on the integrity of a SSSI, then compensatory measures would be required.

15.11. There are currently 17 SSSIs in Cardiff of which 11 are designated for biological interest, two are designated for mixed biological and geological interest and 3 for solely geological interest.

#### Sites of Importance for Nature Conservation in Cardiff (SINC's)

15.12. Planning Policy Wales (2016) recommends the designation of non-statutory sites of interest for nature conservation where these are soundly based on an objective scientific assessment of the value of the site and informed by community participation and reflecting community values. In Cardiff, these non-statutory sites are referred to as Sites of Importance for Nature Conservation (SINCs), of which there are currently 177 in Cardiff-

15.13. Section 5.5.3 of TAN 5 advises that developers should avoid harm to SINCs where possible, but where harm is unavoidable, it should be minimised by mitigation measures and offset by compensation measures, as necessary.

#### **Ecological Networks and features of Importance for Biodiversity (LDP Policy EN6)**

15.14. The protection, management and enhancement of ecological networks is recognised in Regulation 39 of the Conservation of Habitats and Species Regulations 2010 (as amended). Wild species of flora and fauna are often widely dispersed in the landscape, with significant populations being isolated from each other. In such cases, landscape features may provide wildlife corridors for some species, as well as links or 'stepping-stones' between habitats.

- 
- 15.15. Features of the landscape which are of importance for wild flora and fauna are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional system of markings field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species. The impact of a development proposal upon these features must be assessed as part of an ecological impact assessment, and measures of avoidance, mitigation and compensation may be required.

#### **Protected Species (LDP Policy EN7)**

- 15.16. Planning Policy Wales (2016) at paragraph 5.5.11 states that: 'The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat'. Chapter 6 and Annex 7 of TAN 5 provide further information on protected species.

#### European Protected Species

- 15.17. European Protected Species which are known to occur in Cardiff are:

- Great Crested Newt
- Dormouse
- Otter
- Several species of bats

Under Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 (as amended), Cardiff Council has a duty to have regard to the requirements of the EU Habitats Directive (which gave rise to the above Regulations), in the exercise of its functions. In practice this means that Cardiff Council will have to ensure that the protection afforded to these species is upheld as part of its planning function.

#### UK Protected Species

- 15.18. UK Protected Species known to occur in Cardiff will be identified in the Cardiff Green Infrastructure SPG (Ecology and Biodiversity Technical Guidance Note - TGN). The Wildlife and Countryside Act 1981 (as amended) contains several schedules which give varying levels of protection to certain species of plants and animals:

- Schedule 1 lists certain species of birds which it is an offence to disturb at or near the nest or with dependant young.
- Schedule 5 affords differing degrees of protection to other animals.
- Schedule 8 affords protection to certain species of plants.

#### **Key Principles**

- 15.19. Biodiversity impact will be considered with regard to the following factors:

- The importance of the biodiversity interests.
- How they may be affected by the development proposal.
- Whether these effects can be acceptably avoided, mitigated or compensated for.
- The nature of and justification for the development proposed (with regard to LDP Policy).
- The availability of suitable alternative sites.
- Whether there are other relevant material considerations.

15.20. Welsh Government Technical Advice Note 5 (Nature Conservation and Planning) at Chapter 4 identifies that: 'The development control process is a critical stage in delivering the protection and enhancement of nature conservation required by PPW. The following can help to achieve these objectives:

- adopting the five-point approach to decision-making: (1) information, (2) avoidance, (3) mitigation, (4) compensation, (5) new benefits - Refer to paragraphs 15.25-15.42 (below).
- ensuring that planning applications are submitted with adequate information, using early negotiation, checklists, requiring ecological surveys and appropriate consultation;
- securing necessary measures to protect, enhance, mitigate and compensate through planning conditions and obligations;
- carrying out effective planning enforcement;
- identifying ways to build nature conservation into the design of new development'.

15.21. Paragraph 4.3.4 of TAN5 identifies that the information submitted with a planning application should be proportional to the likelihood of effects on nature conservation interests and to their potential significance. Where a proposal is not EIA development, applicants may need to prepare and submit one or more of the following as appropriate:

- A Preliminary Ecological Appraisal (PEA)
- A Geological / Geomorphological / Hydrological / Hydrogeological Report,
- A Soils Report,
- An Ecological Impact Assessment Report (EclA)
- A Construction Environmental Management Plan (CEMP)
- An Ecological Mitigation Strategy (EMS)
- A Monitoring and Remediation Plan or Programme,

15.22. Potential biodiversity impact is not limited to the geographical extent of a planning application and development proposals in the vicinity of a designated site or species habitat will need to consider any direct or indirect affects they are liable to generate.

15.23. Scale and type of impact will vary according to each individual development, however the following details are provided as an initial guide to assist in identifying the nature conservation value of features and estimating impact:

#### **Five-Point Approach to Biodiversity Issues**

15.24. As identified in Chapter 4 of TAN 5 (Nature Conservation and Planning), the Council recommends the following sequential five point approach to development proposals involving biodiversity issues:

##### **(1) Information**

15.25. Where the need arises as a result of a proposed development, applicants will be expected to submit sufficient detailed information in support of a planning application to enable its impact on biodiversity interests to be properly assessed.

15.26. The level and detail of information required will depend on the nature of the proposal and characteristics of the natural resource, but should usually include:

- A description of the natural resource, including:
  - Any statutory or non-statutory nature conservation designations;

- Survey material showing the location and type of trees, hedgerows water features, streams and drainage ditches and other habitat features;
- A description of habitat types including flora and fauna;
- A description of any other features of nature conservation value, such as Section 7 species and local nature conservation priority species priority species;
- The timing of any surveys required for key species and the surveys themselves.
- Ecosystems present on the site and of which the site forms a part

- An assessment of the value of the natural resource – including features of particular value.
- A description of the proposal - together with appropriate plans.
- A statement (with illustrative plans and sections if helpful) clearly outlining the direct and indirect impacts of the proposed development on the natural resource, and the measures taken to avoid negative biodiversity impacts.
- Where appropriate, a statement and plans indicating compensatory or mitigating measures proposed - including details and timing of proposed habitat creation or habitat enhancement works.
- Where appropriate, a statement and plans indicating details of protection measures during site construction - including reference to British Standard Specifications for protective fencing.
- Where appropriate, a statement outlining future management arrangements for the natural resource - including details of ownership and proposed maintenance regime.
- Where appropriate, details of the measures proposed for monitoring habitat and species condition.

15.27. Early pre-application discussions with Cardiff Council are recommended to establish the information required, as a subsequent requirement for consideration of protected species, for example, may result in significant delays.

15.28. The Council may be able to supply information about a site from its own Cardiff Biological Database, or direct enquiries to an appropriate source of data such as the South East Wales Biodiversity Records Centre (SEWBRc). Where existing information is insufficient, the applicant may be required to supply assessments in the form of new survey work. Assessments should be carried out by qualified, suitably experienced environmental consultants using recognised methodology and at an appropriate time of year. Protected species licences may be required to carry out some assessments.

15.29. Where an Environmental Statement (ES) is required under the Environmental Impact Assessment (Wales) Regulations 2016 or a Habitats Regulations Appraisal (HRA) is required under the Conservation of Habitats and Species Regulations 2010 (as amended), Cardiff Council may provide a scoping opinion as to the information required to determine the application. Further guidance will be provided through the Cardiff Green Infrastructure SPG.

## **(2) Avoidance of Harm**

15.30. In the first instance, schemes should be designed to avoid harm to important species and habitats, including designated sites, protected species and biodiversity priority species during construction as well as operation. Where appropriate, this could include:

- Maintaining existing features of interest.
- Maintaining and enhancing corridors and links to adjacent/neighbouring habitats – to prevent species becoming isolated and vulnerable.

---

### (3) Mitigation

15.31. In some circumstances, it may be appropriate for the Council to include a condition or a planning obligation to ensure that the risk of possible damage to nature conservation interests during construction and operation is minimised. Advice on the use of planning conditions and planning obligations is set out in Sections 4.6 and 4.7 of TAN 5.

### (4) Compensation

15.32. Where avoidance of harm is not appropriate, mitigation is not possible, and loss or damage to natural habitats or important species is unavoidable, the Council may include a condition or obligation requiring compensatory measures. Compensatory measures should be implemented as close to the site of impact as possible.

15.33. There are primarily four types of compensatory treatment:

- **Habitat re-creation** - the re-creation of an existing habitat lost to development.
- **Habitat creation** - the creation of a new habitat.
- **Habitat enhancement** - the enhancement of an existing habitat.
- **Social / community enhancement measures** - improving the conservation value of a site through measures such as improved access, provision of interpretative facilities and encouraging wider community involvement.

15.34. The circumstances of each case will vary and warrant different forms or combinations of compensatory treatment. Early discussion with the Council is recommended concerning the acceptability of possible compensatory packages.

15.35. The ease and cost of re-creating different habitats varies considerably. Certain habitats are highly dependent on specific requirements and biological inter-relationships whereas others are more flexible and less complex. For example, ancient woodlands are of great antiquity, fragility and uniqueness, and contain a wide variety of complex biological inter-relationships. Recreation, by matching the existing quality and overall nature conservation value, is unlikely to be achievable. Consideration may be given to refusing planning permission where habitat loss cannot be mitigated or compensated.

15.36. Generally, any compensatory habitat provision will be required to exceed that which is to be lost. This is because newly-created habitats such as new ponds or planted hedgerows may take many years to achieve the quality of the habitat that is lost. Furthermore, there is also a risk that newly-created habitats may fail to support the species for which they are intended. Therefore, additional provision beyond a like-for-like amount will be required in order to offset these concerns. For example, Natural Resources Wales (NRW) have advised that where a pond supporting Great Crested Newts would be lost, then at least three ponds must be provided as compensation. Similarly, for the loss of each metre of hedgerow which supports dormice, three metres should be planted in its place.

15.37. The Council will also encourage the provision of new habitats and social / community enhancement measures on new developments which do not adversely affect nature conservation interests.

### (5) New Benefits



- 
- 15.38. Most development proposals will offer an opportunity to create new benefits for biodiversity, which may be included in a planning condition or obligation.
- 15.39. Nesting or roosting opportunities for birds and bats should be incorporated into new build, in accordance with the advice given in the TCPA's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009', and in the Bat Conservation Trust's 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build 2010'.
- 15.40. Examples of biodiversity enhancements include, but are not limited to:
- Creation of wildflower meadows in amenity areas
  - Planting of woodlands and planting of street trees
  - Incorporating bat roosting features into buildings
  - Incorporating bird nesting features into buildings
  - Putting up bat boxes, bird boxes and dormouse boxes in trees and other vegetation
  - Retaining areas of dense cover and leaf litter for hedgehogs
  - Creating new ponds as amenity features and for wildlife
  - Building amphibian-friendly gulley pot and kerb designs into development to avoid trapping amphibians
  - Using native species in landscaping, especially fruiting or berry-bearing species
  - Creating habitat piles for reptiles and invertebrates

#### **Monitoring**

- 15.41. Where measures of avoidance, mitigation or compensation are implemented, the Council will require that the effectiveness of these measures is monitored, and that there is provision for remediation in the event that these measures are identified as not being effective.

#### **Natural Resources Wales**

- 15.42. Natural Resources Wales (NRW) should be consulted regarding international and national statutory protected sites and European protected species.

## 16. Tree, Woodland and Hedgerow Protection

- 16.1. Planning Policy Wales (paragraph 5.2.9) states that ‘Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage’.
- 16.2. This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policy:
- EN8: Trees, Woodlands and Hedgerows.
- 16.3. Additional guidance will be provided through the Cardiff Green Infrastructure SPG.

### Infrastructure Provision / Mitigation

Development Type		Provision / Mitigation Sought
All development types.	Where the need arises as a result of a proposed development.	<ul style="list-style-type: none"> <li>■ An assessment of which trees, woodlands and hedgerows should be retained, through the preparation of associated surveys.</li> <li>■ Where features are identified as having significant biodiversity / amenity value, details of associated protection measures and / or details of proposed mitigation measures to compensate for loss.</li> </ul>

### Key Principles

- 16.4. It takes several decades for new planting to mature; therefore it is important to ensure that the best existing trees, woodlands and hedgerows are kept in a healthy state, to enhance new development from the outset.
- 16.5. Trees, woodlands and hedgerows are living organisms that are sensitive to changes in their environment and can be easily damaged or destroyed by construction operations. Their successful integration into a development depends on the selection of appropriate features for retention / enhancement / extension, informed site design and careful implementation.
- 16.6. The Cardiff Green Infrastructure SPG will provide detailed guidance on the work that needs to be undertaken in preparing development proposals and planning applications that could have an impact on trees, hedgerows or woodlands. In summary, the following issues will need to be considered:

### Site Surveys

- 16.7. Where trees are allocated ‘A’ or ‘B’ categorisation following a **Tree Survey** carried out in accordance with the current British Standard (BS) 5837, they should be retained and protected from harm. If a developer proposes their removal, they will need to demonstrate how mitigation measures such as new tree planting and landscaping can compensate for losses. Planning permission will not normally be granted for development that:

- 
- Directly or indirectly causes unacceptable harm to trees or woodlands that have been identified as having significant amenity value. The methodology and recommendations set out in the current BS5837 will be used to assess the threat of harm.
  - Includes inadequate or inappropriate landscape proposals that fail to provide measures to conserve or, where appropriate, enhance the character of the landscape.
- 16.8. **Hedgerow Surveys** should include those within and bounding the site. Their position should be recorded, along with details of woody species composition, condition, height, width and approximate age. Where hedgerows or lengths of hedgerow are to be removed to facilitate developments, sufficient information should be submitted to allow the Council to assess whether the hedgerows to be removed are 'important' in accordance with the definitions contained within the Hedgerows Regulations 1997.
- 16.9. **Surveys of flora and fauna** may be required. Trees on some sites may support statutorily protected species, form the basis of locally important wildlife habitats or enhance other adjoining valuable habitats. In such cases, qualified ecological advice should be obtained and where appropriate, an evaluation report added to the survey.
- 16.10. For applications that involve complex tree issues, even on small sites, it will be necessary to provide a **Tree Constraints Plan** in accordance with the current BS 5837, illustrating the constraints imposed by trees in terms of their above and below ground growth, on any development.
- 16.11. It is essential that topographical surveys, tree surveys and tree constraints plans are prepared before layout proposals are considered, to ensure that development proposals take full account of any trees, hedgerows or woodlands on or adjacent to the site.
- 16.12. Using the information provided by a tree survey and constraints plan, the development potential of the site can be assessed. Site planning should be seen as a process of assessing various options against the survey and constraints information, in order to provide the best compromise between tree retention and the development potential of the site.
- 16.13. Two buffer zones are important in successfully integrating trees and development. (1) The minimum acceptable distance between trees and proposed structures necessary to avoid unreasonable interference with the use of the site, allowing for future growth of the trees above and below ground. (2) A construction exclusion zone - the minimum distance between trees and construction operations necessary to ensure that the trees survive the development process.
- 16.14. Once the layout has been finalised, an **Arboricultural Impact Assessment, Arboricultural Method Statement** and **Tree Protection Plan** should be prepared in accordance with the current BS 5837, to describe the impact of development on trees and the methods to be used to ensure that retained trees are protected from unacceptable harm.

### **Planning Conditions**

- 16.15. For certain proposals, if a method statement for work affecting trees has not already been submitted, then a condition may be attached to a permission requiring one to be submitted and approved prior to commencement of any operations on site. Such a condition will require adherence to this method statement. Where a method statement is not required, specific conditions may relate to protective barriers, storage of materials, access and other operations potentially damaging to trees. Conditions may also relate to landscaping of the site, including tree planting.

---

### **S106 Planning Obligations**

- 16.16. Section 106 obligations can include reference to tree related issues, such as retention, management or enhancement either within the site or within the immediate locality.

### **Tree Preservation Orders**

- 16.17. A Tree Preservation Order (TPO) may be made before or after determining a planning application. The expediency of serving a TPO will be considered on the basis of the public amenity value of the tree(s) in question, and the level of threat the tree(s) is subject to. Tree Preservation Orders will be applied to individual trees, groups of trees or woodlands as appropriate.

## 17. Flood Risk Management and Sustainable Urban Drainage

- 17.1 Planning Policy Wales (paragraph 13.2.4) states that ‘Development proposals should seek to reduce, and certainly not increase, flood risk arising either from river and / or coastal flooding or from additional run-off from development in any location’.
- 17.2 Welsh Government Technical Advice Note 15 (Development and Flood Risk) identifies that ‘Built development such as roads, pavements, and roofing, tends to increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface run-off. This has the effect of reducing the time it takes for precipitation to enter the watercourse and consequently increasing the peak discharge. SuDs can perform an important role in managing run-off from a site and should be implemented, wherever they will be effective, in all new development proposals’.
- 17.3 Section 27 (Sustainable Development) of the Flood Water and Management Act 2010 gives Lead Local Flood Authorities (LLFA / Cardiff Council in this instance) a duty to aim to make a contribution towards the achievement of sustainable development.
- 17.4 The Welsh Government has published new standards and guidance for sustainable drainage serving new developments in Wales through its document: ‘Recommended non-statutory standards for sustainable drainage (SuDS) in Wales – designing, constructing, operating and maintaining surface water drainage systems’ (January 2016).
- 17.5 This chapter of the Planning Obligations SPG is supplementary to Local Development Plan Policies:
- EN10: Water Sensitive Design
  - EN11: Protection of Water Resources
- 17.6 Additional guidance will be provided through the [Cardiff xxx SPG](#).

### Infrastructure Provision / Mitigation

Development Type	Provision / Mitigation Sought
All development types	<p>The submission of information in support of a planning application to enable its impact on rainwater management to be properly assessed.</p> <p>Where the need arises as a result of a proposed development, the integral design and implementation of a scheme of rainwater / surface water management measures incorporating SuDs principles that seek to achieve:</p> <ul style="list-style-type: none"> <li>■ The sites runoff rates prior to development on greenfield sites</li> <li>■ The ‘betterment’ (reduction) in runoff rates on brownfield sites (previously developed land).</li> </ul>
	Flood mitigation measures and / or coastal defence works (where the need arises as a result of a proposed development).

---

## Key Principles

### Sustainable Urban Drainage Systems (SuDs)

- 17.7 SuDS (Sustainable Drainage Systems) is a broad term that describes an approach to rainwater / surface water management, with the aims of ensuring the stability and durability of drainage systems, protecting and enhancing the environment, improving water quality and reducing damage from flooding.
- 17.8 SuDS can be used in a variety of different ways to reduce the amount of rainwater that is discharged from a site and to slow down the water that is discharged. Through onsite management, development proposals should seek to equal (or in the case of previously developed land better) the sites runoff rates prior to development.
- 17.9 As with natural rainwater catchments, SuDS can use a combination of drainage techniques to control flows and volumes as well as treating surface runoff. This principle is referred to as a 'treatment train', where runoff has to pass through various treatment stages before infiltrating into the ground, or being released into a watercourse. By attenuating, storing and infiltrating surface water within individual SuDS components, runoff volumes and flow rates can be controlled, which reduces the need for large storage facilities at the end of a system.
- 17.10 SuDS systems can be incorporated into a range of developments, from single dwellings to large scale sites. The appropriate application of a SuDS scheme to a specific development will be dependent upon a series of factors, including the layout, topography and geology of a site and its surroundings.
- 17.11 SuDS systems should be designed to ensure that operational and maintenance requirements are economically proportionate.

### Flood Mitigation Measures

- 17.12 TAN 15's Development and Flood Risk Development Advice Map sets out those areas of the city have been identified as being susceptible to flood risk from tidal, fluvial, surface water and groundwater sources. In order for development proposals to be acceptable within these areas, developers will be expected to carry out a Flood Consequence Assessment (FCA) to evaluate the extent of risk and ensure no unacceptable development occurs within the flood risk area identified. An FCA will identify whether there is a need to incorporate environmentally and visually sympathetic flood mitigation measures into development proposals, which need to be planned in a comprehensive manner.

### **Types of SuDs Provision and Mitigation**

- 17.13 There are a range of different SuDS systems, which be used either individually or in combination, these include:

#### Source Control:

- Permeable paving
- Green roofs
- Infiltration basins
- Infiltration trenches
- Soakaways

#### Transportation Systems:

- Filter drains
- Swales

#### Passive Treatment:

- Filter strips
- Detention basins
- Retention ponds
- Wetlands
- Tree planting

---

## **Drainage Hierarchy**

17.14 When considering SuDS proposals, the following drainage hierarchy should be followed:

- a) Use infiltration techniques in suitable areas;
- b) Provide attenuation with discharge to a watercourse;
- c) Provide attenuation with discharge to a surface water sewer (drain);
- d) Provide attenuation with discharge to a combined sewer (drain).

## **Incorporating SuDS into a Development Proposal**

- 17.15 The integration of SuDS should be considered from the outset of a development proposal and form an integral part of the design of a site. For larger sites, it is recommended that SuDS proposals form part of pre-application discussions, so that conceptual designs can be agreed prior to more detailed design work being undertaken.
- 17.16 Developments will need to consider the protection of open sections of open or culverted watercourses in accordance with the Council's 'Policy Regarding Culverts' document. A corridor of open land should be provided on both sides of a watercourse in order to maintain a flood channel and to provide environmental features.
- 17.17 Most larger developments will have some provision for landscaping and these areas can also be used to locate certain SuDS features. In sites with more limited space, methods such as permeable surfaces, tree planting and rainwater harvesting can form part of the SuDS approach without the need for additional land requirements.
- 17.18 For large scale proposals, developing a masterplan / layout should start with a consideration of the natural water flow paths across the site and associated ground conditions at a drainage catchment scale. Proposed layouts should, as far as possible (taking account of other constraints and development requirements), provide surface routes that replicate and / or improve existing natural flow paths. Water should be allowed to soak into the ground wherever possible if the ground conditions and situation are suitable.
- 17.19 SuDS features and in particular surface features need to ensure that whilst they are designed to be attractive, unobtrusive and safe, they also need to function correctly. It is therefore recommended that design teams include both a landscape architect and a suitably qualified / experienced SuDS engineer.
- 17.20 Formal functional Open Space (refer to Chapter 5) should not be located within areas that form part of a SuDS system.

## Pre-Application Stage

- 17.21 At the pre-application stage, it is recommended that the following information be submitted:
- a) The identification of fluvial constraints on the site.
  - b) A site layout, with a SuDS concept design showing the individual components and how they are likely to be connected together. This can be in the form of a sketch diagram, as opposed to an engineering or landscape drawing.

- 
- c) A description of the likely bedrock and superficial geology below the site, details of which can be viewed (free of charge) online at the British Geological Survey website: [www.bgs.ac.uk](http://www.bgs.ac.uk).
  - d) A description of the existing topography of the site and natural or existing surface water drainage flows.
  - e) The proposed destination for the surface water,
  - f) An explanation of how the proposed SuDS will provide (as appropriate); interception, attenuation to greenfield / existing runoff rates, long term storage and amenity / biodiversity benefits. (For smaller sites, this explanation can be included on the SuDS diagram).

#### Planning Application Stage

17.22 The following SuDS information should be submitted in support of a planning application:

- a) A diagram of the proposed scheme showing the outline design of SuDS for the site. This should show where areas drain to, the flow routes for water through the system, where water will be stored and the volume of storage provided for the design rainfall event, the location, capacity and details of flow controls and the discharge point. Exceedance routes should also be indicated and explained;
- b) The identification of open or culverted sections of watercourse and how these will be incorporated into the development.
- c) A description of likely bedrock and superficial geology below the site;
- d) A description of existing topography of the site and natural or existing surface water drainage flows and how these have been allowed for in the design;
- e) The proposed destination for the surface water (refer to drainage hierarchy at paragraph 17.14):
  - If discharging surface water via infiltration, the developer will need to provide evidence that the site is suitable. This will require a site investigation including infiltration tests;
  - If discharging surface water to a watercourse, the developer will be required to provide evidence of the restriction of flows to relevant Greenfield or brownfield rates.
  - If discharging surface water to a public sewer, developers will be required to provide evidence of the integrity and that available capacity exists in the public sewerage network to serve their development in the form of written confirmation of acceptance from Dwr Cymru Welsh Water.
  - If discharging surface water to a private sewer, developers will be required to provide evidence of the integrity and that available capacity exists in the private sewer to serve their development, including calculations and written confirmation from relevant landowners.
- f) Landscaping plans for any open surface features showing how they are integrated into the overall landscape design for the development;
- g) A health and safety checklist for the scheme;
- h) Details of how interception losses are provided through the provision of SuDS techniques;
- i) Supporting calculations to demonstrate the SuDS system has sufficient capacity;
- j) Supporting justification for the SuDS components proposed within the system;
- k) An explanation of any amenity and biodiversity provision within the system and the basis for the design of these aspects.



---

## Management and Maintenance

- 17.23 The successful performance of SuDS depends not only on good design, but also on its management and maintenance, which should be considered from the outset of a proposal. The Council will need to be satisfied both that the proposed minimum standards of operation are appropriate and that there are clear arrangements in place for ongoing maintenance of the SuDS over the lifetime of the development. Within this context there are a range of options. Section 106 agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms and can be used to require the payment of commuted sums or other provisions. The appropriate responsible party to maintain and operate the SuDS component(s) will be evaluated on a site by site basis.
- 17.24 Developers will be expected to make satisfactory arrangements for the future management and maintenance of SuDS. This should be considered from the outset of a proposal through early engagement with the Council and Dwr Cymru Welsh Water.

### Adoption

- 17.25 For a SuDS to be adopted, the Council would require it to be laid out to satisfactory standards (as identified in the Cardiff xxx SPG), this would require payment and a legal agreement backed up by the deposit of a repayable performance bond in respect of the construction or laying out and maintenance of the SuDS for a specified period. Following the expiration of the bond period, the Council may require the right for it or the adopting body to access and maintain the adopted asset instead of transferring the asset.
- 17.26 The 1 year maintenance period will commence on the date the laying out works are certified complete in their entirety by the Council's Drainage Division. The maintenance work will be carried out in accordance with an approved specification. Failure to maintain the SuDS to the relevant standard will result in the maintenance period being extended.
- 17.27 The process for the transfer of the SuDS to the Council will only commence on the satisfactory completion of a 1 year maintenance period as determined by the Drainage Division. The developer will continue to be responsible for the maintenance of the SuDS to the specified standards until the transfer is complete and the commuted capital sum has been paid to the Council.

### Commuted Maintenance Sums

- 17.28 Commuted maintenance sums will reflect the size and type of the SuDS provision and the nature of any infrastructure provided within it. This will be calculated at detailed design stage, once the design of the SuDS has been agreed in writing by the Council. Any commuted sum calculated at an earlier stage, will form an estimate only and will be updated at detailed design stage.
- 17.29 It is recommended that developers discuss the SuDS requirements for their development and the associated commuted capital sum payments with the Council's Drainage Division with whom the payment must be agreed in advance of a final planning application, i.e. at pre-application stage.
- 17.30 The payment of commuted capital sums is likely to be secured by way of a planning obligation under Section 106 of the 1990 Town & Country Planning Act

---

### Transfer of SuDS

- 17.31 The Developer will be expected to provide a completed Operational / Maintenance Manual and be responsible for providing all necessary information and documentation to execute the legal transfer of the SuDS to the Council and paying the Council's reasonable costs. Developers will be responsible for maintaining the SuDS until the legal proceedings have been completed.

### Management Companies

- 17.32 Where it has been agreed between the Council and the Developer / Owner of a site that maintenance will be carried out by an organisation other than the Council, the following information will need to be provided to and approved in writing by the Council:
- An appropriate Management Plan and Service Charge Regime in relation to the maintenance of the SuDS, which shall include proposals for default in the event of such management scheme failing to become operational or being properly maintained in perpetuity,
  - Details of a named Management Company and a manager responsible for liaising with the Council and owners / occupiers of the Dwellings,
  - Demonstrate to the Council that the management company has sufficient financial standing to perform the obligations required to maintain the SuDS,
  - Provide to the Council a copy of the Certificate of Incorporation and the Memorandum and Articles of Association of the Management Company,
  - Specify arrangements including 'step in' rights for the Council whereby in the event of the Management Company defaulting in its maintenance obligations, that the Council will be able to obtain the necessary funds from the site owners or their nominee and arrange for maintenance to be carried out.

---

## 18. Development Viability

- 18.1 Developers will be expected to provide, pay for, or contribute towards mitigation measures and infrastructure provision where the need arises as a result of their proposed development. It is recognised however that there may be occasions where development proposals are unable to meet all the relevant policy requirements whilst still remaining viable.
- 18.2 Planning obligations are negotiated between the Council and developers on a case by case basis. Where developers believe that viability is an issue, applicants will need to submit an 'open book' viability appraisal to the Council in accordance with the below checklist, setting out how they are not able to meet the full policy requirements (including the amount and tenure of affordable housing) deemed necessary to be secured through a Section 106 agreement and / or any payable CIL charges.
- 18.3 The Council will seek independent verification to review the financial appraisal which has been provided (the cost of which will be met by the applicant). The application will then be considered against the potential under provision or delayed provision of infrastructure (including affordable housing).
- 18.4 Based on independent financial viability findings and other evidence, planning obligations may potentially be deferred / phased, or discounted (as identified below)-

### Deferred timing / phasing of planning obligations

- 18.5 This option would be explored first before seeking to reduce the quantum of contributions. The following may be considered to be justifiable, depending on the viability evidence:
- The provision of site specific infrastructure (including affordable housing) in phases, with some on commencement and some at a specified later trigger point.
  - Deferral of financial payments due under a planning obligation to a later stage of development.

### Reduced quantum of planning obligation contributions

- 18.6 Any reduction in contributions would be to the minimum necessary to make the scheme financially viable. The Council would need to determine whether a development would still be acceptable in planning terms with a reduced level of contribution(s).

## Appendix 1: Residential Viability Appraisal Checklist

<b>1. Overview of Development Proposal</b>		✓
➤ Brief description of the proposed development / redevelopment	Including site area (ha), development details and reasons why the applicant considers there is an economic case for lower levels of contributions / affordable housing than those sought.	
➤ Address and site location plan	With a site boundary plan including the GROSS site area (in hectares/acres) and NET development area (in hectares/acres)	
➤ Total Number of Dwellings.	Type, square metre size, number of beds and mix, including proposed number, type, size and mix of Affordable Housing.	
➤ Total Gross Internal Area	Calculated in accordance with the RICS code of measuring practice to the new buildings to be built/converted/refurbished (in square metres/square ft).	

<b>2. Details of Current Use of the Site and Planning Uses</b>		✓
➤ Current use planning approval number.		
➤ Current planning use type.		
➤ Site Acquisition Cost:	Include details on stamp duty, VAT etc	
➤ Current value of site for existing planning use/Benchmark Land Value	Supported by professional evidence and assessment at the date of the appraisal.	

<b>3. Development Revenues</b>		✓
➤ Market Values.	Market values of sale units (per unit or by size of unit per sqm basis) with total revenue for the whole site. Please include a summary sales specification and indicate the car parking (number and type) to be provided per unit; also include details of ground rents, service charges.	
➤ Sales Revenues	For other mixed-use elements with calculation to give capital values including rental stream and yields used.	
➤ Sale of Affordable Housing units	The affordable housing payments to be made	
➤ Value of around rents / leases		
➤ Service charge information		
NB. All sales information should be supported by professional evidence of values for comparable units in the area of the development, for independent verification on a unit-by-unit basis (e.g. 1 bed 2 person flat with balcony, view, car space etc.).		

<b>4. Development Costs</b>		✓
➤ Build Costs	Building Cost of units, with detailed cost plan to support the headline costs being used.	
➤ Site infrastructure costs / external works	I.e. roads, sewers, services, highways/access, landscaping, connections etc.	
➤ Abnormal Costs (if applicable)	With supporting professional evidence.	
➤ Contingency sum or percentage.		

4. Development Costs (Continued)			✓
➤ Development Costs.	Professional fees identified by specialism together with supporting information of appointment.		
This should include:	% of:		✓
- Professional Fees	Base build cost		
- Agency & Marketing (Open Market Housing)	GDV		
- Agency & Marketing (Affordable Housing)	GDV		
- Agency & Marketing (Commercial development)	GDV		
- Legal costs associated with disposals	% GDV or £'s per unit		
- Finance – Debit interest	Borrowing		
- Finance – Credit interest	Any development surplus		
- Developer's return (profit) for open market housing	GDV or cost		
- Developer's return (profit) for commercial development	GDV or cost		
- Other (please specify)			

4. Development Costs (Continued)			✓
➤ Other costs.	Planning fees, site investigations, building reg fees, NHBC etc.		
➤ Off Site Works	If relevant.		
➤ S106 allowances.	Commutated sum contributions for all Planning Obligations, other than AH, with brief summary of item. (See Planning Obligations SPG for guidance)		
➤ CIL allowances	CIL sum contributions		
➤ Finance Costs	Cost of financing scheme over development period including funding fees giving interest rate assumptions based on monthly costs; include details of total development period, construction period for the development and the sales period for the development		
➤ Profit	Anticipated profit margin / return(s) i.e. Profit on cost / revenue		
➤ Residual land valuation	Anticipated land value based on a residual valuation approach.		
NB. Please provide evidence to support costing. This should include detailed breakdown of costs provided by appropriate professionals and a method statement of how costs have been calculated. Any provisional sums should be clearly shown. Figures for comparable schemes should also be supplied.			

4. Other Information Required			✓
➤ Most recent scheme plan	Relating to planning application and updates.		
➤ Cash flow data.	Provide the full cash flow for the scheme		

---

## Appendix 2: Consultation on the Draft Planning Obligations SPG

Consultation on the Cardiff Planning Obligations SPG was undertaken between 8th September and the 20th October 2016. A press notice was placed in a local newspaper on Wednesday 7th September 2016. Copies of the draft guidance was placed in all Cardiff libraries and at County Hall Reception. The draft guidance was also published on the Council website. Letters notifying that consultation was being undertaken on the draft guidance were sent to all Councillors, the Welsh Government, Community Councils in Cardiff and any interested persons and the following organisations known to have general interest in planning in Cardiff or a potential interest in this guidance:

- Alder King
- Alternatives for Transport
- AMEC Environment & Infrastructure UK Limited
- Arts Council of Wales
- Arup
- Asbri Planning Ltd
- Associated British Ports
- Association of Inland Navigation Authorities
- Atkins
- Austin-Smith: Lord
- Baker Associates
- Barton Willmore
- Bellway Homes (Wales Division) Ltd
- Biffa
- Bilfinger GVA
- Black Environment Network
- Blake Morgan LLP
- BNP Paribas Real Estate
- Bovis Homes
- Boyer Planning
- Bristol City Council
- Bryant Homes (South West)
- BT Group plc
- Business in the Community Wales
- C2J
- Cadwyn Housing Association
- Caerau and Ely Communities First
- Caerphilly County Borough Council
- Campaign for the Protection of Rural Wales
- Cardiff & Vale Parents Federation
- Cardiff & Vale University Health Board (UHB)\*\*\*
- Cardiff Access Group
- Cardiff Against the Incinerator
- Cardiff Bus
- Cardiff Bus Users
- Cardiff Civic Society
- Cardiff Community Housing Association
- Cardiff Cycling Campaign
- Cardiff Ethnic Minority Elders
- Cardiff Greenpeace
- Cardiff Heliport
- Cardiff International Airport Ltd.
- Cardiff Local Access Forum
- Cardiff Metropolitan University
- Cardiff Naturalists
- Cardiff Pedestrian Liberation
- Cardiff Transition
- Cardiff University
- Cardiff West Communities First
- Carolyn Jones Planning Services
- CDN Planning
- Celsa Manufacturing (UK) LTD
- Cemex Uk Operations Ltd
- CFW Architects
- CGMS Consulting
- Chartered Institute of Housing in Wales
- Chichester Nunns Partnership
- Chris Morgan
- Chwarae Teg
- Civil Aviation Authority
- Coal Authority
- Coleg Glan Hafren
- Communities First Adamsdown
- Community Housing Cymru
- Community Land Advisory Service Cymru
- Confederation of British Industry
- Confederation of Passenger Transport
- Connections Design
- Country Land and Business Association
- CSJ Planning Consultants
- Danescourt Community Association

- 
- David Lock Associates\*\*\*
  - Davies Sutton Architects
  - DavisMeade Agricultural
  - Derek Prosser Associates
  - Design Circle RSAW South
  - Design Commission for Wales
  - Development, Land & Planning Consultants Ltd
  - Disability Arts Cymru
  - Disability Wales
  - DLP Consultants
  - DPP Cardiff
  - Drivers Jonas
  - DTB Design
  - DTZ
  - Dwr Cymru Welsh Water\*\*\*
  - Edenstone Homes
  - Equality and Human Rights Commission
  - Ethnic Business Support Project
  - Federation of Small Businesses
  - First City Limited
  - FirstGroup plc
  - Firstplan
  - Forestry Commission Wales
  - Freight Transport Association
  - Friends of Nantfawr Community Woodland
  - Fulfords Land & Planning
  - G L Hearn
  - G Powys Jones MSc FRTPI
  - Garden History Society
  - Geraint John Planning Ltd
  - GL Hearn Ltd
  - Glamorgan - Gwent Archaeological Trust Ltd
  - Glamorgan Gwent Housing Association
  - GMA Planning
  - Graig Community Council
  - Graig Protection Society
  - Great Western Trains Company Limited
  - Grosvenor Waterside
  - GVA
  - GVA Grimley
  - H O W Commercial Planning Advisors
  - Haford Housing Association Limited/ Hafod Care Association Limited
  - Halcrow
  - Hammonds Yates
  - Harmers
  - Heath Residents Association
  - Herbert R Thomas LLP
  - Home Builders Federation\*\*\*
  - Hutchinson 3G UK
  - Hyland Edgar Driver
  - Hywel Davies
  - Interfaith Wales
  - Jacobs Babtie
  - Jeremy Peter Associates
  - JLL
  - John Robinson Planning & Design
  - John Wotton Architects
  - Jones Lang LaSalle
  - JP Morgan Asset Management
  - Keep Wales Tidy
  - Kelly Taylor & Associates
  - Kingsmead Assets Limited
  - Knight Frank
  - Landscape Institute Wales
  - Level Ltd
  - Linc-Cymru
  - Lisvane Community Council
  - Llandaff Conservation Group
  - Llandaff Society
  - Lovell Partnership
  - Loyn & Co Architects
  - LUC
  - Madley Construction
  - Mango Planning and Development Limited
  - Marshfield Community Council
  - Martin Robeson Planning Practice
  - McCarthy & Stone (plc)
  - McCarthy and Stone (Western Region)
  - Meadgate Homes Ltd
  - Mineral Products Association
  - Morgan Cole
  - Mott MacDonald
  - Nathaniel Lichfield and Partners\*\*\*
  - National Youth Arts
  - Natural Resources Wales\*\*\*
  - Neame Sutton
  - Network Rail\*\*\*
  - Network Rail Infrastructure Ltd
  - Newport City Council
  - NFU Cymru
  - North West Cardiff Group

- Novell Tullet
- O2 UK
- Oakgrove Nurseries
- Old St Mellons Community Council
- Orange
- Origin3
- Pantmawr Residents Association
- Peace Mala
- Peacock & Smith
- Pegasus
- Pentyrch Community Council
- Persimmon Homes\*\*\*
- Peterson Williams
- Peterstone Community Council
- Phillippa Cole
- Planning Aid Wales
- Planning Potential
- Police & Crime Commissioner
- Powell Dobson
- Powergen
- Prospero Planning
- Quarry Products Association
- Quinco
- Race Equality First
- Radyr & Morganstown Association
- Radyr and Morganstown Community Council
- Radyr and Morganstown Partnership and Community Trust (PACT)
- Radyr Farm
- Radyr Golf Club
- Rapleys
- Redrow Homes (South Wales)
- Reeves Retail Planning Consultancy Ltd
- Renplan
- Reservoir Action Group (RAG)
- Rhiwbina Civic Society
- Rhondda Cynon Taf County Borough Council
- RICS Wales
- Rio Architects
- Riverside Communities First Team
- Robert Turely Associates
- Roberts Limbrick
- Robertson Francis Partnership
- Royal Commission on the Ancient & Historical Monuments of Wales
- Royal National Institute for the Blind
- RPS Group Plc\*\*\*
- RSPB Cymru
- Save Creigiau Action Group
- Savills
- Savills (Cardiff)\*\*\*
- Scope Cymru
- Scott Brownrigg
- Sellwood Planning
- Shawn Cullen
- SK Designs
- SLR Consulting
- South Wales Chamber of Commerce Cardiff
- South Wales Police Crime Prevention Design Adviser
- South Wales WIN
- Splott and Tremorfa Communities First
- Sport Wales
- SSE Energy Supply Ltd
- St Fagans Community Council
- Stedman Architectural
- Stewart Ross Associates
- Stonewall Cymru
- Stride Treglown Town Planning
- Stuart Coventry Scott Wilson
- Sullivan Land & Planning
- Sustrans Cymru
- SWALEC
- Taff Housing Association
- Tanner & Tilley
- Taylor Wimpey
- Terry Nunns Architects
- The 20th Century Society
- The Boarding Centre Ltd
- The Design Group 3
- The Georgian Group
- The Institute of Cemetery and Crematorium Management
- The Land Mark Practice
- The Planning Bureau
- The Royal Town Planning Institute
- The urbanists
- The Victorian Society
- The Wildlife Trust of South & West Wales
- Theatres Trust
- T-Mobile (UK) Ltd
- Tongwynlais Community Council



- 
- Torfaen County Borough Council
  - Turley Associates
  - United Welsh Housing Association
  - Urban City Ltd
  - Urdd Youth Group
  - Velindre NHS Trust Corporate Headquarters
  - Virgin Media
  - Vodaphone
  - Wales & West Housing Association
  - Wales Council for Voluntary Action
  - Wales Women's Aid
  - Watts Morgan
  - Welsh Ambulance Services NHS Trust - South East Region
  - Welsh Government
  - Welsh Government - Economy Skills and Transport Division
  - Welsh Language Commissioner
  - Welsh Language Society
  - Welsh Tenants Federation Ltd
  - Wentlooge Community Council
  - White Young Green Planning
  - Wimpey Homes
  - Wyevale Garden Centres Ltd.

Comments specifically or generally relevant to the draft guidance were received from the above consultees indicated \*\*\*.

## Appendix 3: Consultation Representations and Responses

No.	Summary of Comments	CCC Response	Amendment to SPG
1	<u>SPG General Comment.</u> Generally welcome the SPG. Consider it is important to note that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms.	This is referenced at paragraphs 1.1.4 and 1.2.4.	No Change.
2	<u>SPG / Cardiff Infrastructure Plan.</u> Consider that it is important that the SPG is, as far as possible, consistent with the LDP Infrastructure Plan and site-specific masterplan frameworks. It is unclear how the SPG relates to the Infrastructure Plan and the likely obligations and contributions to be secured from the development of the Strategic Sites. This should be clarified in the SPG.	Strategic Site schematic frameworks have been incorporated into the Adopted LDP as Policies KP2A-H (Strategic Sites), to which the Planning Obligations SPG is supplementary. The Infrastructure Plan sits alongside the LDP and is informed by the relevant LDP policies and associated SPG's.	New paragraph added at 1.3.7 referencing LDP Policies KP2A-H. New paragraph added at 1.3.11 referencing the Cardiff Infrastructure Plan.
3	<u>Chapter 7 (Schools and Education), Para 7.20.</u> No explanation is provided as to why 'residential land value' should be assumed for purchasing a site for a school. It would be more appropriate and in accordance with Circular 13/97 that paragraph 7.20 is amended to 'the equivalent existing use value'. The paragraph should be amended to the following wording 'equivalent existing use value'.	It needs to be recognised that the purchase price of an area of land may be greater than its 'existing use', e.g. where it has a planning consent or is an area of land identified in the LDP as allocated for an alternative use.	Paragraph 7.20 amended to reference 'equivalent land value purchase price'.
4	<u>Chapter 3 (Transportation and Highways) Para 3.2.</u> No reference to developer contributions being used towards improving rail infrastructure or rail facilities. Major new developments place strain upon customer facilities available at stations.	LDP Policy KP7 identifies that planning obligations will be sought to mitigate any impacts directly related to a development and will be assessed in line with Planning Policy Guidance. Paragraph 3.20 of the SPG identifies that infrastructure provision / mitigation may include local 'facilities to enable efficient interchange between modes'.	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
5	<u>Chapter 3 (Transportation and Highways)</u> Reference should be included within the SPG to identify that financial contributions will be sought from developers towards the replacement of level crossings with over bridges, where increased usage from a major development would have a detrimental impact upon the safety of pedestrians and / or vehicles using the level crossing.	The local transport impacts of a proposed development and associated mitigation measures would be identified / considered through a Transport Assessment on a site by site basis.	No change.
6	<u>SPG / Cardiff Infrastructure Plan.</u> Infrastructure that relates to more than one 'strategic site' should be apportioned on a pro-rata basis to each site and considered within the scope of the CIL R122 legal tests (necessary / directly related / fairly and reasonably related in scale and kind).	Planning applications are considered / determined with regard to relevant legislation and policy context, having regard to all material factors.	No change.
7	<u>Chapter 2 Affordable Housing.</u> The SPG should make it clear that the exact affordable housing contribution to be provided will depend on the circumstances of each proposal, particularly overall scheme viability and be possibly subject to an appropriate viability assessment.	Development Viability is not an issue that is solely applicable to Affordable Housing. Chapter 18 – Development Viability covers these points raised in relation to scheme viability.	No change.
8	<u>Chapter 7 Schools and Education.</u> The SPG should recognise and note that schools can be provided through on-site provision, contribution through land and contributions from other developers/developments.	This is addressed in the infrastructure provision table at Chapter 7.	Paragraph 7.5 amended to provide further clarification.
9	<u>Chapter 9 Primary Healthcare Facilities.</u> The SPG should acknowledge that the funding of doctors' surgeries is undergoing change and recognise that they operate as independent businesses.	The Planning Obligations SPG seeks to provide floor space provision for primary healthcare facilities for strategic sites where the need arises as a result of the proposed development.	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
10	<p><u>Chapter 9 Primary Healthcare Facilities.</u> The Cardiff and Vale University Health Board is responsible for the provision of local primary healthcare (GP practices, dentists, optometrists and community pharmacists) and community health (e.g. district nursing, health visiting, podiatry, physiotherapy, audiology). We request that the title of the chapter be amended to Primary and Community Healthcare Facilities and the description amended at para 9.3.</p>	Noted.	Amendment made to chapter title and description at paragraph 9.3.
11	<p><u>Chapter 9 Primary Healthcare Facilities.</u> Para 9.2. This section suggests that mitigation will only be sought from sites of 500 or more dwellings. We would urge that developer contributions be sought from developments of 50+ dwellings.</p>	This issue has been considered. The thresholds identified have taken account of how floorspace provision is calculated (GP to patient ratio of 1:1800) and policy guidance / regulations provided through Welsh Office Circular 13/97 (Planning Obligations) and the CIL Regulations 2010 (as amended, inc Regs 122 and 123).	No change.
12	<p><u>Chapter 9 Primary Healthcare Facilities.</u> A model for the delivery of community healthcare floor space requirements has recently been completed and we would seek that an additional 0.031sqm per person be added to floor space calculations to accommodate this requirement.</p>	Contributions sought need to be reasonable, necessary and directly related (the 3 tests) to a proposed development. Within this context, the provision of 0.096sqm per person established through the preparation of the LDP Infrastructure Plan is considered appropriate, recognising the balance between facilities that cater for a proposed development and those services which may also be used by the wider population.	No change.
13	<p><u>Chapter 9 Primary Healthcare Facilities.</u> An assessment of the capacity of nearby health centres will be undertaken and developer contributions will be sought where local facilities cannot meet the projected demand.</p>	As assessment of GP premises was undertaken as part of the preparation of the LDP Infrastructure Plan and has informed the level of contribution sought from Strategic Sites. This would be reviewed as applications are received.	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
14	<p><u>Chapter 9 Primary Healthcare Facilities.</u></p> <p>The UHB is committed to delivering services from shared use facilities as stated in Chapter 8 (Community Facilities) Para 8.11. We recommend that a similar comment is explicitly made within Chapter 9 and cross referenced to Chapter 8.</p>	Noted.	New paragraph 9.7 added relating to shared community facilities.
15	<p><u>Chapter 9 Primary Healthcare Facilities.</u></p> <p>It should be noted that calculations for community healthcare facilities does not incorporate requirements for delivering group education sessions. It is assumed that activity rooms in shared use facilities could be used for such group activity.</p>	Noted.	No change.
16	<p><u>Chapter 2 Affordable Housing, Para 2.11.</u></p> <p>Although this paragraph does provide flexibility for tenure mix to be negotiated on each site, it would be helpful in terms of providing clear and equal advice to developers if it were to define the preferred tenure mix by a percentage split whilst retaining the flexibility to negotiate.</p>	<p>Each site / scheme will be negotiated on a case-by-case basis including the tenure of the affordable housing.</p> <p>The appropriate tenure will be agreed with regard to the site specifics which will vary from site to site.</p> <p>In view of the above it is not considered appropriate to specify a tenure mix.</p>	No change
17	<p><u>Chapter 2 Affordable Housing, Para 2.23.</u></p> <p>DQR standards are currently only a requirement of the grant approval for SHG and not required by legislation so affordable housing which does not receive grant should not be required to comply with DQR standards. This paragraph should be reworded to only require DQR standards on affordable housing which is provided using SHG.</p>	<p>Development Quality Requirements (DQR) is considered to be the reference for best practice for the development of affordable housing.</p> <p>By negotiating and delivering affordable units that meet DQR, the Council is ensuring that well designed, good quality and sustainable housing is being provided for tenants both now and in the future.</p> <p>In view of the above, the building of affordable rented housing will continue to be sought to DQR standards.</p>	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
18	<u>Chapter 3 Transportation and Highways, Para 3.13 and 3.20.</u> A statement should be included that clarifies that contributions will not be included for any items on the Council's R123 list should a CIL be adopted.	This is identified in Chapter 1, at sections 1.4 and 1.5.	No change.
19	<u>Chapter 3 Transportation and Highways, para 4.13.</u> The requirement to construct to an adoptable standard is not a 'financial consideration' and should be dealt with under a separate heading. In addition, if the requirement is to construct to adoptable standards then there should also be wording to confirm that the Council will consider adopting the works following completion.	Noted. Paragraph move to Key Principles section of the chapter.  Adoption would be considered on a site-by-site basis. No change proposed.	Paragraph ordering amended.
20	<u>Chapter 5 Provision of Functional Open Space.</u> Para 5.10 is repeated at Para 5.32, it is not considered necessary to have it twice in the same section of the document.	This is a key issue in the provision of functional open space and is therefore considered appropriate to reference in the introductory section of the chapter.	No change.
21	<u>Chapter 5 Provision of Functional Open Space.</u> Para 5.15 includes SuDs in the list of exclusions, but it is included in Para 5.13 and 17.16. The guidance is currently confusing and should be amended.	Noted. Paragraphs amended to reflect that engineered Suds features that do not serve a recreational function are excluded.	Paragraphs amended to reflect that engineered Suds features that do not serve a recreational function are excluded.
22	<u>Chapter 5 Provision of Functional Open Space.</u> Para 5.32 is contradicted by Para 5.33 as paragraph 5.32 suggests developers are responsible for making satisfactory arrangements for future management and maintenance, but the paragraph 5.33 indicates that the Council 'may consider accepting areas of functional open space'. The current wording causes confusion and should be amended.	Noted.	Paragraph 5.32 amended to provide clarification.

No.	Summary of Comments	CCC Response	Amendment to SPG
23	<p><u>Chapter 5 Provision of Functional Open Space</u>. Request that additional wording be incorporated to provide flexibility to allow for where a new school's leisure facilities which are open for community use are provided and it can be shown that these facilities are available for use by the general public, that they should be included in the open space calculation for the development. This is supported by TAN16, which advocates the multiple use of such facilities.</p>	<p>Although dual use of recreational facilities between schools and the wider community are welcomed in principle, there has to be certainty that facilities located within a school will be available for community use in perpetuity to allow these to be considered as part of the recreational allocation.</p> <p>At present, there are a number of barriers which prevent this and the current approach is to therefore consider school dual use provision as an 'add-on' to public open space, not a replacement for it</p> <p>FIT guidance also makes it clear that educational open space can only count towards meeting the standard for recreational provision where "authorised community use is secured by written agreement". As no such written agreements are currently in place within Cardiff it is correct to not count educational open space towards the recreational standard.</p>	No change.
24	<p><u>Chapter 7 Schools and Education, Para 7.22</u>. With regard to the words 'consultation under the relevant statutory requirements at the time' additional wording should be added to explain that the Local Authority will be responsible for this. It is not considered appropriate for a developer to be responsible for such a consultation process.</p>	<p>The establishment of any new school would be subject to consideration by the relevant decision making authority (e.g. a Local Authority) and consultation would be undertaken in accordance with the relevant statutory requirements at the time.</p>	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
25	<u>Chapter 7 Schools and Education, Para 7.23.</u> The HBF object to this paragraph. Currently the wording suggests that a developer will have to pay the full cost of a new school even if their development doesn't result in it all the spaces being taken up by the development.	Paragraph 7.5 identifies that contributions sought will relate to the number of pupils expected to be generated by a proposed development.	No change.
26	<u>General Comment.</u> The HBF can find no references to 'claw back' or 'repayment' clauses with regard to financial contributions. The HBF consider that it is normal practise to include such provisions allowing for unspent money to be returned to the developer within a reasonable period of time. The HBF request that the document includes a statement with regard to this issue and sets a maximum period of 5 years (unless an extended period is agreed by the developer) for the repayment of unspent contributions.	Planning obligations may require different timescales for implementation depending on the details of individual applications. It is not therefore considered reasonable nor appropriate to identify an arbitrary clawback provision within this SPG.	No change.
27	<u>General - Planning Obligations / CIL.</u> Broadly supportive of the certainty provided by the aforementioned document, but have concerns when considered in the context of the limitations prescribed by regulation 122 and 123 of the CIL Regulations 2010. We would welcome further information on the anticipated S106 obligation that will be imposed on a typical development and how this will impact on development when considered in the context of the CIL Preliminary Draft Charging Schedule.	The Planning Obligations SPG identifies the types and level of S106 contributions that will be sought where the need arises as a result of a proposed development. Contributions will be sought in accordance with Regulations 122 and 123. CIL charges proposed through the CIL Draft Charging Schedule (DCS) have taken account of the contributions that are sought through the Planning Obligations SPG. The DCS will be considered at independent examination prior to adoption.	No change.



No.	Summary of Comments	CCC Response	Amendment to SPG
28	<p><u>Chapter 2 Affordable Housing.</u> Whilst we note the intention of the wording contained in para 2.21, it should be noted that the provisions of the Development Quality Requirements are such that there will be a difference in the external appearance of the open market and affordable units.</p>	<p>Noted. Paragraph 2.21 will be amended to reflect this issue.</p>	<p>Paragraph 2.21 amended to reflect this issue.</p>
29	<p><u>Chapter 2 Affordable Housing, Para 2.11.</u> The suggestion that the tenure will be predominantly social rented has the effect of decoupling supply from the evidenced need and as such, should be reworded to ensure that tenure mix is always linked to evidenced need.</p>	<p>The evidenced need for Cardiff is for predominantly social rented accommodation. Each site / scheme will be negotiated on a case-by-case basis including the tenure of the affordable housing. The appropriate tenure will be agreed with regard to the site specifics which will vary from site to site.</p>	<p>No change.</p>
30	<p><u>Chapter 2 Affordable Housing, Para 2.23.</u> Part 4 of the Housing (Wales) Act 2014 together with sections 33A, 33B and 33C of the Housing Act 1996 permits Welsh Ministers to set mandatory standards for the quality of new, existing and rehabilitated housing where public subsidy is available. This distinction is important as it recognises that the standards imposed by Welsh Ministers should be borne by the Welsh Government i.e. through public subsidy and not by private developers. Insisting on DQR standards for the construction of all social rented housing where public subsidy is not available would represent a departure from that which was intended by the aforementioned legislation. Accordingly, we would request that the Council's intention in respect of the DQR standards reflects and respects the provisions of the Housing Act 1996 and the Housing (Wales) Act 2014.</p>	<p>Development Quality Requirements (DQR) is considered to be the reference for best practice for the development of affordable housing. By negotiating and delivering affordable units that meet DQR, the Council is ensuring that well designed, good quality and sustainable housing is being provided for tenants both now and in the future. In view of the above, the building of affordable rented housing will continue to be sought to DQR standards.</p>	<p>No change.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
31	<p><u>General – Planning Obligations SPG / CIL.</u> We would welcome greater clarification of the relationship between the proposed planning obligations and those identified on the Council’s CIL R123 list so as to avoid potential duplication for: Transportation / Highways, Provision of Functional Open Space and Protection of Open Space.</p>	<p>This issue is addressed at Chapter 1.5, which identifies that site specific infrastructure and mitigation measures will be secured through planning obligations. Upon adoption of CIL a R123 list will be published, which will identify those other local infrastructure and wider strategic infrastructure projects which may be funded either in whole or in part by CIL.</p>	No change.
32	<p><u>Chapter 7 Schools and Education, Para 7.10.</u> Paragraph 7.10 quotes the recommendations of the Audit Commission which states that local planning authorities should plan for a 95% occupancy rate in schools to allow for preference and demand volatility. When viewed in its entirety, it can be seen that para 7.10 does not quote the recommendation of the Audit Commission in full, as the full recommendation reads as follows: ‘a sensible approach would be to plan for a 95% occupancy rate at schools and accept some variation, say plus or minus 10 percent, around this target’. On that basis, we would welcome a more flexible approach, which has regard to the capacities of schools in both the immediate and neighbouring catchments, to reflect the recommendations of the Audit Commission and the impact of parental choice as not all pupils generated by a given development will attend schools within the same catchment.</p>	<p>To both provide the developer with a clear and transparent means of obligation request calculation and in order to treat all developers equitably and consistently, the formula derived for evaluating planning obligations has been made as unambiguous as possible. As a consequence, thresholds have been set, typical yields calculated and school capacity and occupancy evaluated according to set criteria and with defined cut off points. Using 95% as a set threshold value is considered to be fair, reasonable, and clear to all parties and is consistent with the means of setting capacity used by other Local Authorities.</p>	No change.
33	<p><u>Chapter 8 Community Facilities, Chapter 9 Primary Healthcare Facilities and Chapter 10 District and Local Centres.</u> We would welcome greater clarity on the operation of the obligation, given the pooling restrictions imposed by Regulation 123 (Pooling of 5).</p>	<p>With regard to infrastructure provision for each of the strategic sites, this is identified through LDP policies KP2A-H and will be considered within the context of the masterplanning and associated delivery of these sites. The definition, phasing and delivery of infrastructure on a site-by-site basis will be mindful of pooling restrictions under CIL Regulation 123.</p>	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
34	<p><u>Chapter 11 Public Realm, Community Safety and Public Art.</u> The guidance provided in respect of Air Quality Monitoring does not prescribe the process, trigger or methodology for the application of the requirement.</p>	Noted.	Paragraph 11.9 amended.
35	<p><u>Chapter 15 Biodiversity.</u></p> <p>15.22. We suggest the wording of the final sentence is amended as follows:</p> <ul style="list-style-type: none"> <li>•‘...applicants may need to prepare and submit...’</li> </ul> <p>15.25. We suggest the wording is amended as follows:</p> <ul style="list-style-type: none"> <li>•‘...the Council recommends the following sequential five point approach...’</li> </ul> <p>15.27. We suggest the wording is amended as follows:</p> <ul style="list-style-type: none"> <li>•Second sub bullet point: ‘Survey material showing the location, distribution and type of trees, hedgerows, water features, streams, drainage ditches and other habitat features’</li> <li>•Fourth sub bullet point: ‘...such as protected species, Section 7 species...’</li> <li>•Fifth sub bullet point: ‘The timing of any surveys required for key species and the surveys themselves’</li> <li>•Final bullet point: ‘...and proposed maintenance regime, and details of the proposed financial provisions to secure delivery of the management regime’</li> <li>•Additional bullet point: ‘Where appropriate, details of the measures proposed for monitoring habitat and species condition (see Section 15.42 below)’</li> </ul> <p>15.41. We suggest the second bullet point is split into two separate points as follows, as they are, by their nature, very different examples:</p> <ul style="list-style-type: none"> <li>•‘Planting of woodlands’</li> <li>•‘Planting of street trees’</li> </ul>	<p>15.22 – Noted.</p> <p>15.25 – Agreed that the points should be approached in sequence.</p> <p>15.27 – 2nd bullet noted.</p> <p>15.27 – 4th bullet Amendment not necessary; the phrase ‘such as’ indicates that the list is not exhaustive, and in any case all protected species are likely to fall into one or both of the categories listed</p> <p>15.27 – 5th bullet noted.</p> <p>15.27 – Final bullet, not considered necessary, ‘future management arrangement’ includes financial arrangements.</p> <p>15.27 – Proposed additional bullet point noted.</p> <p>15.41 – Noted.</p>	<p>15.22 – Wording amended.</p> <p>15.25 – wording amended.</p> <p>15.27 – 2nd bullet wording amended.</p> <p>15.27 – 4th bullet no amendment.</p> <p>15.27 – 5th bullet wording amended.</p> <p>15.27 – Final bullet no amendment.</p> <p>15.27 – Additional bullet point added.</p> <p>15.41 – Amended to read planting of woodlands and planting of street trees.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
36	<p><u>Chapter 16 Trees, Woodland and Hedgerow Protection.</u></p> <p>16.3. We suggest the wording of the second bullet point in the 'Infrastructure Provision / Mitigation' table is amended as follows: 'Where features are identified as having significant biodiversity / amenity value...'</p> <p>16.5. We suggest the wording is amended as follows '...Their successful integration into a development depends on the selection of appropriate features for retention / enhancement / extension, informed site design and careful consideration.'</p> <p>16.13. We suggest this section, regarding buffer zones, should be moved to the 'Key Principles' section i.e. after 16.6.</p>	Noted.	Paragraphs 16.3 and 16.5 amended. Paragraph 16.13 retained at current location.
37	<p><u>Chapter 17 Flood Risk Management and Sustainable Urban Drainage.</u></p> <p>We question the relevance of the second box in the 'Infrastructure Provision / Mitigation' table, which states: 'Flood mitigation measures and / or coastal defence works (where the need arises as a result of a proposed development).' The explanatory text in this chapter appears to relate to managing flood risk through SuDS, as opposed to fluvial / coastal flood risk. Therefore we suggest further explanatory text is required to explain the relevance of this second box.</p>	Noted.	Paragraph 17.12 added relating to flood mitigation measures and flood consequence assessments.

No.	Summary of Comments	CCC Response	Amendment to SPG
38	<p><u>Introduction, Para 1.1.4.</u>  This paragraph implies that the formula set out within the SPG will be applied across the board. This does not take into account the tests set out within Regulation 122 (2) of the CIL Regulations which require that contributions are fair, reasonable, necessary and directly related to the development. Change sought: It is suggested that the paragraph is amended to include wording to the effect that each development will be considered on its individual characteristics and specific needs arising from that development, taking into account capacities and needs within the local area. The pooling restrictions set out within the CIL regulations should also be more prominent at an early stage within the document.</p>	<p>Contributions will be sought with regard to relevant legislation and policy context.</p>	<p>Paragraph 1.1.4 amended to make reference to 'the need arising as a result of a proposed development'. The 'pooling of five' is referenced at paragraph 1.4.3.</p>
39	<p><u>Chapter 2 Affordable Housing. Para 2.7.</u>  This relates to student accommodation being classified as a sui generis use, confirming that student accommodation will not be expected to contribute towards affordable housing provision. This is considered to be the correct approach and is supported.</p>	<p>Comment Noted.</p>	<p>None.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
40	<p><u>Chapter 5 Provision of Functional Open Space.</u> The calculations set out in the SPG make no distinction between the needs arising from student accommodation compared with C3 residential uses. Student accommodation is typically only occupied for 2/3 of the year and universities have their own playing fields, sports facilities and organised events, the demand placed on existing public facilities is therefore not the same as they would be for a residential occupier. It is only Informal Functional Open Space (0.68ha per 1000) that has additional stress placed on it as a result of student accommodation. Change sought: student accommodation calculation reduced to 0.68ha per 1000 people.</p>	<p>A reduced level of contribution is sought from Student Accommodation, as identified at paragraphs 5.8 and 5.26.</p> <p>These figures reflect that a contribution is not sought toward the children's play element and a reduced (half contribution) is sought towards formal functional open space.</p>	No change.
41	<p><u>Chapter 5 Provision of Functional Open Space.</u> Under the CIL Pooling restrictions, it should be made clear that contributions cannot be sought on a generic citywide basis. The Council must identify specific projects or areas of Open Space that need to be improved as a result of the specific development.</p>	This issues are identified in Chapter 1.	No change.
42	<p><u>Chapter 8 Community Facilities.</u> The reference to contributions only being sought where the need arises as a result of a proposed development is welcomed.</p>	Noted.	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
43	<p><u>Chapter 8 Community Facilities Paras 8.7 and 8.13.</u> Paragraph 8.7 makes reference to the definition of Community Facilities, including those run by not for profit organisations including voluntary organisations, community associations and Cardiff Council. Occupiers of student accommodation attend the Universities which are themselves charities. Therefore Community Facilities provided by the universities should be taken into account when assessing capacity and need arising from student accommodation. The universities provide extensive shared facilities for their students. Most PBSA also includes integrated communal facilities within the building which should be factored into the assessment as to whether community facilities should be sought. As a consequence of the above, it is considered that paragraph 8.13 should recognise these factors stating that community contributions on PBSA will only be sought in exceptional circumstances and where justified by site specifics.</p>	<p>It is recognised that students use facilities provided by universities and that some student accommodation developments also make onsite provision. Students do however also make use of a range of other community facilities and an increase in student population will place increasing pressure on such facilities. Consequently, a financial contribution will be sought towards provide new facilities and / or to extend and upgrade existing ones.</p>	<p>New paragraph 8.6 identifying that where a significant element of onsite communal facilities are provided within student accommodation and sheltered or extra care housing developments, a reduced level of contribution will be sought.</p>
44	<p><u>Chapter 9 Primary Healthcare Facilities, Para 9.2.</u> Clarification is sought to confirm that student accommodation is not included within the 'development type' definition set out under para 9.2. The temporary nature of students presence in the city and the fact that PBSA does not necessarily lead to an increase in the student population means that where sites have 500 beds or more are proposed, they should not be included within the requirements for primary healthcare facilities.</p>	<p>Infrastructure provision table amended to identify that student accommodation is excluded from the types of development where contributions would be sought.</p>	<p>Infrastructure Provision table amended to identify that student accommodation is excluded from the types of development where contributions would be sought.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
45	<p><u>Chapter 13 Local Training and Employment.</u> The concern here is that there is not a direct correlation between changes in floor space and the displacement of staff or the need to re-train them. In many cases, where PBSA is proposed, the quality of office floor space to be replaced / lost is poor and has been difficult to let. In addition, there is a large quantity of empty office floor space within the city to which displaced employers can relocate. It is considered that the contributions towards employment and training, specifically for the loss of B1A office accommodation fails the tests set out within Regulation 122. Changes sought: Either B1A should be excluded from the local employment and training contributions or section 13 of the SPG should be deleted in full.</p>	<p>Each application would be considered on a case by case basis. Where employment land and / or premises are under pressure from non-employment uses and it is considered that there still exists an opportunity to make a contribution towards longer term economic development and job retention and growth within an area, developers will be requested to make provision for an appropriate contribution towards bringing forward compensatory employment opportunities.</p>	<p>No change.</p>
46	<p><u>Introduction.</u> In paragraph 1.3.2 it should be specified that Planning Conditions should be used in preference to Planning Obligations where possible.</p>	<p>This issue would be specific to the circumstances of each application.</p>	<p>No change.</p>
47	<p><u>Chapter 2 Affordable Housing Para 2.13.</u> We support Paragraph 2.13, as if there is a service charge for private management of an estate that includes affordable housing units it is reasonable that the affordable units also contribute towards the management arrangements. For example, there may be areas where up to 30% of dwellings are affordable housing units, it would not be fair for the management of these areas to be subsidised by the private residents.</p>	<p>Noted.</p>	<p>No change.</p>



No.	Summary of Comments	CCC Response	Amendment to SPG
48	<p><u>Chapter 2 Affordable Housing Para 2.33 and 2.35.</u> Paragraph 2.33 states that where there is evidence of need, specialist and / or older persons housing may be provided as part of the affordable housing contribution subject to agreement on housing need and affordability. This approach is supported, however, it is unclear how this relates to the statement in paragraph 2.35 that where specialist housing is proposed, this will still give rise to an affordable housing requirement.</p>	Noted.	Paragraph 2.35 will be deleted.
49	<p><u>Chapter 5 Provision of Functional Open Space.</u> The provision of open space for new sites should take into account existing levels of provision within the locality, it should not be automatically assumed that there is a deficit in all areas. The standard of 2.43 ha of functional open space per 1,000 population should therefore take into account existing developments and local provision. Planning obligations should only seek contributions where they are necessary.</p>	These issues are already identified at Paragraphs 5.19 and 5.20.	No change.
50	<p><u>Chapter 5 Provision of Functional Open Space, Para 5.17.</u> Object to the exclusion of education playing fields from the calculation of outdoor sports provision (paragraph 5.17) as the potential for dual use of education facilities should not be discounted. This is a position that is supported by Fields in Trust (FIT) guidance<sup>1</sup>, in which it recommends that school playing space is made available to the local community out of school hours and during holiday period as an appropriate way of providing sport and recreation facilities within planned developments.</p>	<p>Although dual use of recreational facilities between schools and the wider community are welcomed in principle, there has to be certainty that facilities located within a school will be available for community use in perpetuity to allow these to be considered as part of the recreational allocation. At present, there are a number of barriers which prevent this and the current approach is to therefore consider school dual use provision as an 'add-on' to public open space, not a replacement for it. FIT guidance also makes it clear that educational open space</p>	No change.

		can only count towards meeting the standard for recreational provision where “authorised community use is secured by written agreement”. As no such written agreements are currently in place within Cardiff it is correct to not count educational open space towards the recreational standard.	
--	--	---	--

No.	Summary of Comments	CCC Response	Amendment to SPG
51	<p><u>Chapter 5 Provision of Functional Open Space</u> PPW does not prescribe particular standards of open space provision, instead it recommends that these should be based on the results of an Open Space Assessment process. LPAs are not obliged to follow the FIT standards where there is evidence that there might be justification for a variation in approach. NLP is concerned that the Council is simply basing its requirements on the FIT standards, in particular in relation to formal provision, where evidence exists pointing towards increased demand for informal recreational provision e.g. trim trails, recreation cycle routes etc. This is particularly important within the context of an aging population where demand for recreational space is likely to change in nature. As such, we do not agree with the rigid imposition of minimum standards set out within Paragraph 5.23 as more appropriate mixes of provision are likely to be suitable.</p>	<p>Cardiff’s Functional Open Space standards identified have taken account of existing provision across the city. Historically, there has been an under provision of ‘formal functional open space’ (i.e. sports pitches) which has placed increased pressure on established parks. As identified at paragraph 5.19, provision will be determined on a site-by-site basis.</p>	No change.

No.	Summary of Comments	CCC Response	Amendment to SPG
52	<p><u>Chapter 5 Provision of Functional Open Space.</u> The use of occupancy data from the 2011 census will over estimate demand for play space. The latest household projections, published in 2014, indicate that average household size in 2016 is 2.31 persons dropping to 2.26 in 2026 and 2.23 in 2031. Given the LDP timeframe, it is proposed that the POS calculation should be based on the average household size projected for 2026 of 2.26. The occupancy figure per bedroom should also be amended accordingly to reflect actual projected occupation once developments are completed.</p>	<p>The Census is widely regarded as providing the most accurate and authoritative data in relation to population and housing in England and Wales. Census data provides an accurate 'snapshot' in time, whereas the household projections incorporate estimates for intermediate years and are known to become less certain as time passes. The Council consider that the use of Census data is appropriate and no change is proposed.</p>	<p>No change.</p>
53	<p><u>Chapter 7 Schools and Education, Para 7.11.</u> Paragraph 7.11 refers to pupil number assessments looking over a wider area including schools in nearby catchments that are full and for which projections would indicate that excess numbers would be accommodated by schools within the development catchment. Our clients do not consider that it is reasonable to prioritise pupils from outside a catchment area ahead of pupils from a development site within the catchment area. It is not the purpose of Planning Obligations to address existing problems in provision that are not created by the development. Similarly our clients request that the Council should be prepared to do an assessment across a wider area to understand whether any local capacity problems may be arising from the exporting of pupils from adjacent catchments that actually have the capacity to accommodate them.</p>	<p>The SPG sets out the criteria by which contributions will be assessed. Planning obligations, where sought, relate to the needs arising as a result of the proposed development and (where available) would take account of the projected surplus places in local schools.</p>	<p>No change.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
54	<p><u>Chapter 7 Schools and Education.</u> Paragraph 7.23 makes reference to in kind provision and the minimum size of schools whilst paragraph 7.22 makes it clear that on strategic sites that the 'developer constructs' option will be sought. In circumstances where a new school is provided on site it is possible that a developer might be required to make education provision that meets the future needs of a wider catchment than just their development. There must be a mechanism in place to ensure that this 'over provision' including land inputs can be recaptured by the developer to accord with the legal requirements for seeking Planning Obligations.</p>	<p>This issue would need to be considered in relation to the specifics of individual planning applications having regard to all material factors, including consideration of welsh / English medium and primary / secondary provision as well as subsequent phases of larger developments.</p>	<p>No change.</p>
55	<p><u>Chapter 8 Community Facilities.</u> The Community Facilities floor space requirement figure of 0.32sqm per person requires justification. As with our comment on open space, it is considered that occupancy figures should be based on the best estimate of household size on completion of the scheme (i.e. latest household projections) rather than the 2011 census figures; as currently proposed the SPG over estimates occupation per dwelling.</p>	<p>0.32sqm per person is the established standard of community facility provision in Cardiff. It is considered that 320m<sup>2</sup> is the appropriate size of community building for 1000 people, as this allows the provision of a range of community activities to meet the different needs within a population. By way of an example, the Council is currently developing the new St Mellons Hub which, upon completion (and in addition to existing facilities) will provide a total floor area of 3323m<sup>2</sup> for the 10,000 residents of the St Mellons estate. This level of contribution is consistent with that sought through the former Community Facilities and Residential Development SPG (March 2007) which was adopted following consultation.</p>	<p>No change.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
56	<p><u>Chapter 8 Community Facilities.</u> We support the shared use of community facilities set out in paragraph 8.11 and consider that the SPG could be stronger on this point. Whilst the SPG places the onus on the developer to explore potential our experience is that the difficulties often arise in seeking agreement from different Council Departments to share facilities.</p>	<p>Cardiff Council is committed to the principal of multi-use, multi-functional, multi-agency community building, as evidenced by the community hubs development programme.</p>	<p>No change.</p>
57	<p><u>Chapter 9 Primary Health Care Facilities.</u> Our client does not object to the provision of such facilities where there is evidence of need. As with education provision however where it is provided in kind on site there will be a minimum effective scale of provision which might be in excess of that required by the development alone. As a result there must either be a recognition of the scale of over provision (including land costs) in calculating the total s106 contribution or a way of recapturing some of the over provision.</p>	<p>This issue would need to be considered in relation to the specifics of individual planning applications, having regard to all material factors.</p>	<p>No change.</p>
58	<p><u>Chapter 13 Local Training and Employment.</u> Object to the requirement of a financial contribution towards compensatory employment and training on sites where there is a loss of employment land. Where such a change of use is permitted and to meet the tests of the LDP policy it will have been accepted that the site is no longer appropriate for an employment use. Any loss of employment is likely to have happened well before any proposed change of use and will not have been created as a result of it. In these circumstances the proposed contribution would not arise as a result of the development and would not relate to it, as a result it would fail the legal tests.</p>	<p>Each application would be considered on a case by case basis. Where employment land and / or premises are under pressure from non-employment uses and it is considered that there still exists an opportunity to make a contribution towards longer term economic development and job retention and growth within an area, developers will be requested to make provision for an appropriate contribution towards bringing forward compensatory employment opportunities.</p>	<p>No change.</p>

No.	Summary of Comments	CCC Response	Amendment to SPG
59	<p><u>Chapter 14 District Heating and Sustainable Energy</u>. Paragraph 14.7 refers to emerging guidance on Renewable Energy Assessments which is yet to be consulted upon. Despite this, reference is made to the minimum requirements of these assessments which potentially go beyond what is required by national policy and LDP policy EN12 – we would question the appropriateness of the SPG introducing requirements that are more onerous than policy established within the Local Plan or National Policy. Additionally, the issues raised are not matters that would be expected to be contained within a s106 agreement. It is questionable the extent to which the contents of this section is relevant to the Planning Obligations SPG and whether it should instead be contained within the forthcoming Renewable Energy Assessments SPG.</p>	<p>One of the aims of the Planning Obligations SPG is to help enable the consideration of infrastructure matters at the earliest possible stage in the development process. In this regard, it is considered appropriate to include broader principles relating to certain subjects within this document.</p>	<p>No change.</p>
60	<p><u>Chapter 15 Biodiversity</u>. The level of detail in this section goes well beyond matters relating to Planning Obligations and should be extracted. If it is considered that all the detail is necessary then it should form the basis of an SPG dealing with Biodiversity.</p>	<p>One of the aims of the Planning Obligations SPG is to help enable the consideration of infrastructure matters at the earliest possible stage in the development process. In this regard, it is considered appropriate to include broader principles relating to certain subjects within this document.</p>	<p>No change.</p>
61	<p><u>Chapter 5 Provision of Functional Open Space</u>. Paragraph 5.13 defines the type of facilities that would be regarded as informal functional open space. It goes on to state that ‘the open space may contain water features or SUDS where it is demonstrated that they serve a recreational function’. Paragraph 5.15 however identifies ‘large water features, including rivers, canals and reservoir’ as examples of open space which are not considered suitable for active sports and recreation and are therefore not considered as functional open space.</p>	<p>Noted. Reference to water features deleted from paragraph 5.13.</p> <p>Paragraph 5.15 amended to identify that large water features (i.e. the body of water) are excluded from calculations, but that the land around these, where they meet the informal functional open space criteria (i.e. provide a recreational function through permanent hard surfaced footpaths or other recreational provision) will be considered.</p>	<p>Noted. Reference to water features deleted from paragraph 5.13.</p> <p>Paragraph 5.15 amended to identify that large water features (i.e. the body of water) are excluded from calculations, but that the land around these, where they meet the informal functional open space criteria (i.e. provide a recreational function through permanent hard surfaced footpaths or</p>

	We feel that there may be a slight contradiction in these statements that may need further clarification.		other recreational provision) will be considered.
--	---	--	---

No.	Summary of Comments	CCC Response	Amendment to SPG
62	<u>Chapter 16 Trees Woodland and Hedgerow Protection.</u> Whilst our client does not necessarily disagree with the matters set out in this section, most of it is more relevant to the preparation of a planning application rather than consideration of Planning Obligations. As a result we request that wider advice is removed and only matters directly relevant to Planning Obligations are retained.	One of the aims of the Planning Obligations SPG is to help enable the consideration of infrastructure matters at the earliest possible stage in the development process. In this regard, it is considered appropriate to include broader principles relating to certain subjects within this document.	No change.
63	<u>Chapter 17 Flood Risk Management and Sustainable Urban Drainage.</u> This section seems to be more suited to best practice guidance on flood risk management and SUDs rather than SPG focusing on Planning Obligations. In order to retain the focus of the SPG we request that wider advice is removed and only matters directly relevant to Planning Obligations are retained.	One of the aims of the Planning Obligations SPG is to help enable the consideration of infrastructure matters at the earliest possible stage in the development process. In this regard, it is considered appropriate to include broader principles relating to certain subjects within this document.	No change.
64	<u>Chapter 17 Flood Risk Management and Sustainable Urban Drainage.</u> Whilst we welcome the provisions of Section 17 of the Planning Obligations SPG which refers to Sustainable Urban Drainage, we would recommend that this section be expanded to also take account of improvements to water and sewerage infrastructure in line with Section 8 of LDP Technical Paper No.6 Infrastructure Plan.	Improvements to water and sewerage infrastructure is considered to be outside the scope of this chapter of the SPG, which relates to Flood Risk Management and Sustainable Urban Drainage.	No change.
65	<u>Chapter 15 Biodiversity.</u> Further justification is required to support the assertions in paragraph 15.37 that compensatory habitat provision will be required to exceed that which is to be lost.	This issues is already covered in paragraph 15.37, which identifies that newly created habitats may take many years to achieve the quality of the habitat lost and that newly created habitats may fail to support the species for which they are intended. NRW have advised in their planning application advice that a ratio of 3:1 is considered appropriate to mitigate these issues.	Paragraph 15.37 amended to include 'NRW have advised that'....



CARDIFF  
CAERDYDD



# Cardiff Residential Design Guide

Supplementary Planning Guidance



January 2017

Page 119





# Table of Contents

<b>1</b>	<b>Introduction</b>	
<b>2</b>	<b>Residential environments in Cardiff</b>	
<b>3</b>	<b>The organisation of this guide</b>	
<b>4</b>	<b>Cardiff planning policy context</b>	
<b>7</b>	<b>The right design process</b>	
7	Design team	
7	Design drawings	
9	Consultation and engagement	
9	Design Review with the Design Commission for Wales	
10	The wrong design process	
<b>11</b>	<b>Summary of the key design questions that must be addressed</b>	
<b>12</b>	<b>Part of the neighbourhood</b>	
13	Does the development provide, or is it close to, neighbourhood facilities that are reachable along direct and safe walking and cycling routes?	
15	Is there an accommodation/tenure mix that reflects the needs and aspirations of the local community?	
15	Does the development have good access to public transport?	
17	Is the scheme well connected internally and to its context?	
<b>18</b>	<b>Creating places</b>	
19	Does the development make efficient use of land and provide homes at a reasonable density?	
21	Is the design specific to the scheme?	
25	Does the scheme sympathetically integrate with existing buildings, landscape or topography?	
28	Do the buildings and layout make it easy to find your way around and result in an attractive townscape?	
31	Does the scheme include adequate provision of well-designed public spaces?	
35	Do the buildings and layout help to make it feel safe and secure and reduce opportunities for crime?	
37	Does the development have features that reduce its environmental impact?	
<b>39</b>	<b>Street and home</b>	
40	Are the streets and spaces defined by buildings and landscape so that the highways do not dominate their character?	
43	Are streets and public spaces designed with a clear purpose and to a standard that meets the needs of all potential users?	
46	Shared space streets using home zone design principles	
48	Is resident and visitor parking sufficient and well integrated so that it does not dominate the street scene?	
48	Car parking	
51	Cycle parking	
52	Are the individual houses well designed to meet the needs and aspirations of future occupants and also in relation to their context?	
53	Does the design conform to necessary amenity standards?	
53	Privacy	
53	Outdoor amenity spaces	
53	Outlook	
53	Daylight and sun light	
54	How we will apply daylight and sunlight assessments	
56	Does the design include adequate and well-designed waste and recycling facilities, and care in the location and integration of meter cupboards?	
57	Is the streetscape both attractive and robust?	
57	Surfaces	
58	Street Furniture	
59	Public Art	
<b>60</b>	<b>Useful publications referred to in this guidance</b>	
<b>61</b>	<b>Appendix 1 Consultees</b>	
<b>63</b>	<b>Appendix 2 Summary of External Consultation Comments and Responses</b>	



# Introduction

Welsh Government support the use of Supplementary Guidance (SPG) to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance. SPG helps to ensure certain policies and proposals are better understood and applied more effectively. They do not have the same status as the adopted development plan but are a material consideration in the determination of planning applications.

This supplementary planning guidance (SPG) outlines the issues that a design for new residential development in Cardiff should address as it seeks planning permission. It applies to major residential development proposals providing 10 dwellings or more, and which require a Design and Access Statement. Design advice for smaller residential projects can be found in the *Infill Sites SPG*.

This guidance supplements and is in line with current Welsh Government policy on design, as presented in *Planning Policy Wales* (Welsh Government, constantly updated) and *Technical Advice Note 12: Design* (Welsh Government, constantly updated). It also supports the proper implementation of *Manual for Streets* (Department for Transport, 2007). It should be read in conjunction with policies in the current *Cardiff Local Development Plan 2006-2026* (Cardiff Council, 2016), the *Cardiff Liveable Design Guide (1)* (Cardiff Council, 2015) and other relevant Cardiff Council supplementary planning guidance which are cross referenced at appropriate points in the text.

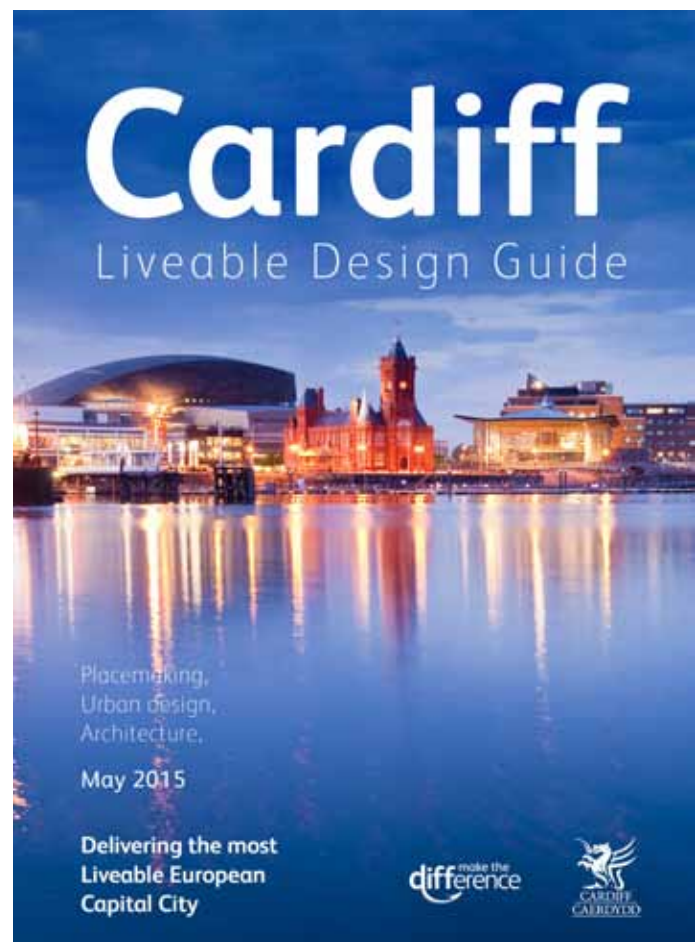
Designers should be mindful of the need to also satisfy Building Regulations, and should develop schemes which will conform to both regulatory regimes.

This guidance is written in the full knowledge that Cardiff Council has to work closely with the house building industry and be aware of the market conditions that may apply. Uncertainty, delay and changing requirements late in the planning process are major concerns for both developers and the planning authority, and so this guidance provides a clear statement of what the planning authority expects both in terms of how design information should be presented, but also how design issues should be addressed. Planning applications submitted in line with these requirements can be dealt with efficiently.

## The use of images

Please note that the images in this document are included to illustrate particular points referenced in the text. Inclusion of an image does not mean a general endorsement of other attributes of the scheme.

1. This guide can be read in conjunction with the *Cardiff Liveable Design Guide* which provides place making, planning and urban design guidelines that the Council will apply to strategic development sites throughout the city.





# Residential environments in Cardiff

Cardiff is a reasonably compact city with a successful city centre and regenerating bay. Reflecting its history, it contains rings of residential development that reflect its periods of growth. It contains many popular neighbourhoods which are close to significant open spaces, well served by public transport and offering a convenient mix of uses. In the inner suburbs people can get about on foot. Neighbourhood uses tend to be accessibly located on radial streets. Cycling infrastructure is improving.

The city has some celebrated Victorian and Edwardian housing around very attractive urban parks (2), and contains a popular garden suburb (3). The outer suburbs built during the last 30 years tend to contain neighbourhood environments which have given priority to the car (4). It is less popular to walk and the environments can tend to lack places of distinct character. Provision of neighbourhood uses has tended to be provided in free standing buildings which can be dominated by car parking. These neighbourhoods reflect the characteristics of similar developments that have occurred elsewhere in the UK.

The last few decades have also seen significant growth in apartment living in both the city centre and Cardiff Bay. These areas have a preponderance of 1 and 2 bedroom homes, and whilst the apartments have been successful, often with a great setting overlooking the bay, sometimes they have been designed in an insular or gated form and haven't always resulted in much pedestrian vitality in their contexts, or the establishment of really great streets or public spaces between them (5).

Cardiff's Local Development Plan makes provision for the delivery of 41,000 new dwellings in Cardiff over the plan period. This significant growth emphasises the importance of this guidance as we try and ensure that new homes are planned and designed to reinforce or establish new sustainable neighbourhoods and places in line with best contemporary urban design practices.

Across the UK new ways of thinking and practicing have led to great improvements in new residential developments to overcome some of the recognised failings of previously developed schemes, and both policy and guidance produced by the Welsh Government gives powers through the planning system to ensure that developments here in Cardiff are also designed and developed to the highest standards.



2. Cardiff contains many popular Edwardian residential areas which remain popular today.



3. Rhiwbina Garden Village



4. Outer suburbs built during the last 30 years tend to contain environments which have given priority to the car.



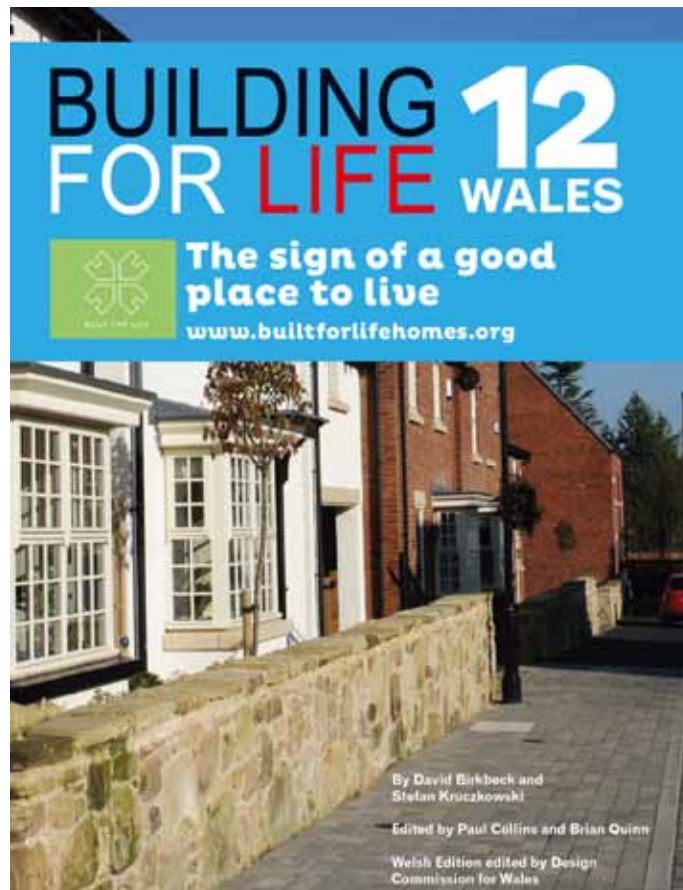
5. Some recent apartments have been designed in an insular or gated form which hasn't always resulted in much pedestrian vitality in their contexts.

# The organisation of this guide

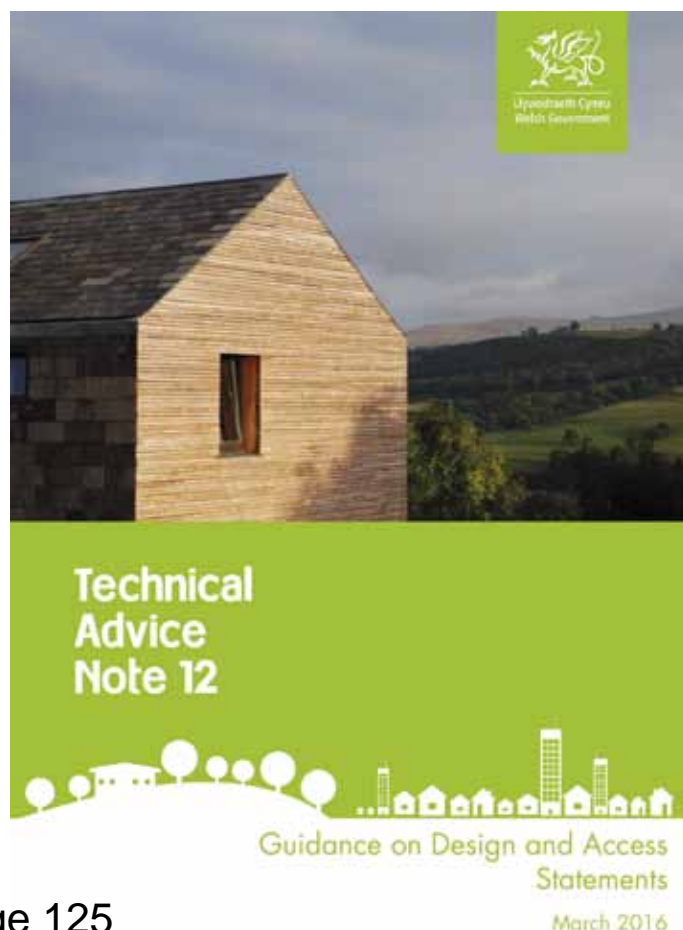
Good design will only emerge when good designers are given the chance to complete the right planning and design process. This guide starts by outlining how we would expect that process to be organised so that designers have the time and opportunity to address the issues presented here.

Following this we offer advice about the full range of issues that concern us, organised around similar themes and questions presented in the house building industry endorsed *Building for Life 12 Wales* (6) and the associated house builder quality mark *Built for Life*. We start by looking at how the scheme should fit into an existing, or help to establish a new, neighbourhood. Then we discuss how developments should result in distinctive places that relate well to their contexts. Finally we discuss how new homes should fit into well-designed streets. Organising the guidance in this way helps you find the part of the guidance most relevant for your scale of development. Designers of larger schemes should be familiar with all of it, whilst smaller projects can focus on the issues, for example, related to buildings and streets.

Many of these issues are best communicated through the right plans and other images presented coherently in a design and access statement (DAS). Good advice on how to produce a DAS can be found in the Welsh Government's *Technical Advice Note 12: Guidance on Design and Access Statements* (7). We recommend that any DAS should directly illustrate and explain how any design responds to the issues discussed here, and in the order that we present them.



6. This guidance is based on issues and criteria presented in *Building for Life 12 Wales*



7. Good guidance on how to produce a Design and Access Statement can be found in TAN12 guidelines



# Cardiff planning policy context

Cardiff's adopted Local Development Plan has a robust set of planning policies and guidelines controlling and promoting the good design of developments in the city. We recommend that a thorough review of policy and guidance is undertaken to understand what might apply to a site. Although it is not necessary to provide a dry list of relevant policies and guidelines in a design and access statement, it is important to explain how the features of a design have considered the requirements.

In particular we recommend a review of:

- Planning policy designations
- Special landscape designations
- Conservation area character appraisals and the details of any scheduled monuments or listed buildings or other heritage assets that influence a site
- Tree preservation orders
- Any relevant site specific development briefs
- Other supplementary planning guidance
- The planning history of the site

Other relevant supplementary planning guidance related to residential developments also includes guidance on highway and parking standards, the provision of affordable housing and open space, planning obligations, tall buildings, public art, public rights of way and development, trees and development, community facilities and residential development and waste collection and storage. As necessary, new forms of guidance are always being created. If you are uncertain about which supplementary planning guidance might be relevant to your development, the Council will be able to advise you as to which might be most relevant at a pre-application discussion.

Relevant information is available on the Cardiff Council website, including the current *Cardiff Local Development Plan* and the full list of supplementary planning guidance.

Appraisal of the scheme against national and local design policies, guidance and standards is undertaken by officers of the Council with recommendations made to the planning committee as part of the development management process.

A number of specific policies in the Local Development Plan relate to the design quality of major residential schemes, and this SPG aims to provide more information about how we expect these design qualities to be achieved:

## Policy for Master Planning on Strategic Development Sites

Policy KP4 in the *Cardiff Local Development Plan* requires that any development on a strategic site of more than 500 homes adopts a master planning approach. Details of how to conform to this requirement can be found on the Cardiff Council website in:

- *Cardiff Local Development Plan Masterplanning Framework*
- *Liveable Design Guide: Placemaking, urban design, architecture*

Policy KP4 states that major developments should accord with the following [Master Planning General Principles](#):

1. Development schemes will be planned in a comprehensive and integrated manner, reflecting partnership working and setting out the phasing of development along with a timely provision of supporting infrastructure. Masterplans will need to encompass the whole of a development area regardless of land ownership patterns, and this will require partnership working, involving all relevant parties;
2. High density residential and mixed-use development shall be focused along public transport corridors and in neighbourhood centres, with lower densities provided elsewhere to deliver an overall range and choice of accommodation to meet different needs;
3. Dedicated sustainable transport corridors shall include provision for public transport, cycling and walking which will form key elements of the overall master plan and effectively link into the wider network;
4. Walking, cycling and public transport will be attractive, practical and convenient travel choices for all;
5. Provision of a full range of social and community facilities will be concentrated within mixed use neighbourhood centres located along public transport corridors and easily accessed by walking and cycling;
6. The masterplanning process will effectively respond to the local context and the context of climate change, to create new, well designed neighbourhoods with a distinctive character which residents will be proud of;
7. New development shall respond to local deficiencies and provide good connectivity to adjoining areas and be informed by feedback from existing communities;



8. Multi-functional and connected green open spaces shall form strategically important links to the surrounding area to provide routes for people and wildlife and open spaces for sports, recreation and play;
9. Existing landscapes, biodiversity and historic features of the site shall be sympathetically integrated into the development, taking opportunities to protect, enhance and manage important features along with mitigation and enhancement measures to provide satisfactory compensatory measures;
10. Innovative and creative management solutions for energy, management of surface water and waste shall be adopted to make new developments more environmentally sustainable.

In addition development will also accord with guidance set out in site-specific master planning frameworks, if they have been prepared.

### Policy for Good Quality and Sustainable Design

Policy KP5 in the *Cardiff Local Development Plan* is the principal policy requiring high quality, sustainable design which makes a positive contribution to the creation of distinctive communities, places and spaces. This guidance elaborates on how the requirements of this policy can be secured in residential development led schemes. The policy requires that development:

- Responds to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;
- Provides legible development which is easy to get around and which ensures a sense of continuity and enclosure;
- Provides a diversity of land uses to create balanced communities and add vibrancy throughout the day;
- Creates interconnected streets, squares and spaces as distinctive places, which are safe, accessible, vibrant and secure and incorporate public art where appropriate;
- Provides a healthy and convenient environment for all users that supports the principles of community safety, encourages walking and cycling, enables employment, essential services and community facilities to be accessible by sustainable transport and maximises the contribution of networks of multi-functional and

connected open spaces to encourage healthier lifestyles;

- Maximises renewable energy solutions;
- Achieves a resource efficient and climate responsive design that provides sustainable water and waste management solutions and minimises emissions from transport, homes and industry;
- Achieves an adaptable design that can respond to future social, economic, technological and environmental requirements;
- Promotes the efficient use of land, developing at highest practicable densities and where appropriate achieving the remediation of contaminated land;
- Ensures no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;
- Fosters inclusive design, ensuring buildings, streets and spaces are accessible to all users and are adaptable to future changes in lifestyle; and
- Locates tall buildings in locations which are highly accessible through walking and public transport and within an existing or proposed cluster of tall buildings.

### Responding to Evidenced Social Needs

Policy KP13 seeks developments which: deliver sustainable neighbourhoods, tackle deprivation and improve the quality of life for all. This includes:

- Providing a range of dwelling sizes, types and affordability including seeking to provide a target of 6,646 affordable dwellings over the remaining 12 years of Plan period
- Supporting the vitality, viability and attractiveness of existing District and Local Centres and their regeneration, including retail and other commercial development and housing of an appropriate scale;
- Encouraging the provision of a full range of social, health, leisure and education facilities and community infrastructure for both existing and new communities that are accessible to all by walking and cycling and public transport;
- Supporting the regeneration of deprived communities within the city and maximising the additional benefits that new communities can bring to adjoining or surrounding communities;
- Encouraging the enhancement of communities through better equality of access to services for all, promoting cultural and wider diversity for all groups in society, and creating places that encourage social interaction and cohesion;
- Developing new cultural and sporting facilities

to build upon Cardiff's role as a major tourist, cultural and sporting destination for visitors and residents alike; and

- Designing out crime and creating communities which are safer and feel safer.

## Climate Change

Policy KP15 seeks to mitigate against the effects of climate change and adapt to its impacts. Development proposals should take into account the following factors:

- Reducing carbon emissions;
- Protecting and increasing carbon sinks;
- Adapting to the implications of climate change at both a strategic and detailed design level;
- Promoting energy efficiency and increasing the supply of renewable energy;
- Avoiding areas susceptible to flood risk in the first instance in accordance with the sequential approach set out in national guidance; and
- Preventing development that increases flood risk.

## Water Sensitive Urban Design

Policy EN10 requires development to apply water sensitive urban design solutions (the process of integrating water cycle management with the built environment through planning and urban design). To include the management of:

- Water demand and supply;
- Waste water and pollution;
- Rainfall and runoff;
- Watercourses and water resource;
- Flooding; and
- Water pathways.

## Walking and Cycling

We are committed to delivering forms of development that meet the requirements of the Active Travel (Wales) Act.

Policy T1 of the *Cardiff Local Development Plan* requires developments which enable people to access employment, essential services and community facilities by walking and cycling. The Council will support developments which incorporate:

- High quality, sustainable design which makes a positive contribution to the distinctiveness of communities and places;
- Permeable and legible networks providing safe, convenient and attractive walking and cycling routes;
- Connections and extensions to the *Cardiff Strategic Cycle Network* and routes forming part of the *Cardiff Walkable Neighbourhoods Plan*;
- Measures to minimise vehicle speed and give priority to pedestrians and cyclists;
- Safe, convenient and attractive walking and cycling connections to existing developments, neighbourhoods, jobs and services;
- Infrastructure designed in accordance with standards of good practice including the Welsh Government *Design Guidance - Active Travel*, and the Council's *Cycling Design Guide*;
- Supporting facilities including signing, secure cycle parking and, where necessary, shower and changing facilities; and
- The provision of car-free zones.

## Community Safety and Creating Safe Environments

Policy C3 requires that all new developments and redevelopments shall be designed to promote a safe and secure environment and minimise the opportunity for crime. In particular development shall:

- Maximise natural surveillance of areas which may be vulnerable to crime such as publicly accessible spaces, open space, car parking areas and footpaths;
- Have well defined routes, spaces and entrances that provide convenient movement without compromising security;
- Maintain perceptible distinction between public and private spaces through well-defined boundaries and defensible space;
- Provide a good standard of lighting to public spaces and routes while minimising energy use and light pollution; and
- Be designed with management and maintenance in mind, to discourage crime in the present and future.

## Health

Policy C6 requires developments to reduce health inequalities and support healthy lifestyle choices by ensuring that they provide a physical and built environment that supports inter-connectivity and active travel choices, as well as enhancing road

safety.

# The right design process

Good designs can only emerge from a strong design process which will also readily provide content for a design and access statement. Suitable designers will be very familiar with this process.

## Design team

A strong design team with a proven track record in delivering good residential developments will understand the issues presented here and be able to refer to suitable precedents. Our experience tells us that good design teams deliver successful projects efficiently, and that the requirements presented here might require the input of professionals with various forms of expertise.

It is important to put together the right team to address any relevant issues, including experts in residential development, architecture, quantity surveying, landscape architecture, urban design, highway engineering, active travel, ecology, planning, heritage and archaeology.

## Design drawings

The preparation of good drawings for both the planning application and design and access statement is central to both thinking about and communicating the relevant design qualities of a scheme. The Council expects clear graphic evidence related to the issues raised in this document, and time can be wasted in the planning application process if relevant images are not provided at the start. Drawings should illustrate the following requirements:

### Site Analysis

Welsh policy on design, presented in TAN 12, stresses the importance of context and site analysis:

*“Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process, particularly planning applicants and their agents...”* TAN 12 Design

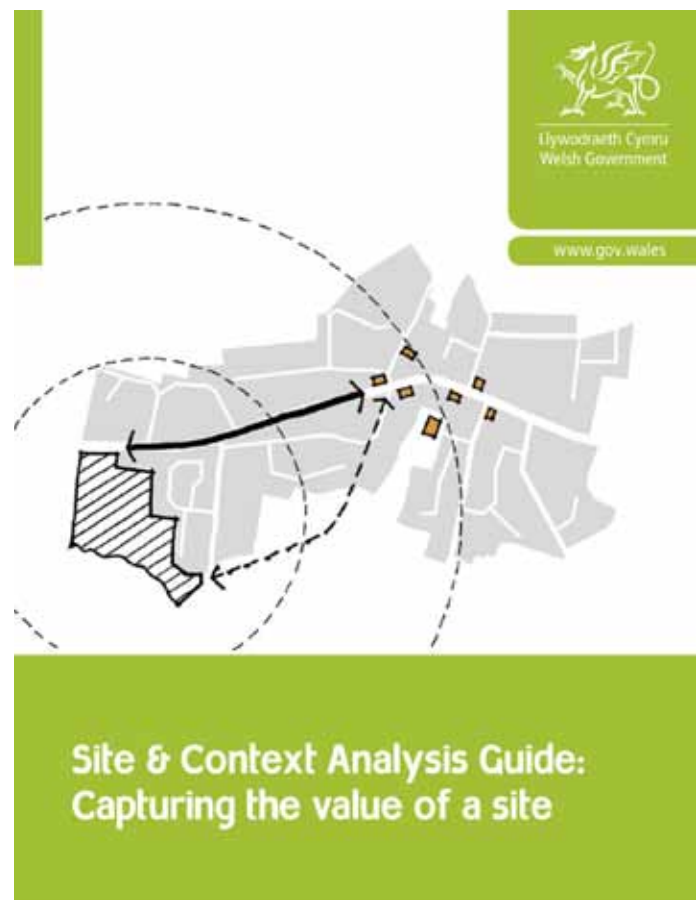
The Welsh Government and Design Commission for Wales (DCFW) have also prepared separate guidelines called *Site and Context Analysis: Capturing the value of a site* which explain how to approach the task (8). They were prompted to do this because of the inadequacy of analyses associated with schemes submitted to the DCFW for design review. We will apply these guidelines

in the assessment of schemes submitted in Cardiff.

Designers should complete and present a thorough analysis to ensure that they fully understand the context and site that they will be working on. The list of issues that might become relevant is non-exhaustive as all contexts are different, but we suggest a presentation of the following information, if it relates to the scheme:

### Wider context

- The network of green infrastructure or ecological systems, areas of landscape character and the location of any protected species and habitats;
- Public rights of way and the wider network of roads and cycle routes;
- The public transport context, including the wider network of rail and bus services and the hierarchy of highways, including cycle routes;
- The location and content of nearby neighbourhood, employment and service centres.



March 2016

8. We will apply guidance on how to complete and present a site and context analysis produced by the Design Commission for Wales.

## The Neighbourhood

- The provision of local supermarkets and shops in the vicinity, highlighting the walking distance and route quality from the site;
- The location of other local facilities such as schools, religious buildings, nurseries, doctors, dentists, community buildings and pubs, also highlighting the walking distance and route quality from the site;
- Key aspects of the neighbouring urban form including net residential densities and building heights (advice on how we measure net residential density is on page 20);
- Any specific areas of character in residential areas surrounding the scheme, and whether and how this might influence a design. Advice on what should be included in a character statement is provided below in the section *“Is the design specific to the scheme?”* (page 21).

## Transport and Accessibility

- Public transport frequency, routes and stops to key destinations;
- Pattern of access through the wider context and to and across the site for active travellers such as pedestrians and cyclists;
- Pattern of access through the wider context and to and across the site for other vehicle users.

## Natural Features and Open Spaces

- Site topography;
- Water courses, drainage systems and areas of potential flooding;
- The location of the site in relation to the wider strategic landscape system, including major open spaces and areas of ecological value;
- The location and quality of existing play spaces and sports fields, including local and destination children’s play areas, equipped teen play areas and formal sports and recreation open spaces;
- Sun path and any areas of shadowing.

## Social Profile

- The social profile of the neighbouring areas;
- A market analysis of recent sales in the area;
- Crime map data highlighting any significant issues.

## Other Site Specific Aspects

- **Topography** of the site, indicating which areas can be built on and which might be difficult;
- **Utilities:** Gas mains, water mains, electricity pylons, cables and sub stations, including any necessary

easements;

- **Trees and other planting** on the site, including which might be protected and which removed;
- **Historic features:** archaeology, conservation areas and listed and other buildings or other features to be retained;
- **Specific and important views** from and through the site to important local landmarks;
- **Orientation** of neighbouring homes, indicating their fronts and backs and giving an indication of both the quality of the backs and any relevant points of access;
- **Boundaries:** The type and quality of boundaries to the site;
- **Other site constraints:** contaminated soils and filled areas, microclimate and noise sources.

## Opportunities and constraints

The results of the context and site analysis should be summarised in an opportunities and constraints map and provide a list of points which highlight how the surveys have informed the emerging concept and subsequent design. Such a map and statement help people understand and appreciate how you have responded to the issues related to the site and its context. Opportunities presented should start to show interesting ideas for the scheme.

## Design concept

Larger schemes will benefit from the preparation of a design concept diagram which highlights the key strategic design features of a scheme, such as the principal pattern of access, the location of centres and uses other than housing, the protection of green corridors or creation of open spaces and key landscape features, the network of highways and cycle routes, the density profile across a scheme, building heights, the distribution of any character areas and key built form or townscape characteristics. Guidance for each character area and any specific key built form features should also be produced to inform reserved matters applications.

## Design drawings

Design drawings should represent the scheme within its context and, where relevant, show the location and form of neighbouring development.

All drawings should be drawn and reproduced at a scale that will enable proposals to be assessed. Plans should have a north arrow if the top of the image is not north.

As we look at a lot of drawings at various scales electronically, it is useful to have a scale bar on plans, and/or tell us at what scale the image should be printed



out, and the scale that applies at this scale (eg 1:500 @ A1).

## Design rationale

For larger projects, drawings or diagrams that unpick the qualities of the scheme should explain different aspects of the design. The images should clearly notate how the designs respond to the themes and issues presented in this guidance and that are relevant to the site. These should appear in the Design and Access Statement.

## Design and Access Statements

Design and access statements (DAS) offer a significant opportunity to explain and justify your design. Developers are required to submit a DAS that illustrates and explains the decisions leading to the final design. It should provide adequate graphic and written evidence to a level of detail which shows how the proposal has achieved good design in relation to both design policy and guidance and also for the site in its context. Details of what a DAS should contain and how it should be presented can be found in the Welsh Government's *Technical Advice Note 12: Guidance on Design and Access Statements (7)*.

## Consultation and engagement

Following the receipt of a pre-application enquiry, we welcome discussions or workshops which help establish the design parameters against which a future planning application will be assessed, and a chance to offer initial advice about what might be proposed. Such discussions are most effective where the above process has been followed through, time for design has been found and relevant drawings have been produced.

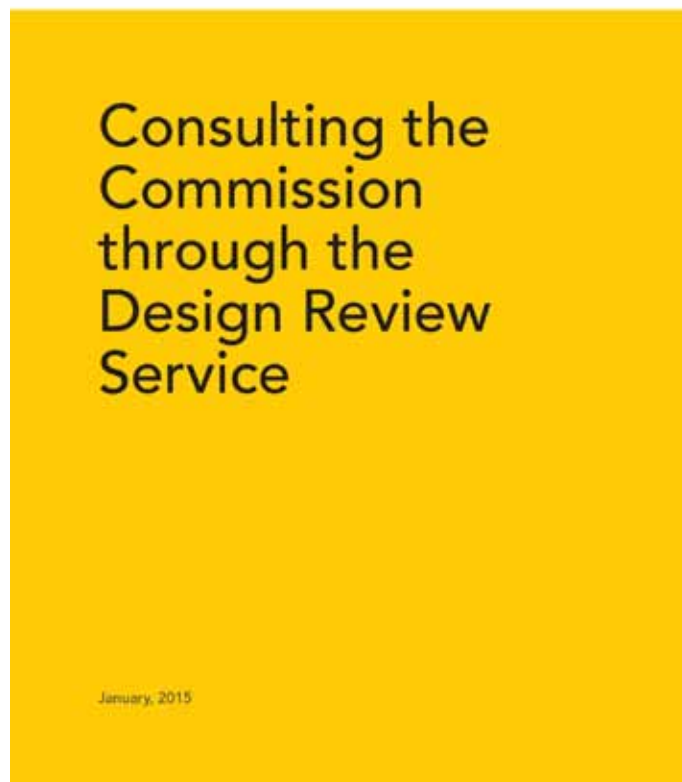
New developments can sometimes be controversial with existing residents. Opportunities for engagement with local councillors, civic and community groups and citizens should also be considered at an early stage of the design process, so that emerging designs can be informed by local concerns and ideas.

The Welsh Government has introduced a statutory requirement for local planning authorities to provide pre-application advice, whilst there is also a requirement for all applicants for major developments to undertake pre-application publicity and consultation on their plans. Details of the Cardiff pre-application service, and requirements for publicity and consultation, can be found on the Cardiff Council Planning web site. The aim of these processes is to raise any significant planning issues prior to the submission of a formal

application. This provides applicants with the opportunity to consider these issues and, if necessary, amend the proposals before they are finalised and submitted as a planning application.

## Design Review with the Design Commission for Wales

Relevant projects may be submitted to the Design Commission for Wales' Design Review Service for comment and advice (9). This is best done prior to the submission of a planning application. The process helps to identify early opportunities for good design quality in development proposals and assists us in securing public value through design excellence. This process may be initiated by the applicant or the Council. Further information about this process can be found at [DCFW.org](http://DCFW.org).



9. *The Design Commission for Wales provides its own advice about how to submit schemes into the Design Review Service.*

## The wrong design process

Sometimes design processes are used which do not result in good developments. The most common are:

- Not employing good designers right from the start. We know that good designs are produced by good designers. Investing in them will help both the design and planning process.
- Slavish use of standard house types which have not been designed for use in the relevant layouts.
- The design of larger schemes without any reference to a clear concept which would shape the overall structure and character of the development.
- The employment of urban designers to produce a good design for an outline planning application which establishes a site's value and capacity, and then the submission of poorer detailed reserved matters plans.
- Not obtaining a *Stage 1 Road Safety Audit* or a *Combined User Audit* for the outline design. This omission has the risk that the design could include features that introduce a road safety problem or issues which may be difficult and costly to rectify at a later stage.
- For larger schemes, the submission of vague plans which look graphically convincing, but which provide no useful detail to guide or control the structure or character of subsequent phases.
- The design of schemes without adequate understanding of a site or its context.
- The use of minor amendments to water down well designed features of a planning consent.

We will resist schemes that emerge through these and similar processes where we observe a poor or declining quality to a design.

# Summary of the key design questions that must be addressed

## Part of the neighbourhood

- Does the development provide, or is it close to, neighbourhood facilities that are reachable safely by walking and cycling?
- Is there an accommodation/tenure mix that reflects the needs and aspirations of the local community?
- Does the development have good access to public transport?
- Is the scheme well connected internally and to its context?

## Creating places

- Does the development make efficient use of land and provide homes at a reasonable density?
- Is the design specific to the scheme?
- Does the scheme sympathetically integrate with existing buildings, landscape or topography?
- Do the buildings and layout make it easy to find your way around and result in an attractive townscape?
- Does the scheme include adequate provision of well-designed public spaces?
- Do the buildings and layout help to make it feel safe and secure and reduce opportunities for crime?
- Does the development have features that reduce its environmental impact?

## Street and home

- Are the streets and spaces defined by buildings and landscape so that the highways do not dominate their character?
- Are streets and public spaces designed with a clear purpose and to a standard that meets the needs of all potential users?
- Is resident and visitor parking sufficient and well integrated so that it does not dominate the street scene?
- Are the individual houses well designed to meet the needs and aspirations of future occupants and also in relation to their context?
- Does the design conform to necessary amenity standards?
- Does the design include adequate and well-designed waste and recycling facilities, and show care in the location and integration of meter cupboards?
- Is the streetscape both attractive and robust?



## Part of the neighbourhood

New homes and other uses should enhance and become part of an existing neighbourhood, or help create a distinctive and popular new one. Good neighbourhoods are central to opportunities to live a more sustainable and healthier lifestyle.

They can reduce the need to travel by providing most of the facilities and services we need within walking distance of our homes. This mix of uses can include well located convenience shops, doctors' surgeries, community buildings, open spaces, nurseries and primary schools, pubs and religious buildings; all allowing people to meet their daily needs without having to travel far from their home.

They should also be socially mixed, providing a range of dwelling types and tenures, at a range of densities, to ensure that a full range of local demands and needs are met.

The pattern of routes should prioritise active travel choices, making it easy and convenient to walk and cycle, both within the development, but also to other parts of the context. This requires that developments are permeable.

Finally developments should support the provision and use of public transport by making it easy and safe to get to well located public transport stops, allowing residents convenient access to the rest of the city without being reliant on a car.





## Does the development provide, or is it close to, neighbourhood facilities that are reachable along direct and safe walking and cycling routes?

As part of a commitment to securing both sustainable and healthy forms of development and promoting active forms of travel, suitably large developments will need to provide a good mix of facilities within walking distance from homes, whilst smaller schemes will need to ensure that they contain layouts that connect efficiently and safely to those that exist locally. We will require forms of development which are oriented towards pedestrian, cyclist and public transport users.

We will resist forms of development that are located without access to adequate facilities close to people's homes and which suggest that future residents will be car dependent when trying to reach things traditionally provided within walking distance. We will also resist forms of development where the principal routes to such facilities are indirect, unattractive or would feel insecure.

We will adopt a range of measures to judge the reasonable distance from homes to any relevant facilities. We will use these distances as a *rule of thumb* to judge the vicinity of either existing or planned neighbourhood uses.

### Issues to address

Provide direct access to existing or new shops and other neighbourhood uses, schools, leisure facilities and open spaces along well designed walking and cycling routes

10. Provide direct access to existing or new shops and other neighbourhood uses, schools, leisure facilities and open spaces along well designed walking and cycling routes. Integrate neighbourhood uses into the street network so that they are convenient and comfortable to walk to and between.

(10). The layout of a development and the quality of connections it provides can have a significant impact on walking distances and people's travel choices.

Further information:

- Welsh Government (2014) *Design Guidance Active Travel (Wales) Act 2013*
- Cardiff Council, *Cardiff Cycle Design Guide*
- Sustrans (2014) *Handbook for cycle friendly design*

Provide denser forms of residential development closer to neighbourhood centres in order to provide enough people locally to support their viability (11 see over). For further information see the Cardiff Council *Liveable Design Guide*.

Locate any new facilities in residential areas at distances that allow both existing and new residents easy access to them on foot or by bike (12). Integrate these facilities into the fabric of the wider development to avoid creating isolated buildings dominated by car parking and highway infrastructure .

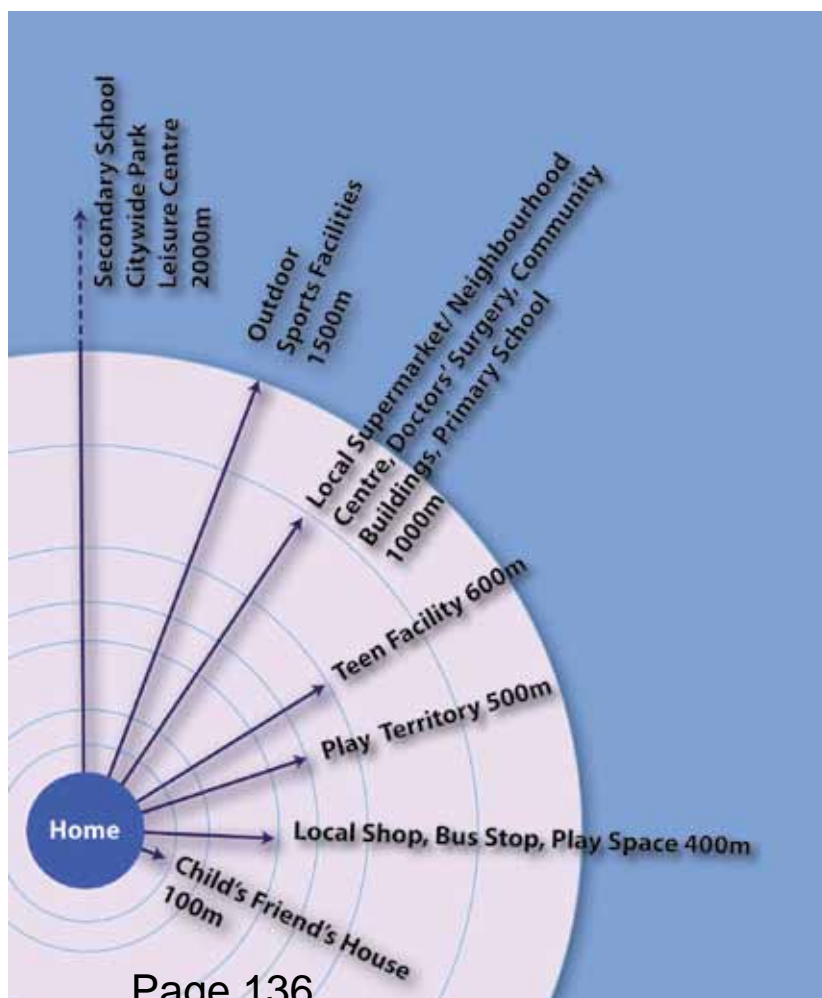
Fully integrate homes for elderly people within safe walking distance to local facilities and services and also public transport, in order to help maintain residents' independence.

Design homes in relation to district and local centres or shopping parades so that they might easily be converted to retail or other uses in the future.





11. Provide denser forms of development close to neighbourhood centres and any other retail provision in order to help the viability of the commercial uses and public transport.



12. Locate any new facilities in residential areas at distances that allow both existing and new residents easy access to them on foot or by bike. We will adopt these distances as a rule of thumb for judging the accessibility of sites and distances to facilities and services.



## Is there an accommodation/tenure mix that reflects the needs and aspirations of the local community?

Schemes should provide an appropriate mix of dwelling types to establish or contribute to a broad based community. Whilst we would accept the best parts of a scheme will attract the most prestigious homes, designs in general should also result in streets that are tenure blind so that it is not possible to differentiate between homes that are market sale, affordable rented and low cost home ownership. We will resist forms of development that highlight social divisions through the form of the layout or significant distinctions in façade treatments or landscaping.

### Issues to address

Provide a range of dwelling types to establish or contribute to a balanced community.

The Council requires all affordable rented units (social rented and intermediate rented) to meet the standards identified in the Welsh Government's (2005 or subsequent amendments) *Development Quality Requirements*. Designs will also ensure that, despite these standards and their impact, all homes of whichever tenure are integrated into the overall design concept and externally finished to a similar standard (13).



13. We will resist social or affordable housing that is not seamlessly integrated into a layout.

## Does the development have good access to public transport?

Providing pedestrian access to public transport stops, connecting homes to the rest of the city, is central to supporting more sustainable forms of development and giving transport and travel choices to residents. These stops should be well lit, overlooked by neighbouring properties and integrated into the street scene. Significant interchanges should include secure cycle storage so that people can combine cycle and bus trips. The Council will always welcome innovative schemes which explore ways of reducing car use and the negative impacts of cars on streets and public spaces.

### Issues to address

Maximise the number of homes on sites that are close to good, high frequency public transport routes, reached along safe routes (14).



14. Development should maximise the number of homes on sites that are close to good, high frequency public transport routes.

Embrace key connections and desire lines to off-site local transport facilities and stops.

Promote sustainable inter-modal travel opportunities by providing safe and sheltered cycle storage at all homes or near relevant public transport stops.

Further guidance on standards for cycle parking can be found in the *Managing Transport Impacts and Parking Standards SPG*, and advice on the choice of public cycle parking, in the *Cardiff Public Realm Manual*.

Explore scope for car free developments or car-pooling schemes.



*15. We will resist forms of development in which public transport stops are not fully integrated into the layout, and properly overlooked by neighbouring properties.*

Ensure that public transport stops and shelters are integrated into the layout, are overlooked by neighbouring properties and well lit (15).

Further guidance on the design of recommended bus shelters can be found in the *Cardiff Public Realm Manual*.

## Is the scheme well connected internally and to its context?

In contrast to previous approaches to highway design, which often resulted in few pedestrian choices and longer and sometimes busier routes between parts of a community, we now expect the pattern of streets to put equal emphasis on meeting the access requirements of pedestrians and cyclists. Well-connected or permeable layouts give pedestrians and cyclists more choice and shorter routes. Often they can choose to walk or cycle along routes with less traffic. This helps make walking and cycling a positive choice.

Streets in the scheme should be well connected internally and to their context. Public routes should also be overlooked by the principal frontages or specifically designed side elevations of homes.

We will resist forms of development which provide a poor pattern of access for any category of user, or where routes are not safe.

### Issues to address

Link routes directly with surrounding footpaths, cycle ways and roads (16).

Patterns of access should not result in a preponderance of private rear gardens being located next to public spaces (17).

Allow for reasonable access to future neighbouring development sites.

Foot and cycle networks should be more permeable than those provided for other vehicles, allowing direct patterns of access for active travel.

In larger schemes, do not use a block structure and pattern of access that separates public pedestrian and cyclist routes from other highway users, such as a Radburn layout.

Further guidance on design to support active travel can be found in Welsh Government (2014) *Design Guidance Active Travel (Wales) Act 2013*.



16. New routes should link directly with surrounding footpaths, cycle ways and roads so that pedestrians and cyclists can gain direct access.



17. We will resist forms of development which result in a preponderance of private rear gardens located next to public streets and spaces.





## Creating places

Rather than resulting in bland residential environments, housing developments in Cardiff will contribute to building on or establishing distinctive places.

In the past many housing developments have been criticised for ignoring aspects of their context, or resulting from the the imposition of standard highway and housing designs.

People buy houses, but we want those houses to be part of great places. Homes will be laid out to establish distinctive, diverse, attractive, safe, well used and cherished places where a wide range of people choose to live, and which will have qualities to help them remain economically, environmentally and socially sustainable.

Great places result from the explicit thought given to the qualities of the spaces between buildings, rather than just the design of the homes. Individual homes all contribute in some way to the qualities of a place, and developments should: ensure there are enough people to support a range of facilities and services; respond to the specific qualities of the context; include a range of distinctive streets and other public spaces; be easy to find your way around; have an attractive townscape, feel safe and include design features that reduce the impact of the development on the environment.

## Does the development make efficient use of land and provide homes at a reasonable density?

The vitality and viability of neighbourhood centres and public transport services are dependent upon having a good number of potential customers within their catchment areas. Low density forms of development can reduce their viability, and often result in less sustainable forms of development which can't be readily reached by active travel modes. In order to support the vitality and viability of local shops and services we will welcome designs that can increase development densities within walking distance, where they also conform to other guidance presented here.

In addition, variations in the density of development can allow for greater variety in the spatial and visual character of a scheme which can enhance the townscape and help people find their way around.

There is no relationship between development density and the ability of a scheme to provide adequate green spaces or meet amenity standards, although the form of green space might go from providing private to more shared forms of garden or open space. We will always

Street or area	Net dwellings per hectare *
Within a mixed use district centre	45 +
Fronting a spine street which also facilitates public transport links to a district centre	45 +
Within 400m of a district centre	35 +
Other parts of the residential area	30 +

welcome interesting approaches to providing amenity spaces.

Our LDP policies for strategic sites typically present desired net densities for particular types of development across a neighbourhood and we will apply similar principles to other relevant locations (18). How we work out the net development density is presented in Figure 20 (see over).

The shift from housing to apartments typically occurs at about 35 dph, and the introduction of apartments can have a significant impact on the number of units provided on a site. This can be seen in Ninian Park and Phoenix Way examples shown in Figure 20. To meet the density requirements the introduction of apartments into some areas of a scheme might be necessary.

### Issues to address

Provide residential densities adequate enough to support local commercial, community and public transport services within walking distance of people's homes.

Denser, more compact and taller forms of development, coupled with additional attention to design detail, can positively define key spaces, frontages and main streets (19).

*18. Expected net development densities for different areas within a neighbourhood based on LDP policies for strategic sites. These will be applied unless character and context factors require a more sensitive approach.*

\* Where an LDP policy is not a factor we may consider a measure of bed spaces per hectare to justify a density. Where this measure is considered, we will typically treat 3 bed spaces and equivalent to 1 dwelling.



*19. Higher densities or taller buildings can be used to positively define key spaces, frontages and main streets. Newhall, Harlow.*





## 20. Net Residential Densities

The net residential density is an average across the housing area only. The land take for the assessment includes the land taken for houses, private gardens, pavements, minor access roads, car parking and 'incidental' open space. It excludes land used for 'significant' public open spaces (1), parks, play spaces, schools and their grounds (2), and land or parking associated with commercial (3) or community buildings (4).

If the boundary does not include housing on both sides of a street, the boundary is drawn down half of the highway.



Radyr Siding 29 dph



Phoenix Way 66 dph



Ninian Park 47 dph



Porth Teigr 70 dph



## Is the design specific to the scheme?

Good designs seek to establish distinctive and interesting residential areas. Clear ideas for place making will inform design ideas for street- and landscapes as well as how house or other building types will be combined. We welcome the use of standard building types where they are used and adjusted to suit their position in a carefully conceived layout and townscape. We will, in particular, encourage special care in approaches to urban design in important locations requiring special townscape treatments. We will support schemes that are informed by a thorough character analysis of the context and site, although this does not mean we expect designs to mimic those within the context. We welcome innovation in the design of homes where an awareness of context has been demonstrated.

### Issues to address

Standard house types should be grouped and adjusted to suit their position in a carefully conceived layout and townscape.

Present the design in relation to its context.

Develop a clear design vision for the development in order to demonstrate its response to character and context. It could be *in keeping* with areas of good character, and in particular conservation areas affected by the scheme, or create a positive new identity that complements an existing character.

Designs should be based on a thorough plan for the built form (22 see over). This could include ideas for:

- key views out of (towards distant features and landscapes) or through a site;
- key vistas created within the site;
- principal frontages, including suggestions about built form character, building scale and massing, parking arrangements (to reduce its impact on a townscape), roof forms, landscaping ideas to reinforce the special character including tree planting, soft and hard landscaping and ideas about boundary treatments;
- key nodal places to be defined by special landscape **and** built form treatments and possibly requiring more bespoke design solutions;
- secondary nodal places to be defined by a special landscape **and/or** built form treatment and requiring careful use of what might be standard house types, adjusted to this setting;
- landmark buildings (located to vary the townscape – to close a vista or create punctuation);
- key corners requiring specially designed buildings with an equal treatment of two facades and not just windows on two elevations.

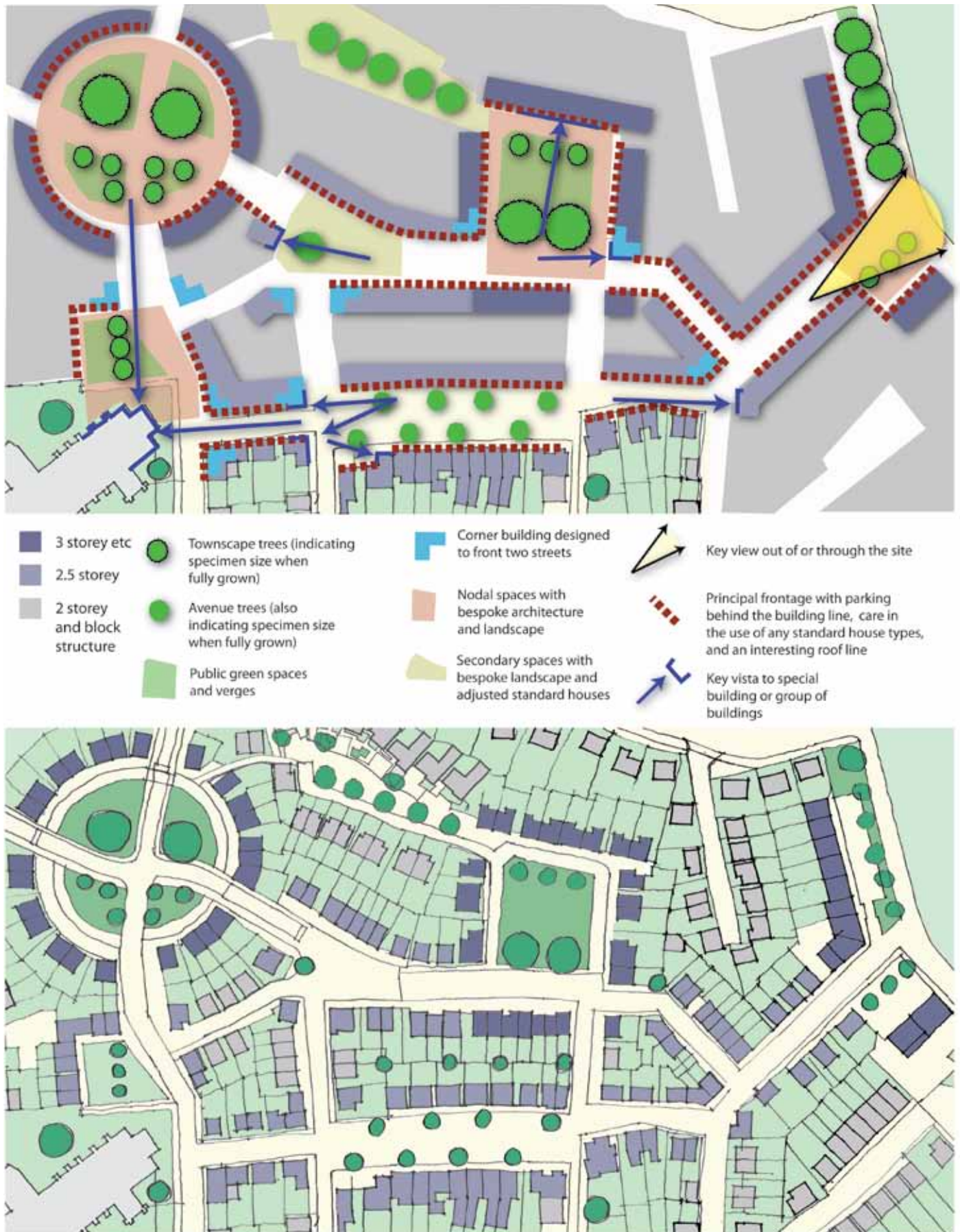
For significant schemes we will expect this material to be presented to scale at the outline planning application stage.

For any category of feature highlighted at the outline planning stage, specific design guidance, precedent images and drawings should highlight the expected treatment of the feature in any subsequent reserved matters application.



21. We will resist schemes where the poor use of standard house types, and a lack of ideas for streetscape, results in bland or placeless environments.

22. Outline planning applications should contain built form and landscape diagrams similar to that below, and which present a design with the important categories of issue considered. This will give us confidence that we will achieve certain qualities in a final scheme, like that at the bottom, but still allow flexibility in the development of a detailed design. See also guidance on character statements.





For larger schemes, character areas should be specified on a relevant plan (23). There should be a logic to this choice of areas linked to aspects of the layout. We will resist designs where we cannot understand the logic of character areas in relation to the layout. Ideas for character areas will only be considered useful if a distinctive character is likely to result.

For each area highlighted in the character area plan, design ideas for the categories of issue presented in Figure 24 should be provided as relevant.

Precedent images should also be used in any design and access statement to illustrate specific aspects of any design, and also linked to the categories in Figure 24. Generic precedent images unlinked to a specific aspect of a design will not be considered useful.

We will expect key nodal spaces to be phased into a development in a way that guarantees their qualities, either by delivering them in one go, or through approval of a design code which specifies its key qualities.

Representations of trees in plans and 3D views should represent the selected tree species at their approximate fully grown height and crown circumference, to confirm the adequacy of the growing space provided for it (22).

Design Codes may be used to ensure that master plans are implemented, the quality of development between phases is consistent, and the planned character areas are clearly distinct (25 see over).

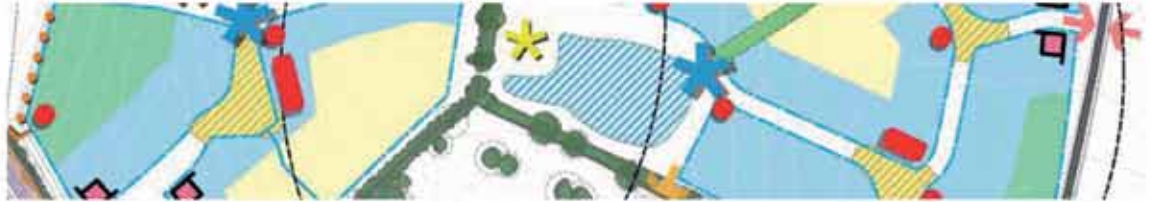
23. *Character area plan.* For each area, the aspects of the design that create a distinctive and successful character should be presented in a character statement. The aspects of the design that can be presented and illustrated are listed in Figure 24.



<b>Streets</b>	Street hierarchy sections and building lines
	Qualities of principal frontages (see Figure 19)
	Parking strategy for residents and visitors, including principles to reduce the impact of parking on prominent frontages and integrate parking into the street scene
	Key street section dimensions
	Highway standards
<b>Plots and buildings</b>	Plot widths and depth, indicating front and rear garden area
	Building lines
	Building types
	Building heights
	Roof lines and forms
	Building styles or architectural details
	Materials used in houses and ancillary buildings
	Cycle parking provision
	Treatment of utility boxes
	Treatment of refuse areas
Boundary treatments @ front, side and rear	
<b>Public realm</b>	Materials in the streetscape
	Tree and hedge protection
	Tree planting types and principles
	Other landscape designs
	Lighting
	Signage
<b>Special groups and spaces</b>	Public art
	Treatment of special views and vistas, nodal and secondary spaces, and special corner buildings (See Figure 19)

24. *Categories of detail which can be used to inform character statements*

Regulating Plan



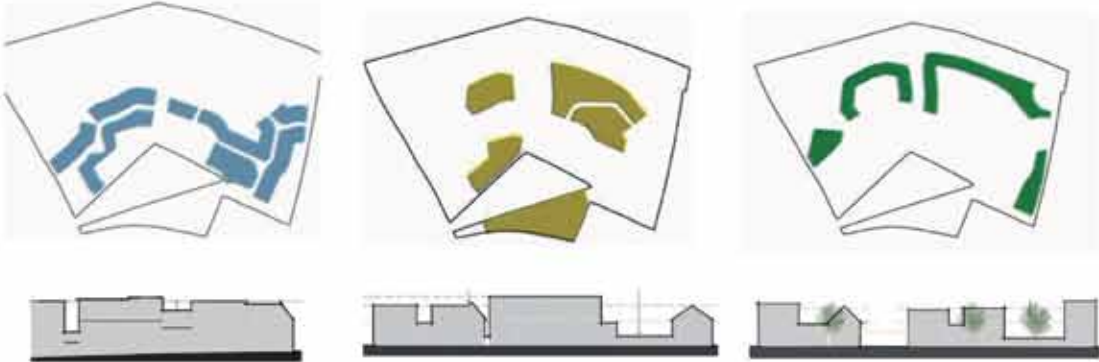
Density



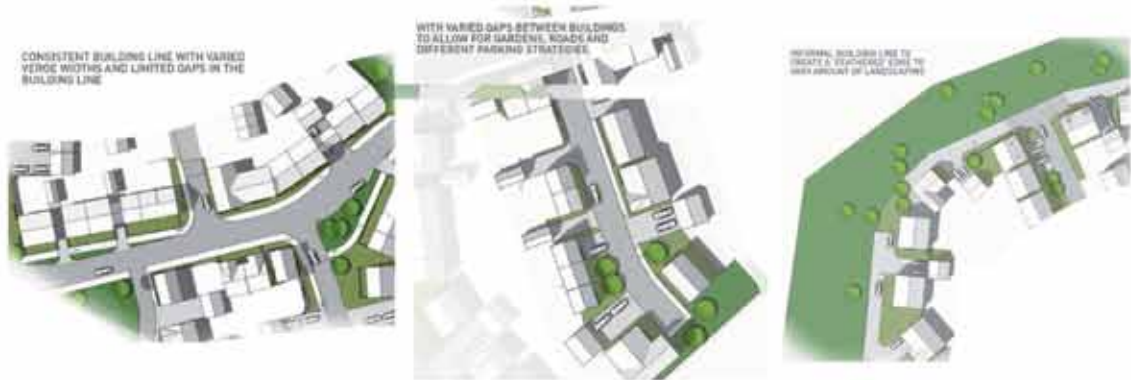
Character Areas



Rooflines



Building Lines



Boundaries



25. Design Codes may be used to ensure that: master plans are implemented, the quality of development between phases is consistent, and the planned character areas are clearly distinct. (Images: Pegasus Group)

## Does the scheme sympathetically integrate with existing buildings, landscape or topography?

All development sites are different, and we expect designs to try and enhance this distinction. This is particularly the case where sites have characteristics that need protecting or which might enhance a scheme. Such things include the topography of the land, features providing a distinctive historic character or identity, aspects of the ecology and landscape including trees, or views into, through or from the site.

National government guidance in *TAN 5 Nature and Conservation* requires developments to integrate biodiversity into all planning decisions, as well as ensuring species and habitat protection and mitigating the effects of climate change. *TAN 12 Design* stresses the importance of context and site analysis in highlighting any important assets as a precursor to enhancing them in a design.

Working with or enhancing these aspects of a site will add value to a development because these features are often important to and popular with both established and the future residents in an area. We will resist schemes which have not understood and appreciated these specific aspects of a site.

### Issues to address

Use landscape architects to produce a landscaping strategy which integrates the scheme with the surrounding context.

*26. Integrate any listed buildings or other historic features of a site into a scheme in an acceptable way*

Respond to and reinforce locally distinctive patterns of development (listed buildings (26), conservation areas and historic parks and gardens) and landscape designations (TPOs, SSSI, sites of importance for nature conservation).

Respond to any specific aspects of the topography, by either building along contours or, where possible, creating some drama in the townscape by exploiting the slope.

Protect or enhance any site elements which contribute to local character, where they have a long term sustainable future as part of the development.

High ground or sloping topography can make development prominent in surrounding views of the site and particularly sensitive design is required in such cases.

Exploit existing or new views to attractive aspects of the context or features of the new scheme (27 see over).

Complement the scale and massing of neighbouring built forms, unless a specific acceptance of a change in scale and massing has been indicated as acceptable.

Integrate established trees (28 see over), hedgerow and other landscape elements that must be retained through the clear designation and treatment of ecotones or buffer zones.

Explore opportunities to protect, enhance and create connected wildlife habitats and also encourage biodiversity. Strategic woodland corridors affected by











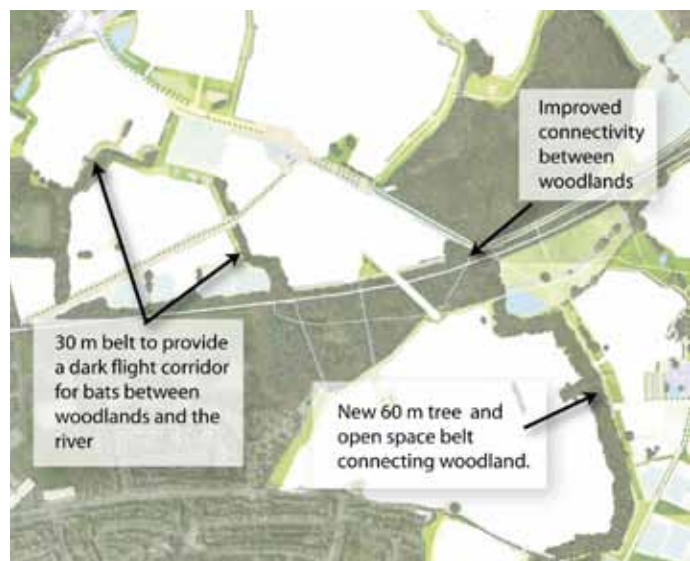
28. Integrate existing trees into new public spaces

urbanisation can be protected through the introduction of appropriately wide green corridors (29).

We will ensure that the habitats of protected species are maintained and enhanced as a result of development proposals, through both the design of a scheme and plans for public space management.

Translocate habitats for any protected species affected by a development and which can't be successfully accommodated within a site.

Don't create awkward or unusable pieces of land which have no clear function or aesthetic value, or which will be difficult to manage and maintain (30).



29. Strategic wildlife corridors



30. "Left over" areas of land should be designed out of schemes.

## Do the buildings and layout make it easy to find your way around and result in an attractive townscape?

New residential areas should be easy to understand for both residents and visitors. A neighbourhood that is easy to understand tends to feel safer and more secure, whilst people will know how to travel directly across a wider area. This requires a clear network of reasonably direct and distinctive streets and urban spaces that are interesting, welcoming and people-friendly. People are helped to navigate themselves along this network where there are also distinctive landmarks and focal places, memorable views, works of art and also well placed signage. By contrast, indistinct housing or even walls or fences located along standard roads forming winding cul-de-sacs can make it feel less safe whilst also being more difficult to know where you are or where a route might be going. Sometimes the design of buildings and the urban space at key junctions should be treated with particular care. These are the points that people need to know where they are, whilst the design of the environment should provide orientation to where people might want to go.

We will resist developments which result in an indistinct or placeless character, and where we anticipate people will become easily lost.

The residential townscape is determined by how buildings and aspects of the landscape are grouped to form different views and vistas, and create different places in a scheme. The quality of a townscape is also influenced by some aspects of the exterior landscape and architectural detailing which will be discussed when we look more closely at the design of homes and streetscapes.

Views, vistas and the resulting places can be well composed and attractive, or poorly considered and chaotic or even dull. A good townscape will result in places in a scheme being distinctive and memorable. Thinking about the townscape is an established tradition in urban design. Understanding key views requires images that show the three dimensional aspects of a design from the viewpoint of a user. Normal plans and elevations don't always clearly express what people will see in places. Aerial 3D views don't show us evidence of what people will see from ground level. Good street-level views should be used to design what is experienced at the human scale, even in developments which might include large buildings.

Cardiff already has many attractive townscapes, but an interest in townscape doesn't require the re-creation of traditional or established forms. We will encourage

either traditional or contemporary townscapes which exploit the opportunities for place making afforded by the *Manual for Streets*.

Places that lack distinctiveness and interest will be less popular and might be less interesting to walk or even cycle around. Boring places make even short journeys feel longer. As part of a wider commitment to supporting active travel we must ensure that walking routes are attractive so that walking becomes a positive choice. A good townscape involves ideas about the strategic views and places to be introduced into a scheme, but it can also involve thinking about how houses are grouped together. We will ensure that standard houses, in particular, have been used and adjusted to create a considered townscape.

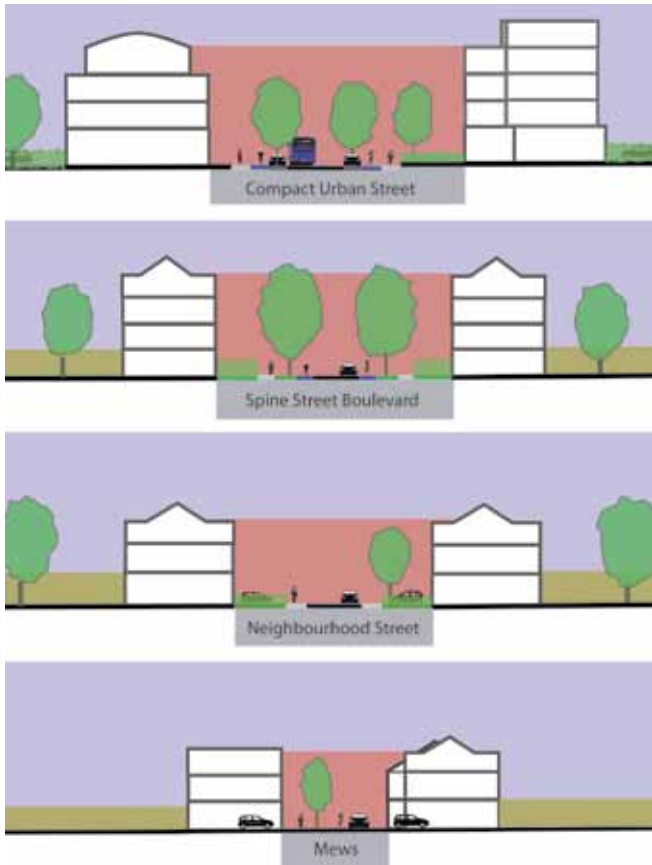


## Issues to address

Link new residential areas to key uses, facilities and open spaces in the established settlement via direct and legible routes which are well overlooked and lit.

Establish a direct and connected pattern of streets and spaces for pedestrians and cyclists within the scheme.

Design the street sections to establish a spatial hierarchy which allow the status of streets to be reflected in their form, whilst creating variety in the layout (31).



31. Varying street sections will establish a spatial hierarchy

Frame streets and public spaces with key building facades and active frontages, and not walls and fences, to help highlight them as distinctive places and maintain overlooking.

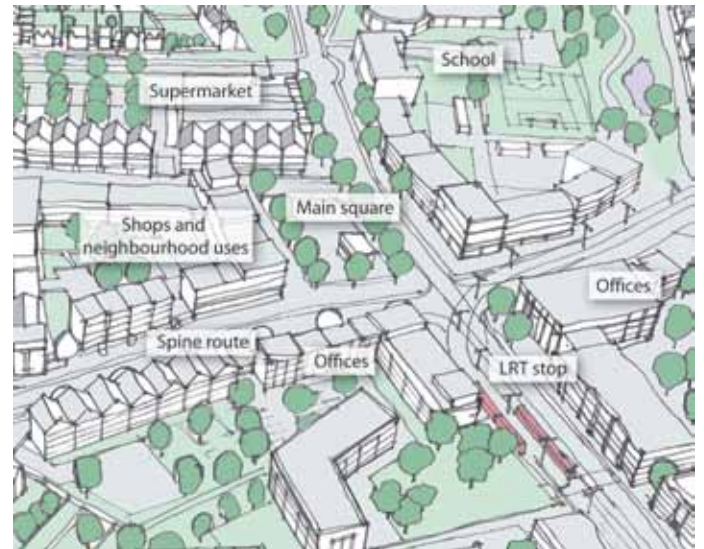
Integrate key views into the design towards significant landmark buildings or features either outside of, or inside the site. These will be identified in a thorough site and context analysis.

Locate and design any marketing suite and homes so that they do not impact on the long term design integrity of any prominent street or space.

Use key uses or create distinctive building groupings, views, gateway and landmark features to aid way finding by establishing a memorable townscape at key points in the scheme (32).

Use changes in scale and massing of buildings, or elements of a building, to highlight important spaces and intersections (32).

Locate distinctive urban spaces in a development at focal points created by the pattern of access. People can use them to orientate themselves, they can form a social focus for residents from a group of streets, and they can accommodate parts of a sustainable urban drainage scheme, larger trees and possibly also local play facilities (32).



32. Key points in a scheme, where important routes meet, can be the location for any commercial and neighbourhood uses, a prominent public space, and buildings forming a distinct townscape.

The relationship between streets and public spaces and homes should be as direct and straight forward as possible for both residents and visitors, so that people can easily find front doors.

The entrance to apartment blocks should be legible and welcoming. Apartment blocks should also be identifiable with clear signage providing block numbering or naming.

Ensure that pedestrian level views of the townscape are prepared so that the townscape character can be understood and adjusted.

Design buildings at prominent corners to reflect their position in a layout. Ensure they have a suitable scale and massing, with facades that are equivalent in terms of materials and detail, and windows that offer adequate surveillance of the two streets (33 see over).

Close or punctuate significant views through a scheme with specially designed buildings or landscaping (34 see over).



33. Buildings on significant corners should be designed to have a degree of prominence, whilst also having a plan and facade that offer a frontage treatment when seen from either street. Ingress Park, Greenhithe.



34. Close or punctuate significant views through a scheme with specially designed buildings or landscaping



35

Ensure landscaping and boundary treatments reduce the impact of frontage parking on street views (35).

Avoid close-boarded fences on boundaries that front onto public spaces and parking areas as they can have a poor visual appearance (36a). Introduce more attractive solutions (36b).



36a



36b



## Does the scheme include adequate provision of well-designed public spaces?

Public spaces should be designed by landscape architects. These professionals know how the design of public space should be approached. They understand that a good quality of public space is central to residents' satisfaction with their neighbourhood. Public spaces include the streets, but also other types of urban or green spaces, including play areas. Their quality can make walking and cycling a pleasure, and therefore support healthier lifestyles. They can reinforce a sense of place, local identity and pride, and they can help people find their way around. They are one of the places that neighbours will meet.

In the past the success of public spaces was sometimes judged by the amount that was provided. Today we know that an over-provision of poorly designed public areas has not been successful, and so we are interested in securing the right amount, but also ensuring it is of good quality, with plans for its ongoing use, management and maintenance.

Standards for the provision of different types of open space in new residential developments will be found in the relevant chapter of the *Green Infrastructure SPG*. Concern for standards is not, however, enough.

37. Principles for informing and evaluating the design of public spaces in residential areas. Adapted from 12 Quality Criteria, Gehl Architects.



Different forms and character of public space are at the heart of place making. We will expect designs for larger schemes to introduce a variety of residential settings and spaces to give parts of the scheme character, as well as accommodating a variety of types of open space. Key public spaces must be located appropriately, rather than resulting from left over space following the positioning of highways and homes.

Public spaces should be designed to successfully combine ecological, visual or social functions. As a result we will also judge the design of spaces against a consistent set of principles which will ensure that all spaces are safe, healthy and comfortable, and also providing spaces that residents will enjoy (37).

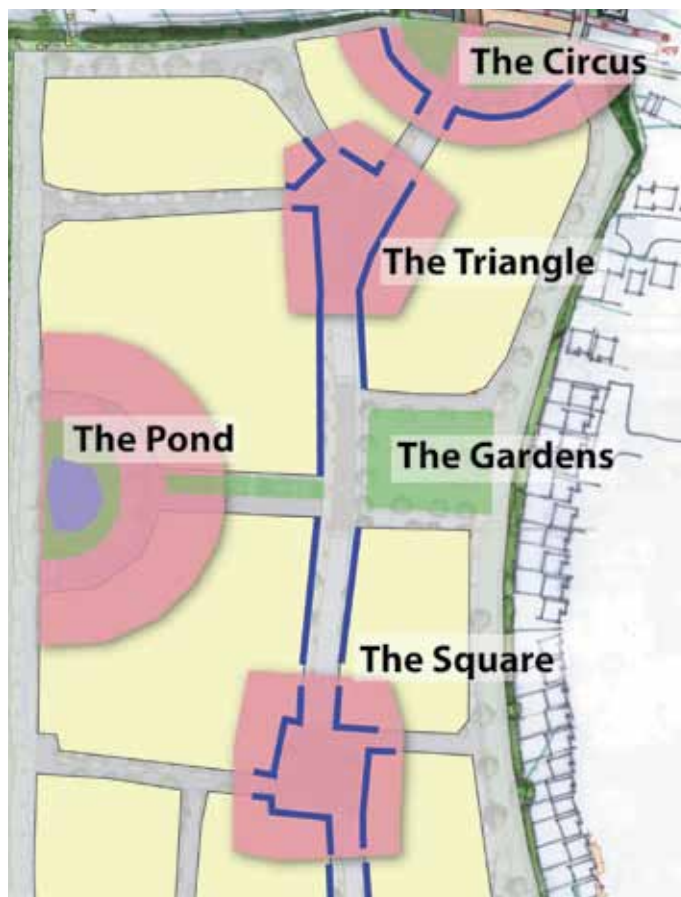
Spaces must be designed to both be and feel safe, and protect residents from any unpleasant impacts which might be felt from a site's context. They should be designed to allow use for active travel, sitting and socialising.

Families are keen to know that their communities contain suitable play areas, and a hierarchy of play spaces for both young children and teenagers should be integrated into a design to ensure that there are opportunities for all ages and abilities in convenient, safe, accessible and attractive locations which are well overlooked, but will not attract anti-social behaviour. These spaces should reflect current thinking and be of a high quality to attract children and families and become a valued part of the local environment. Poor quality or unimaginative spaces will not be attractive to young people, will not be valued by a local community and might fall into disuse.

The scale of urban spaces should be at a human scale, with concern for both the hard and ecological landscape. The details of a space should be robust and attractive and designs should support sustainable patterns of drainage, protect important natural assets and otherwise promote biodiversity. We will make use of specialist advice regarding ecology and trees, and particular attention will be given to protecting existing good quality trees and finding space for new large trees in developments.

Spaces should be developed as homes are built, and we shall seek to ensure that phasing of a wider development accounts for this.

Finally we will want to ensure that sustainable plans are in place for the future management and maintenance of public spaces.



38. Developments should be designed around ideas for distinct places within a scheme. Schemes exclusively dominated by the character of highways will be resisted.



39. We will resist forms of development that do not front neighbouring public spaces

### Issues to address

Designs will show how they accommodate a range of urban spaces within the built form (38).

Design landscaping to maintain sight lines across spaces and provide a reasonable degree of overlooking of public spaces from neighbouring homes. We will resist forms of development that do not front onto neighbouring public spaces (39). Open space that is tucked away in the corner



of the site, or has housing with high boundary fences backing onto it, should be avoided as this frequently leads to long term problems of anti-social behaviour. Open spaces that are out of sight and difficult to access are seen as a threat rather than a positive asset by residents. The key design aim is to create a sense of ownership and safety.

In outline applications landscape/ green infrastructure parameters plans should clearly set out strategic open space and green infrastructure concepts which can be carried forward to reserved matters applications. Such plans should set out objectives for different areas and routes and consider long term management. This might include areas for householder/ community management.

Attention should be paid to resulting micro-climates in all planned open spaces to ensure that the anticipated effects of wind and shadow will not affect the planned use of spaces.

Lighting schemes will be provided which enhance feelings of safety in all public areas of a development.

Although extreme conditions are reasonably rare, we will want to ensure that open spaces are not badly affected by exposed conditions, and in particular traffic, pollution and noise. Spaces will be located to offer excellent environmental conditions for social activities.

Hard neighbourhood spaces should be provided at a human scale. Research has suggested that spaces larger

than 60 metres can start to feel over large. Overlarge public spaces between buildings can feel dangerous and anonymous. A rule of thumb is that spaces should be designed so that people in neighbouring properties can recognise the people coming and going across the space. This is called a social distance. The building of dense and tall residential buildings should not result in overlarge neighbourhood spaces.

Access to areas of public space will minimise the impact of traffic through appropriate highway designs, providing treatments which allow young children independent access without the need of parental supervision (40).

Unless otherwise dictated by natural site features, locate the main open space centrally, or where it is easily accessible from all parts of the new development and, where appropriate, other neighbouring developments. This makes it a focal point, helps in orientating visitors entering the development, and encourages use by the whole community.

Designs for open space should account for how they provide a range of activities and benefits for a wide range of residents, in line with the themes introduced in Figure 37. Open space should be multi-functional and flexible to take into account the differing needs of those living, working and visiting the area.



40. Highways should be designed to allow young children access to open and play spaces without parental supervision. Recent guidelines in *Manual for Streets* are being implemented to allow this to happen. The above examples show shared space solutions.

Open space should build in resilience to climate change, providing flood mitigation for extreme events to protect surrounding buildings and infrastructure. The primary function of the open space however should remain as a space that can be used actively for recreation, with well drained ground conditions allowing good drainage and recovery after extreme weather events.

Plans should provide for both formal and informal play opportunities in line with requirements in the *Green Infrastructure SPG*, and play spaces should be designed in accordance with current thinking.

Further guidance on the provision and design of open and play spaces can be found in:

- *Green Infrastructure SPG (forthcoming)*
- [www.playwales.org.uk](http://www.playwales.org.uk)
- Play England (2008) *Design for Play*

Within an open space the most active areas (eg play areas, teen areas, seating) should be in highly visible locations, but at a sufficient distance from properties to minimise disturbance

Trees are a popular feature of streetscapes which must be located to have ecological and townscape impact in spaces that are suitable for them. Tree planting should be given proper consideration during the early design stages rather than being treated as an afterthought.

Further guidance on planting trees can be found in:

- *the relevant part of the Green Infrastructure SPG (forthcoming)*
- *The Cardiff Public Realm Manual*

Designs should demonstrate how they can accommodate both avenue and large specimen trees, and plans and sections should accommodate the provision of both planting and growing space for all relevant varieties that are selected (41).

We would prefer layouts that accommodate a number of large, long-lived trees planted in “fit for purpose” beds, rather than a larger number of small or fastigated trees, squeezed in wherever there is space left over.

If public spaces are not offered for adoption then a viable strategy for their management and maintenance will be secured through planning condition and legal agreement.

Where necessary, open spaces should be implemented on a phased basis as new, adjacent homes are completed, to ensure that open spaces are created as the community develops, rather than left to the end.

Treatments should be informed by Cardiff’s adopted *Public Realm Manual* which provides detailed advice about how to approach the design of the public landscape, including the streets in residential areas.



41. Plans and sections should demonstrate how tree crown and root growth will be accommodated in relevant growing areas.



## Do the buildings and layout help to make it feel safe and secure and reduce opportunities for crime?

It is well understood that the design of residential areas can help people feel safe and reduce opportunities for crime.

Four qualities help to achieve this:

- vitality or coming and going by neighbours and the public means that there are people about who can keep an eye on things.
- a clear and effective distinction between public and more private spaces means that people know where there is a right of access or control.
- views from neighbouring homes of all public areas through the use of windows, lighting and good design of the landscape mean that people feel safe, whilst potential criminals might feel observed.
- Footpaths with an open aspect and overlooked by adjoining dwellings means that all areas of public space will have surveillance and feel safe.

We will support schemes that have these qualities, and

resist designs which result in places feeling unsafe or creating potential crime hot spots. Further advice on this issue might also be sought from the Secured by Design web site ([securedbydesign.com](http://securedbydesign.com)) where there is detailed advice about designing new home and residential spaces.

As part of a wider commitment to supporting active travel we must also ensure that walking and cycling routes feel safe all of the time so that walking and cycling becomes a positive choice.

### Issues to address

The network of streets and other public routes should be direct and visually open, and in a network that will encourage good levels of use throughout the day, safely mixing pedestrians and vehicle users (42).

Footpaths and parking areas will be overlooked by habitable rooms.



42. Networks should be direct and visually open, with the main public routes for all users fronted and overlooked by homes.



Maintain a clear distinction between public and private areas through the design of a scheme, with public routes at the front of dwellings. The pattern of permeability should not result in a preponderance of public routes to the rear of properties (43).

If segregated footpaths are unavoidable they should be well lit and have good site lines along their length to avoid potential hiding places.

Locate utility meters in the public realm, but not as a prominent feature on a building facade (44).

We will resist designs leading to public areas of development resulting in blind corners, and which might be intimidating for users (45).

Where alley ways are being suggested as a supplementary form of access, we will expect them to be gated and controlled by residents if there are otherwise inadequate defensible space measures, such as direct surveillance of the route from neighbouring homes (46).

Gated communities will not be accepted where they negatively impact on the reasonable permeability of a wider area or result in poor surveillance of neighbouring streets and public spaces.

43. Maintain a clear distinction between public and private space in a resulting block structure



44. Locate utility meters in the public realm, but not as a prominent feature on a building facade



45. We will resist designs that result in public areas of a development which result in blind corners.



46. Where alleyways are a necessary feature of a design, if they are not overlooked we will expect them to be gated and controlled by residents.



## Does the development have features that reduce its environmental impact?

*Planning Policy Wales* and national planning policy guidance expects the planning system to provide new homes and buildings in a way which is consistent with sustainability principles. This is explained in the Welsh Government publication (2014) *Practice Guidance: Planning for Sustainable Buildings*.

Well-designed schemes are energy efficient and minimise or even enhance their life time impact on the natural environment. More environmentally sustainable homes and developments: require as little energy as possible and exploit renewable energy sources; sustainably manage the use of water within and from the site; and include a landscaping strategy that explores the potential to maintain and develop a site's biodiversity. Major developments of over 100 dwellings are, in particular, required to explore how low carbon and renewable energy technologies and supply systems can be used within their schemes.

### Issues to address

Provide a layout that optimises solar gain for homes by ensuring that principal living spaces benefit from a southern aspect (47).

Use designs that minimise energy demand and include alternative or renewable energy sources in the development.

Major developments of over 100 dwellings will need to submit an independent energy assessment investigating the financial viability and technical feasibility of

incorporating renewable and low carbon technologies into their scheme, in line with policy EN12 of the *Cardiff Local Development Plan*.

Adopt a water efficiency strategy and explore opportunities to include rainwater harvesting, grey water recycling systems and green roofs.

Minimise surface water runoff from sealed surfaces such as driveways and paths.

Integrate a sustainable urban drainage (SUDS) system into the site layout, to control surface water runoff and therefore reduce the risks of flooding, promote biodiversity and create a valuable amenity asset (48).

Highlight "blue corridors" in an initial phase of analysis and design to properly account for surface water flow paths and the space needed to accommodate any future water attenuation.

Drainage schemes will be required to attenuate volumes of water to accommodate rainfall events 1 in 100 years, plus a 30% climate change allowance, pending agreement. This significant volume will need to be accounted for in the layout of the development, and preferably with above ground attenuation.

Recent guidance on SUDS can be found in *Welsh Government (2016) Recommended non-statutory standards for sustainable drainage (SuDS) in Wales*. Further advice on SUDS in Cardiff will be found in the *Green Infrastructure SPG* and in a forthcoming SPG dedicated to the topic.



47. Homes designed and located to optimise solar gain can be a good option.

The adoption of sustainable drainage schemes will need to be considered at pre-application stage and it is recommended that early conversations with the Council and Dwr Cymru/Welsh Water are undertaken to ensure that the development is acceptable to the relevant body and adoption agreements are set out in principle.

Include a landscaping strategy which will increase biodiversity based on native species (49). Good advice on designing for biodiversity can be found elsewhere. See for example the forthcoming Green Infrastructure SPG and also: Town and Country Planning Association

(2004) *Biodiversity by Design: a guide to sustainable communities*, or Town and Country Planning Association and the Wildlife Trust (2012) *Planning for a healthy environment - good practice for green infrastructure and biodiversity*, or Wildlife Trust Wales (2016) *Green Infrastructure: a catalyst for the well-being of future generations in Wales*.



48. We will welcome developments integrating sustainable urban drainage which is designed to be an attractive and interesting feature of the environment.



49. We will welcome residential landscapes designed and managed to promote biodiversity.



## Street and home

At a detailed level, new homes contribute to forming streets and other types of urban space, whilst they also have an impact on other homes in their immediate context. At this scale we want to see ideas for the character of streets and spaces through concern for detailed aspects of the new townscape. We want to ensure that public spaces are all inclusive, providing safe and convenient access for everyone. We want to ensure that there is enough car and cycle parking which must be well designed into a scheme. Schemes should conform to standards for both privacy and amenity. Homes should provide adequate facilities for the management of waste and recycling. Resulting streetscapes should also be both robust and attractive.





## Are the streets and spaces defined by buildings and landscape so that the highways do not dominate their character?

Our streets and other types of public space will be designed to be distinctive places where residents can enjoy a good quality of life. They will be designed for all street users and should be regarded as social spaces which accommodate a mix of activities common to residential areas, including walking and cycling as well as children's play. These spaces will be a key focus in our neighbourhoods, and we will encourage designs which create a distinctive and interesting urban design and landscaping framework. Homes should therefore be designed according to how they contribute to this framework. Of particular need is to ensure that these streets and spaces have frontage and are well overlooked so that they feel safe and are also likely to be well used by pedestrians.

Streets should accommodate necessary vehicular access and parking without giving exclusive preference to meeting the needs of drivers. As such, their spatial and visual character should not be dominated by adherence

to rigid highway standards. *Manual for Streets* highlights a movement towards combining distinctive street character types with more traditional standards for roads based on traffic flows and the number of buildings served. We expect the spatial and visual character of different places in a scheme to be designed first, and then any standards to be fully met within the design of the places.

We embrace the guidance presented in *Manual for Streets 1 and 2*. We will therefore resist forms of highway treatment based on either *Design Bulletin 32*, which has now been superseded, or *Design Manual for Roads and Bridges* which is not relevant to these types of highway.

### Issues to address

Position buildings and landscapes to establish a distinctive urban form. We will resist developments where the character of a scheme is based around the design of roads (50).



50. It is expected that the character of places within a scheme will be designed before detailed highway ideas and standards are applied to a layout.

Design the spatial character of streets and public spaces to reflect their position in the hierarchy.

Design buildings, or groups of buildings, to turn corners, so that elevations in prominent locations have a design quality consistent with the principal façade (51). Ensure all public areas, including streets and alleyways, are overlooked.

Entrances to buildings should be oriented towards and visible from the street.

The transition from public space to home should be designed to enhance the kerb appeal, with care in the design of boundary treatments, bin storage, landscaping and entrances.

Well-designed boundary treatments, such as walls and fences, reinforce defensible space and can be a prominent and attractive feature of the townscape (52).

Boundary treatments visible from the public realm should be a good quality, with robust materials complimenting those used in buildings. Indistinct fencing, such as close board fencing, can be used in positions not visible from public spaces.

*51. Designs should consider how homes turn prominent corners so that surveillance and the attractiveness of the frontages are maintained.*



*52. A design code for this development specified the need for simple white timber fencing of a particular height, leading to a great variety of designs which enhance the streetscape.*



Dimensions accommodating manoeuvring vehicles in the highway area, like hammerheads, shall be accommodated within well designed urban spaces, instead of dictating their form and character (53).

*53. Highway engineering measures should be seamlessly integrated into the place making ideas (bottom) rather than dictating and dominating the resulting character (top).*



## Are streets and public spaces designed with a clear purpose and to a standard that meets the needs of all potential users?

The Welsh Government expects developments to be inclusive, and designed to provide access to the widest range of people, but showing particular awareness of the specific needs of older people, children and people with mobility or sensory impairments. In addition the design of residential streets should accommodate the needs of all users through a process which meets the needs of vulnerable users first, before considering the accommodation of other forms of movement. In general streets should meet the needs of people in the following order: pedestrians, cyclists, emergency vehicles, and then other vehicles. This approach ensures that pedestrian and cyclist routes are short and direct and junctions are easy and safe for them to cross.

### Issues to address

Design all routes to accord with current national and local supplementary planning guidance and standards for parking. Further information:

- Welsh Government (2014) *Design Guidance Active Travel (Wales) Act 2013*
- *Managing Transport Impacts and Parking Standards SPG*
- Cardiff Council, *Cardiff Cycle Design Guide*
- Department for Transport (2007) *Manual for Streets*
- Department for Transport (2010) *Manual for Streets 2: Wider application of the principles*

Create streets with built forms and highway designs which result in vehicle design speeds of no more than 20mph.

Obtain a *Stage 1 Road Safety Audit* and *Combined User Audit* from the Highway Authority to highlight any problems regarding highway safety, active travel, inclusive accessibility and environmental aspects of a scheme. These will highlight any road safety problems that can be rectified before a Stage 2 Road Safety Audit completed as part of the Technical Approval.

Ensure that all public spaces are designed to be inclusive so that all people, including the more vulnerable, can move freely, safely and efficiently within and between neighbourhoods or get a similar quality of access to the rest of the city:

- Levels across a layout must ensure accessibility for all users, with provision of appropriate slope gradients of about 5%, with potential to have no more than 8% over very short distances.

- Buildings should have level entrances.
- Path and drive surfaces should include routes that are firm, level, non-glare and non-slip when wet or dry. Exclusive use of loose materials, such as gravel, cobbles and uneven setts, is not recommended.

Further guidance in inclusive design can be found in: Department for Transport (2005) *Inclusive mobility*.

Consult the City's Access Officer at an early stage of designing strategic developments and schemes involving a significant provision of public space, to seek help in identifying barriers to access and getting guidance on adjustments.

Accommodate direct and safe pedestrian, cyclist and vehicular movements at junctions and corners. Further information:

- Welsh Government (2014) *Design Guidance Active Travel (Wales) Act 2013*
- *Managing Transport Impacts and Parking Standards SPG*
- *Cardiff Cycle Design Guide*

Swept path analysis will be required to prove that highway geometry will be adequate to accommodate emergency, domestic waste and delivery vehicles on all highways and in turning areas, and also for buses on designated routes.

Junctions are key spaces in a neighbourhood and their spatial and visual character should not be dominated by unnecessarily generous visibility splays or excessive corner radii (54).

Ensure that junction designs along busier roads embrace current thinking and practices, meeting the needs of pedestrians and cyclists, whilst allowing efficient and safe vehicular movements.

Design streets as informal social and play spaces by exploring the use of well-designed shared space or "home zone" treatments, reflecting principles and lessons from current guidance. See the specific guidance on page 46/47.



54. On quiet residential streets, traffic goes slower where visibility is constrained, whilst a more vivid townscape is also possible. Shared space treatments can help establish plenty of room for vehicles to manoeuvre.



Street lighting should be located to provide a suitable level of illumination of all public spaces and positioned so that lighting columns do not obstruct footways. Trees and other forms of planting should not be planted where they will grow to limit the reasonable effectiveness of street lighting.

Design all highways, cycle routes and footpaths to comply with the minimum dimensional standards presented in Figure 55.

In relation to the Council's winter maintenance of roads, developments may be asked to accommodate grit bins in suitable locations.

Paths for non-motorised users should be designed to include measures that will deter misuse by prohibited users. The use of barriers (see an example in 53, top image) should be resisted, as these features may discriminate against, or also be barriers for, legal users, and may contravene the Disability Discrimination Act.

55. Required dimensions for highways

Type	Spine Streets / Special Bus Route	Residential Street	Areas designed using home zone principles	Route segregating cyclists and pedestrians and also segregated from traffic	Shared cycle and pedestrian routes, segregated from traffic	Segregated cycling route	Segregated pedestrian route
Description	Significant route providing access through the neighbourhood.	Typical design for a residential street	Shared surface residential streets, designed using home zone design principles.	A route shared by cyclists and pedestrians, but where different users are segregated.	A path shared by cyclists and pedestrians where users mix.	A route used exclusively by cyclists.	A route used exclusively by pedestrians.
Maximum design speed	20 mph	20 mph	< 20mph	-	-	-	-
Number of homes served	No upper limit	Up to 200 dwellings	Up to 100 vehicles per hour at peak times	-	-	-	-
Carriageway requirements	6.3m (min)	5.5 – 4.8 m	See separate guidance on home zone design	-	-	-	-
Junction requirements	-	Tabled from a spine road	Tabled into the shared space	-	-	-	-
Cycling requirements (plus clearances as given in the 'Active Travel Guidance')	3 metre. Segregated from carriageway and footway.	On street	On street	See DE021 – DE024 in Design Guidance – Active Travel (Wales) Act 2013			
				3m (clear width)	At least 3m (if busy consider segregation).	3m (clear width)	-
Footway requirements	2 m on both sides (clear width)	2 m on both sides (clear width)	Shared surface, but route protected from traffic and parking for vulnerable users.	Pedestrian route 2m.	-	-	At least 2 m (clear width).
Frontage development	Required	Required	Required	-	-	-	-
Domestic parking arrangements	On plot. Behind the building line, or shielded by front boundary treatments.	On plot, with landscaping to limit the impact of parking on street frontage views.	On plot or on street with landscaping to limit the impact of parking on street views.	-	-	-	-
Visitor or incidental parking arrangements	On street but not impeding the carriageway or anticipated tracking. (Note that parking width will be additional to the 6.3 metre carriageway).	On street, in designated spaces.	On street, in designated spaces.	-	-	-	-



## Shared space streets using home zone design principles

**Designs using home zone design principles result in residential streets in which the road space is shared between vehicle and other road users (56). The aim is to reduce the impact of traffic, change the way that streets are used and to improve the quality of life in residential streets by making them places for people, and not just dominated by moving or parked vehicles. The design of the environment should make it clear to motorists that they share the street space with other people, and that they should drive accordingly.**

Within such environments the street will be designed to reduce normal traffic speeds to below 20mph.

Reducing traffic speeds to the recommended design speed will be achieved more easily where there is a stepped reduction in speed on the approach to the area.

Home zones should be located at the most local end of the road hierarchy and be the destination for most traffic.

Carriageway design should include features which limit forward visibility, and encourage slow driving, but also be designed to accommodate larger vehicles.

The highway width available for all users should not create unacceptably wide paths for motorised users, nor make manoeuvring unduly onerous for larger vehicles that may need to enter. Routes for vehicles will have to be validated by swept path analysis to the satisfaction of

the highway authority.

Various techniques may be used to achieve the desired design speed including: shared surfaces; indirect routes for vehicular traffic; careful highway design, areas of planting in the street; careful use of surface materials; features to encourage the use of the street, such as seating and play equipment; and appropriate signs and 'gateways' to mark the limits of the area.

Care should be taken to avoid a "wall to wall" paving treatment that erodes street character. Paving of any shared surface areas can reflect the use of the space, and in particular, highlight the path for vehicles, areas of parking or sitting and play spaces. Material choices for adopted areas should be based on the palette in the *Cardiff Public Realm Manual*.

Vehicles should not have to travel more than 400 metres along a home zone. Longer distances can result in driver frustration.

Home zones should not experience more than about 100 vehicle movements during the afternoon peak hour when there is the chance of most conflict between people driving and other street users, including children playing.

A designated safe route for blind and partially sighted people, but also for other vulnerable street users, should be provided through any shared space element of a scheme. This route, and the approach to it, should be suitably marked to meet the needs of the visually impaired (57).

56. Well designed home zones successfully combine the listed features.





57. Home zones should include a safe route for vulnerable street users which, through design, limit incursion by any vehicles.

58. We will resist shared surface schemes which, through their design, do not benefit residents by virtue of their dimensions, geometries or anticipated spatial or aesthetic qualities.



It may not be necessary to highlight junction priority in a home zone.

Home zones can be clearly marked at their entrances and exits with carefully designed 'gateway' features, to minimise the need for signage.

Home zone spaces will be defined by buildings and landscaping, rather than by conventional kerb edges and carriageways.

Dwellings that define the edges of a home zone should overlook the space, and front gardens should not be long, ensuring that there is a direct relationship between the dwellings and the home zone space.

Home zone spaces can include features to encourage social interaction such as communal seating areas and play equipment. These should be carefully sited to avoid any loss of residential amenity.

Some on-street parking will be provided in home zones, but it must be provided in clearly marked bays

and arranged in such a way as to not inconvenience pedestrians and/or cyclists.

Opportunities for indiscriminate on-street parking shall be minimised through the careful arrangement of planting and other features within the space, and controlled parking zones might be introduced to regulate the location of parking.

Parking spaces that are provided will be carefully integrated between planting to minimise the visual impact of parked cars.

We will resist shared surface schemes which, through their design, do not benefit residents by virtue of their dimensions, geometries or anticipated spatial or aesthetic qualities (58).

Further guidance on the design of home zones can be found in:

- Biddulph, M (2001) *Home zones: a planning and design handbook*
- IHIE (2002) *Home zones: Design guidelines*



## Is resident and visitor parking sufficient and well integrated so that it does not dominate the street scene?

We are interested in how schemes accommodate both car and cycle parking. How we accommodate car parking in particular is a key concern of house buyers, but insensitive solutions can have a significant impact on the visual character of buildings and streets. We must accommodate the right number of parking spaces. Various approaches to accommodating parking are acceptable, and the best schemes often include a mix of solutions, with approaches adjusted to reflect how parking contributes to achieving other urban design objectives and aspirations. We will resist schemes in which off street parking dominates the visual character of the environment when seen from the perspective of a pedestrian. Street views must be designed to have a deliberate townscape and landscaping, into which suitable approaches to parking are added. At a higher level of detail, the parking needs to be convenient and well overlooked with concern shown for both resident and visitor spaces. The landscaping treatment of parking spaces should also be considered as part of a wider street scene.

59. The best schemes are not dominated by parked cars, and integrate cars into a layout in a variety of ways

### Car parking

#### Issues to address

Provide enough parking for residents located close to people's homes. The best schemes are not dominated by parked cars, and integrate cars in a variety of ways (59). Further guidance on the design and standards for parking can be found in:

- *Managing Transport Impacts and Parking Standards SPG*
- English Partnerships (2006) *Car parking: what works, where*

Ensure parking areas are well overlooked by the people who own the vehicles?

Provide adequate visitor parking located conveniently and intuitively, preferably on or close to the street (60).

In key locations, ensure parked cars are well integrated into the street scene whilst not visually dominating the resulting townscape or frontage. Ensure landscaping or front boundaries are used to soften the visual impact of vehicles parked perpendicular to a building line and/or on-plot and in front of the building line. (61).







60. Visitor parking should be located close to homes, and on or close to the street.



61. Landscaping and good boundaries should shield cars parked perpendicular to and in front of a building line.

Site and design parking so that the principal building frontage and its pedestrian access is from or as close as possible to the street.

Reduce the potential for footway parking through the clear designation of any on-street spaces and the use of features such as kerb build-outs, bollards and planting. Mark individual parking spaces in an attractive way as part of the landscape treatment.

Undercroft parking must only be used and located where it has least impact on prominent frontages. Schemes should ensure that all principal frontages to public spaces are active, with the presence of doors and windows. Key frontages dominated by garages or the screening of parking will be resisted (62).



62. Undercroft parking must only be used and located where it has least impact on prominent frontages.

Access to undercroft parking or entrances through buildings which are uncontrolled by gates should include a sign indicating the maximum height of vehicles that be accommodated under the building. This is to reduce the risk of collision.

Design garages to have materials and detailing consistent with the wider scheme. They should not be positioned at prominent locations in the street scene, such as on corners, in front of consistent building lines or at the end of prominent street vistas.

Where possible, driveway egress widths should be one vehicle wide, so that open driveways do not visually dominate the character of streets.

Ensure rear parking courts are small, so that people who use them will get to know each other. Avoid multiple access points from the public realm, and don't put public routes through them. A safe, direct and convenient route between homes and any rear parking court must be provided. Allow a sufficient budget for appropriate

boundary walls, landscaping and lighting. Think about if their location and the local crime rate justifies the installation of gates (63).

We will resist apartment developments where principal living spaces face directly onto car parking areas or courts with inadequate landscaping to soften the outlook.

For higher density schemes we would encourage basement or ground floor parking to be covered with a landscaped deck providing private or communal amenity space for residents (64).

*63. Rear parking courts can be an attractive feature of a scheme if they are small, closely linked to and overlooked by well designed homes and attractively landscaped (bottom image). If any of these qualities are missing they can feel a bleak and may not be used (top image).*







64. Higher density schemes can establish attractive and useful spaces on parking decks.

## Cycle parking

### Issues to address

All forms of residential accommodation require adequate bike parking spaces to be designated in a design. Design drawings should show the location and amount of cycle parking being provided in a scheme, and reassure us that this will be sheltered and secure. Further guidance on cycle parking standards and design can be found in:

- Welsh Government (2014) *Design Guidance Active Travel (Wales) Act 2013*
- *Cardiff Cycle Design Guide*, and
- *Managing Transport Impacts and Parking Standards SPG*
- Details on recommended cycle stands can also be found in the *Cardiff Public Realm Manual*

In housing schemes, cycle provision could be designed and built into the front elevations, along with refuse and recycling storage. Any such provision should be designed to be an integral part of the house design, and not appear to be an after thought.

In apartment schemes, convenient, secure, covered cycle parking should be provided within the curtilage of the scheme.

Provide adequate visitor cycle parking in formal public spaces where cyclists might need it. Put it close to key destinations, in locations that have coming and going, are overlooked and well lit. Further advice on standards for on-street cycle parking infrastructure can be found in the *Cardiff Public Realm Manual*.

## Are the individual houses well designed to meet the needs and aspirations of future occupants and also in relation to their context?

Individual homes should be well designed and exhibit architectural quality. This does not mean that we are interested in imposing an arbitrary style of architecture on developers or their designers. It means that homes should be designed to realise the qualities required from this guidance whilst also providing a design of homes which fully satisfy both the needs and aspirations of residents. Homes should:

- provide enough room to accommodate its occupants and their lifestyles in comfort;
- provide for inclusive accessibility, in line with Part M of the Building Regulations;
- be energy efficient;
- be robust and easy to personalise and maintain;
- result in a successful kerb appeal and enhance the appearance of an area.

The best designs might also be innovative and interesting.

### Issues to address

We will encourage buildings which celebrate the positive elements of a local context or provide a good new contemporary character and form. This means that we will encourage groups of buildings which have good:

- scale and massing;
- roof forms;
- building materials and use of texture and colour;
- window proportions and facade composition;
- boundary treatments;
- detailing of all aspects, including porches, entrances and windows, transitions between materials, rainwater goods, eaves, soffits and weather boards, chimneys and ironwork.

We will highlight situations where access to homes might fall below standards of inclusivity through the introduction of steps or slopes, or uneven surfaces, which discriminate against people who have a mobility impairment.

Levels across a layout must ensure accessibility for all users, with provision of appropriate slope gradients of about 5%, with potential to have no more than 8% over very short distances.

Buildings should have level entrances. Path and drive surfaces should include routes that are firm, level,

non-glare and non-slip when wet or dry. Exclusive use of loose materials, such as gravel, cobbles and uneven setts is not recommended. Further guidance in inclusive design can be found in: Department for Transport (2005) *Inclusive mobility*.

We will resist homes which we think, for any reason, will not provide enough room to comfortably accommodate the anticipated occupants.

We will resist bland developments containing buildings which include little evidence of care in their form and composition, a repetition of uninteresting elements and a complete absence of any relevant detailing.

Ancillary elements of a home, such as the boundaries, garages, sheds, cycle parking and waste storage and recycling structures, should be treated as an integral part of the design. Their quality should match that of the rest of the development.

We will resist forms of development where the scale and massing of any buildings or other element of a scheme, are discordant, or aspects of a scheme are poorly chosen or located in the street scene.

We will work to improve architectural compositions where the proportions within a facade or group of facades appear to be random or ill considered.

Materials should be good quality and fit for purpose. They should be selected to compliment the overall composition and visual character of a scheme and also anticipate the effects of weathering.

The Cardiff *Liveable Design Guide* discusses how we want to encourage energy efficient patterns of development and forms of housing. We will welcome homes designed to be energy efficient or otherwise innovative in form and character where all other matters have been dealt with well, including sensitivity to context.

## Does the design conform to necessary amenity standards?

Meeting amenity standards will not, on its own, result in well-designed neighbourhoods, but residents and neighbours are concerned about their privacy, their access to reasonably sized gardens or other types of outdoor space, and also the quality of natural light in their homes. Designs might provide these amenities in innovative ways, and so these common standards will always be used flexibly if a design solution justifies it.

### Issues to address

#### Privacy

- A privacy distance of at least 21 metres will be required between facing windows to habitable rooms on the private side of a development. Design measures can be used to secure privacy by means other than distance, such as by careful window positioning and screening.
- The minimum overlooking distance from a rear window above the ground floor to a private garden area of a facing dwelling should be at least 10.5 metres.
- Where homes are angled at 30 degrees or more to each other, they can be closer together, but measures to limit garden overlooking might be necessary. Such schemes will be judged on their merits.
- The scale and massing of any design must not be overbearing or result in the unacceptable overshadowing of neighbouring properties.

#### Outdoor amenity spaces

- Provide enclosed and secure private rear gardens for all houses and ground floor flats that might serve as family accommodation.
- Gardens should measure at least 10.5m in depth or 50m<sup>2</sup> overall. Visual privacy should be provided for at least part of the garden, and ideally the space immediately to the rear of the dwelling.
- Innovative ways of providing outdoor amenity space are always encouraged and will be considered on their merits.
- Well-designed shared amenity spaces such as roof gardens, communal gardens and additional areas of play can be suitable in some forms of development. Where these are introduced to a suitable design, we will allow the required garden standard to be mixed between these private and shared amenity spaces, so long as all other standards are met.
- For communal gardens, a minimum area of 75m<sup>2</sup> should be provided for up to 5 units with an additional 10m<sup>2</sup> for each additional unit.
- Communal gardens should be clearly defined, secure and private, accessible to all occupants and integrated

to the form and character of the development. They should be designed to ensure that all functional requirements of the residents (equivalent to a private garden) are met, such as relaxation, clothes drying or refuse storage.

- Balconies will need to be provided for apartments with no direct, safe or convenient access to a communal garden or other suitable public green spaces within their vicinity. They should be a minimum of 5m<sup>2</sup>. They should be located in positions where they receive direct sunlight for some part of the day, and preferably with a southern aspect.

Balconies should generally be avoided in established suburban locations characterised by larger rear gardens if they will result in significant overlooking.

#### Outlook

Habitable rooms in individual dwellings, including single aspect flats, should have a pleasant outlook onto streets or amenity spaces, rather than, for example, face a poorly landscaped parking area.

#### Daylight and sun light

The BRE publication *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* provides a series of techniques for assessing the extent to which any development provides adequate daylight and sunlight to habitable rooms within any development, or affected neighbouring buildings.

We will apply these standards to an initial judgement of schemes, and may request further evidence to justify a design approach in certain situations if we are concerned about the likely adequacy and impacts.

We may apply separate assessments to judge the impact of development on a neighbouring outdoor area, such as a patio, and we will typically seek extensions of at least 2 storeys to be away from the property boundary by at least 2m.



## How we will apply daylight and sunlight assessments

The assessment of sunlight and daylight is based on the BRE guidance presented in *Site Planning for Daylight and Sunlight- a guide to good practice* .

Although changes to permitted development rights have allowed certain types of infill development which might exceed these standards, where the opportunity to control exists, we will apply the standards in a reasonable manner.

These guidelines will sometimes be used flexibly as we recognise that light can be provided to living spaces via a number of means which might not be evident from the assessment approaches, whilst certain townscape situations might reasonably deserve some flexibility in their use. As such the standards are initially used as a trigger to invite further justification for a design.

We will resist developments which do not meet these standards without further justification or other reasonable measures being in place to provide adequate light.

The standards apply equally to impacts on both new and existing buildings, and should be assessed accordingly.

The standards will not apply to affects resulting from the height of minor gables

Where the standards are not being met, we will always seek ways to improve the situation to the required standard.

### Affected rooms

This guidance applies to habitable rooms which, according to the layout plan, are the main daytime living spaces of the scheme. Assessments will not relate to toilets, bathrooms, circulation spaces, storerooms, galley kitchens or similar spaces. Rooms containing beds will only be included in an assessment if they form part of the daytime living space.

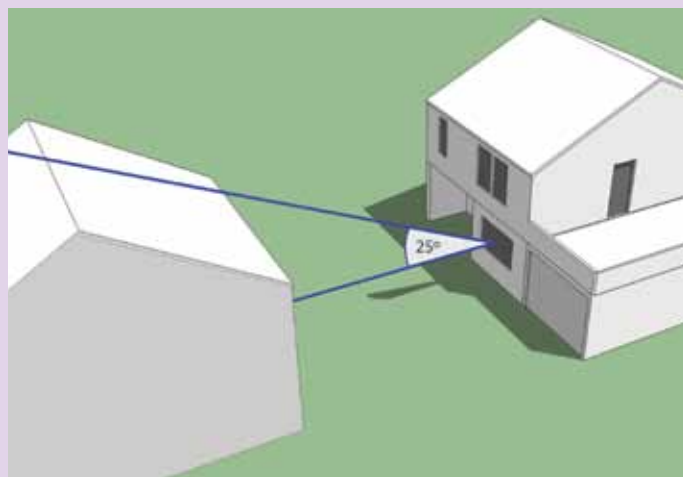
Rooms containing more than one effective source of light, such as windows on other facades, light wells or tubes will not be included in any assessment (65).

65. Rooms containing more than one source of light will not be included.

### The 25 degree rule

The first assessment relates to windows facing other buildings or relevant structures.

A significant building or structure will be obstructing reasonable light to a relevant window if it breaks a line projecting up from the centre of the relevant window 25 degrees from the horizontal (66).

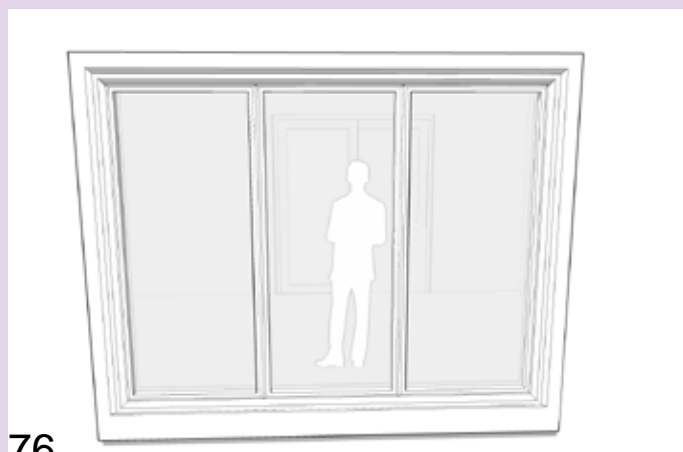


66. The 25 degree line projecting from the centre of the relevant window. In this case the scheme is immediately acceptable.

If this occurs, applicants can prove that windows will not be adversely affected by this structure by quantifying the daylight using the Skylight Indicator or Waldram assessments set out in the BRE publication. The measure of daylight reaching a window should not fall below 27%. Software applications exist to help with such an assessment.

If the window is in a glass door, the line can originate from 2 metres above the relevant floor or storey level.

If a new building is improving an existing situation then the standards may be applied flexibly, and before and after studies should be provided.



## The 45 degree rule

The second assessment relates to any extensions from an existing building line, and windows affected by this extension.

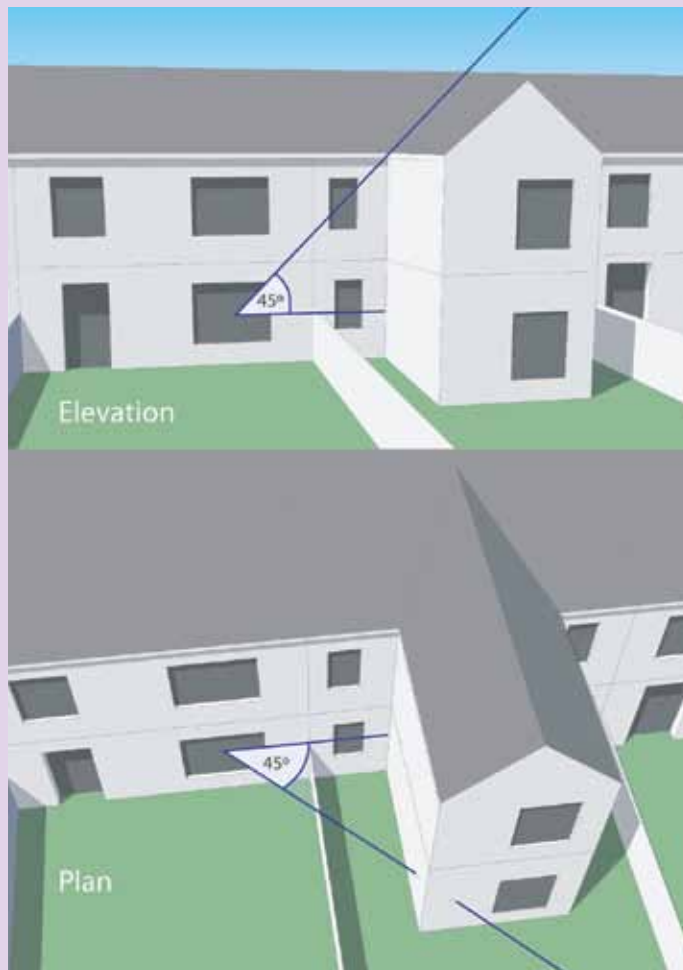
An extension will be obstructing reasonable light to a relevant window if it breaks a line projecting 45 degrees **both** horizontally (assessed in a plan) and vertically (assessed in relevant elevations) from the centre of the window (67).

Extensions with a pitched roof should be assessed from the centre of the pitch.

This measure can also be applied to the assessment of relevant windows in a courtyard.

Facing windows can be assessed using the 25 degree method.

It is particularly important to avoid the tunneling effect, where a window is affected by projecting extensions from two directions.



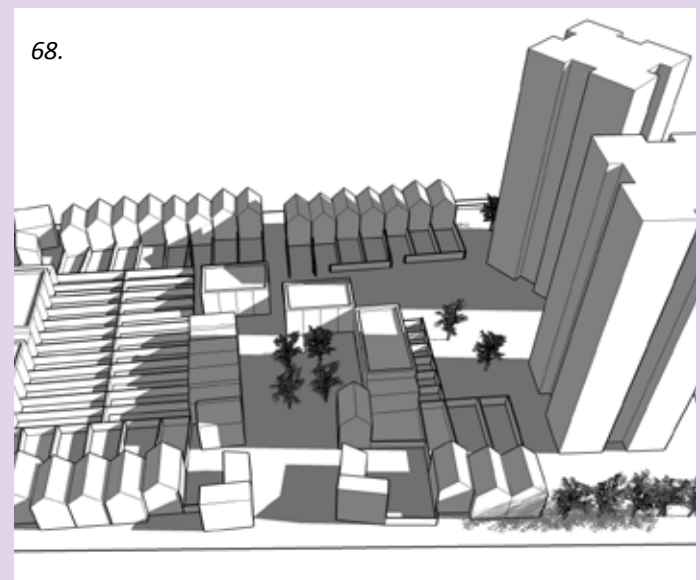
## Sunlight

Windows facing within 90 degrees of due south will gain some direct sunlight for some period of the day, if there is no obstruction.

Sensitive design of living spaces will ensure that each dwelling has a main living room which can receive a reasonable amount of direct sunlight.

## Overshadowing

Outdoor public spaces designed for optional activities, like sitting and playing, may need to prove, through shadow modelling (68), that the spaces receive direct sunlight between the start of April and the start of October.



67. A 45 degree line projecting from the centre of the window in both elevation and plan shouldn't hit the relevant extension. In these cases the scheme is acceptable in elevation, but the plan shows the extension is too deep.

## Does the design include adequate and well-designed waste and recycling facilities, and care in the location and integration of meter cupboards?

Waste collection and storage facilities can have a significant impact on the visual character of a development, whilst their location in a scheme can impact on their convenience of use and collection. Well designed schemes will consider waste facilities to be an integral part of the architectural or landscape treatment. In a similar way, meter cupboards can be either an unnecessarily prominent feature of a facade, or they can be positively integrated and visually unobtrusive (69).

### Issues to address

Specific information about, and standards for design for, waste and recycling collection services and facilities can be found in the *Waste Collection & Storage Facilities SPG*.

Schemes should provide suitable spaces for the storage of general waste bins, recyclable material containers, food bins and garden waste bins (only where a garden is provided). The storage of waste cannot occur on the highway or in public spaces.

A degree of flexibility is required for any waste storage area, due to the ever changing nature of waste collection methods used by this Council. Waste may be separated

into further waste streams which may require the storage of more/different containers

Facilities and spaces should be an integral part of the design and be sensitively located, well-screened and easily accessible for both residents and collection crews.

In particular, any refuse storage areas visible from public spaces should be well integrated into the street scene.

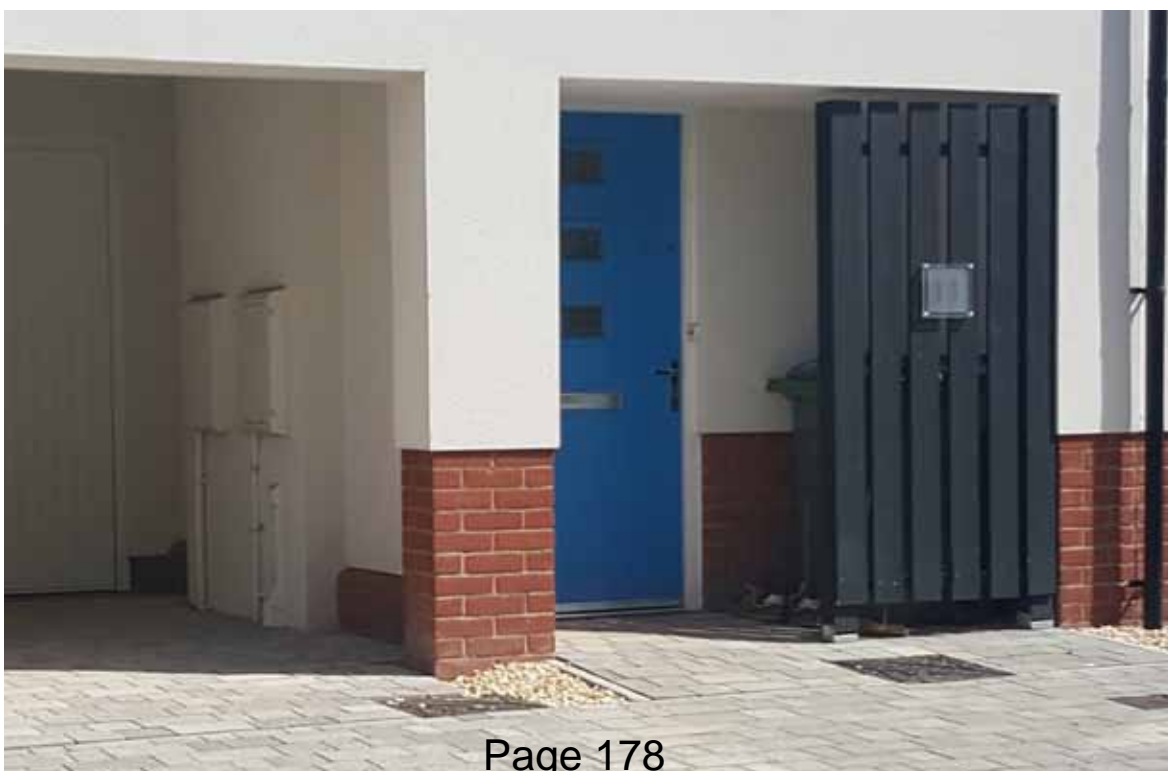
Apartment schemes which provide communal recycling and refuse storage spaces incorporated within the building are generally preferred.

Provide sufficient access for waste collection vehicles to pull up and collect bins with the minimum travel distance from the vehicle to the agreed kerbside collection points. Vehicles should be able to get within 25 metres of any storage point, but shorter distances are preferred.

Meter cupboards should be integrated into a design and visually unobtrusive from the street frontage.

Meter cupboards in a contrasting colour from the rest of a building facade can detract from the appearance of dwelling elevations and if they are used at all they should be situated as to best minimise their harmful visual impact.

*69. Refuse storage and the position of meters should be integrated into the facade design of any relevant buildings so that they aren't prominent.*



## Is the streetscape both attractive and robust?

*Manual for Streets* has seen a quiet revolution in how streets can be designed. Gone are the strict standards of the past, resulting in monotonous environments, to be replaced with opportunities to create a greater variety of residential settings.

This greater freedom requires more care to ensure that streetscapes are well designed, and we will give support to schemes where the streetscape is both attractive and robust, but where it will also be easy to manage and maintain.

In particular, streetscape designs should meet the needs of vulnerable street users.

### Issues to address

#### Surfaces

Where streets are to be adopted, surface materials should be selected from the *Cardiff Public Realm Manual*, and should be appropriate to their function within the street. Please consult the Council early in the design process about any materials to be used on highways that will be adopted.

Streetscapes should have regard to active travel advice and standards provided in the Welsh Government's *Design Guidance: Active Travel (Wales) Act 2013* in

order to support our wider commitment to active travel opportunities.

The range of materials used in a scheme should be kept to a minimum, but be enough to highlight different street functions and, where possible, create visual interest. A simple palette of good quality and easily available materials will help us maintain adopted street surfaces in the future.

Streetscapes should be designed to support the needs of vulnerable street users. Shared surfaces must be designed to provide a safe route through, free from any traffic or parking, for people, including the partially sighted. Materials should be selected to provide convenient routes to all areas for wheelchair users. Contrast of material should be used to highlight hazards. Arbitrary contrasts and small scale contrasting patterns should be avoided, as these can be distracting and hard to interpret for people who rely on clear visual cues.

Poorly designed streetscapes can contribute to the monotony of residential environments and might suggest an undesirable priority for vehicle users, particularly in shared spaces. We will resist designs where we think a lack of ideas for built form, highway geometry, planting and streetscape design will result in this quality (70).



*70. We will resist designs where we think a lack of ideas for built form, highway geometry, planting and streetscape design will result in a bland townscape which might give too much priority to vehicle users.*



## Street Furniture

The use of street furniture should be an integral part of the design, and will help to establish an area's quality and character. It should be unobtrusive, high quality, fit for purpose and coordinated to compliment the visual character of the wider streetscape design.

Where necessary, items should be grouped together, columns should be shared, or features like street lights attached to buildings to reduce the cluttering effect of uncoordinated designs.

As with other aspects of a streetscape, limit the range of colours and designs used, so that the street furniture does not dominate the view, *but* ensure that items are clearly distinguishable within their context, so that they are visible to people who are partially sighted (71).



71. Street furniture should be clearly distinguishable within its context so that it is visible to people who are partially sighted.



## Public Art

Public art has sometimes been a very celebrated feature of new residential environments, and we will encourage its inclusion within relevant developments.

Where required by policy, we would encourage early thought about how art might be integrated into a design and then subsequently maintained. Further guidance on how public art might be developed into a scheme can be found in the *Cardiff Public Art Strategy*. The *Cardiff Public Art SPG* provides detailed guidance of the Council's requirements for the provision of artworks arising specifically through the development process.

We would encourage art to be integrated into the most prominent positions or views in a layout so that it can be seen and enjoyed by the most people (72).



Art should not cause any form of obstruction, and should be clearly visible when viewed, at an appropriate point, against its context.

Public art does not need to be used, in a traditional sense, to create discrete works. Instead it could be integrated into the design of more ordinary aspects of a place, such as surfaces, signage, seating, boundary treatments or ironwork (73).

Art works could be developed with input from future residents in order to establish a sense of ownership and support for works that emerge.



# Useful publications referred to in this guidance

## Welsh Government

*Planning Policy Wales*

*Design Guidance Active Travel (Wales) Act 2013*

*Development Quality Requirements*

*Practice Guidance: Planning for Sustainable Buildings*

*Recommended non-statutory standards for sustainable drainage (SuDS) in Wales*

*Technical Advice Note 5: Nature and Conservation*

*Technical Advice Note 12: Design*

*Technical Advice Note 12: Design Guidance on Design and Access Statements*

## Cardiff Council

*Local Development Plan 2006-2026*

*Local Development Plan Masterplanning Framework*

*Liveable Design Guide: Placemaking, urban design, architecture*

*Cycle Design Guide*

*Public Art Strategy*

*Public Realm Manual*

### Supplementary Planning Guidance

- *Public Art*
- *Green Infrastructure (forthcoming)*
- *Infill Sites*
- *Managing Transport Impacts and Parking (forthcoming)*
- *Sustainable Urban Drainage (forthcoming)*
- *Waste collection and storage*

## UK Government

Department for Transport (2007) *Manual for Streets*, London: DfT

Department for Transport (2010) *Manual for Streets 2: Wider Application of the Principles*, London: DfT

Department for Transport (2005) *Inclusive Mobility*, London: DfT

## Others

Biddulph, M (2001) *Home zones: a planning and design handbook*, Bristol: Policy Press

Birkbeck, D and Kruczkowski, S (2015) *Building for Life 12: Wales*, Nottingham: Nottingham Trent University

Building Research Establishment (2011) *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*, Watford: BRE Trust

Countryside Council for Wales (2006) *Providing Accessible Natural Greenspace in Towns and Cities: A Practical Guide to Assessing the Resource and Implementing Local Standards for Provision in Wales*

Design Commission for Wales (2016) *Site and Context Analysis: Capturing the value of a site*, Cardiff: DCFW

English Partnerships (2006) *Car parking: what works, where*, London: EP

Institute of Highway and Incorporated Engineers (2002) *Home zones: design guidelines*, London: IHIE

Play England (2008) *Design for Play*

Sustrans (2014) *Handbook of cycle friendly design*, Bristol: Sustrans

Town and Country Planning Association (2004) *Biodiversity by design: a guide to sustainable communities*, London: TCPA

Town and Country Planning Association and the Wildlife Trust (2012) *Planning for a healthy environment - good practice for green infrastructure and biodiversity*, London: TCPA

Wildlife Trust Wales (2016) *Green Infrastructure: a catalyst for the well-being of future generations in Wales*

# Appendix 1 Consultees

Public consultation was undertaken between 8th September and the 20th October 2016. A press notice was placed in a local newspaper on Wednesday 7th September 2016. Copies of the draft guidance was placed in all Cardiff libraries and at County Hall Reception. The draft guidance was also published on the Council website. Letters notifying that consultation was being undertaken on the draft guidance were sent to all Councillors, the Welsh Government, Community Councils in Cardiff and any interested persons and the following organisations known to have general interest in planning in Cardiff or a potential interest in this guidance:

Alder King  
 Alternatives for Transport  
 AMEC Environment & Infrastructure UK Limited  
 Arts Council of Wales  
 Arup  
 Asbri Planning Ltd  
 Associated British Ports  
 Association of Inland Navigation Authorities  
 Atkins  
 Austin-Smith: Lord  
 Baker Associates  
 Barton Willmore  
 Bellway Homes (Wales Division) Ltd  
 Biffa  
 Bilfinger GVA  
 Black Environment Network  
 Blake Morgan LLP  
 BNP Paribas Real Estate  
 Bovis Homes  
 Boyer Planning  
 Bristol City Council  
 Bryant Homes (South West)  
 BT Group plc  
 Business in the Community Wales  
 C2J  
 Cadwyn Housing Association  
 Caerau and Ely Communities First  
 Caerphilly County Borough Council  
 Campaign for the Protection of Rural Wales  
 Cardiff & Vale Parents Federation  
 Cardiff & Vale University Health Board (UHB)  
 Cardiff Access Group  
 Cardiff Against the Incinerator  
 Cardiff Bus

Cardiff Bus Users  
 Cardiff Civic Society  
 Cardiff Community Housing Association  
 Cardiff Cycling Campaign  
 Cardiff Ethnic Minority Elders  
 Cardiff Greenpeace  
 Cardiff Heliport  
 Cardiff International Airport Ltd.  
 Cardiff Local Access Forum  
 Cardiff Metropolitan University  
 Cardiff Naturalists  
 Cardiff Pedestrian Liberation  
 Cardiff Transition  
 Cardiff University  
 Cardiff West Communities First  
 Carolyn Jones Planning Services  
 CDN Planning  
 Celsa Manufacturing (UK) LTD  
 Cemex UK Operations Ltd  
 CFW Architects  
 CGMS Consulting  
 Chartered Institute of Housing in Wales  
 Chichester Nunns Partnership  
 Chris Morgan  
 Chwarae Teg  
 Civil Aviation Authority  
 Coal Authority  
 Coleg Glan Hafren  
 Communities First Adamsdown  
 Community Housing Cymru  
 Community Land Advisory Service Cymru  
 Confederation of British Industry  
 Confederation of Passenger Transport  
 Connections Design  
 Country Land and Business Association  
 CSJ Planning Consultants  
 Danescourt Community Association  
 David Lock Associates\*\*\*  
 Davies Sutton Architects  
 DavisMeade Agricultural  
 Derek Prosser Associates  
 Design Circle RSAW South  
 Design Commission for Wales\*\*\*  
 Development, Land & Planning Consultants Ltd  
 Disability Arts Cymru  
 Disability Wales  
 DLP Consultants  
 DPP Cardiff  
 Drivers Jonas  
 DTB Design  
 DTZ  
 Dwr Cymru Welsh Water  
 Edenstone Homes  
 Equality and Human Rights Commission  
 Ethnic Business Support Project  
 Federation of Small Businesses  
 First City Limited  
 FirstGroup plc

Firstplan  
 Forestry Commission Wales  
 Freight Transport Association  
 Friends of Nantfawr Community Woodland  
 Fulfords Land & Planning  
 G L Hearn  
 G Powys Jones MSc FRTPI  
 Garden History Society  
 Geraint John Planning Ltd  
 GL Hearn Ltd  
 Glamorgan - Gwent Archaeological Trust Ltd  
 Glamorgan Gwent Housing Association  
 GMA Planning  
 Graig Community Council  
 Graig Protection Society  
 Great Western Trains Company Limited  
 Grosvenor Waterside  
 GVA  
 GVA Grimley  
 H O W Commercial Planning Advisors  
 Haford Housing Association Limited/  
 Hafod Care Association Limited  
 Halcrow  
 Hammonds Yates  
 Harmers  
 Harmers  
 Heath Residents Association  
 Herbert R Thomas LLP  
 Home Builders Federation  
 Hutchinson 3G UK  
 Hyland Edgar Driver  
 Hywel Davies  
 Interfaith Wales  
 Jacobs Babbie  
 Jeremy Peter Associates  
 JLL  
 John Robinson Planning & Design  
 John Wotton Architects  
 Jones Lang LaSalle  
 JP Morgan Asset Management  
 Keep Wales Tidy  
 Kelly Taylor & Associates  
 Kingsmead Assets Limited  
 Knight Frank  
 Landscape Institute Wales  
 Levvel Ltd  
 Linc-Cymru  
 Lisvane Community Council  
 Llandaff Conservation Group  
 Llandaff Society  
 Lovell Partnership  
 Loyn & Co Architects  
 LUC  
 Madley Construction  
 Mango Planning and Development Limited  
 Marshfield Community Council  
 Martin Robeson Planning Practice



McCarthy & Stone (plc)  
McCarthy and Stone (Western Region)  
Meadgate Homes Ltd  
Mineral Products Association  
Morgan Cole  
Mott MacDonald  
Nathaniel Lichfield and Partners\*\*\*  
National Youth Arts  
Natural Resources Wales\*\*\*  
Neame Sutton  
Network Rail  
Network Rail Infrastructure Ltd  
Newport City Council  
NFU Cymru  
North West Cardiff Group  
Novell Tullet  
O2 UK  
Oakgrove Nurseries  
Old St Mellons Community Council  
Orange  
Origin3  
Pantmawr Residents Association  
Peace Mala  
Peacock & Smith  
Pegasus  
Pentyrch Community Council  
Persimmon Homes\*\*\*  
Peterson Williams  
Peterstone Community Council  
Phillippa Cole  
Planning Aid Wales  
Planning Potential  
Police & Crime Commissioner  
Powell Dobson  
Powergen  
Prospero Planning  
Quarry Products Association  
Quinco  
Race Equality First  
Radyr & Morganstown Association  
Radyr and Morganstown Community Council  
Radyr and Morganstown Partnership and Community Trust (PACT)  
Radyr Farm  
Radyr Golf Club  
Rapleys  
Redrow Homes (South Wales)  
Reeves Retail Planning Consultancy Ltd  
Renplan  
Reservoir Action Group (RAG)  
Rhiwbina Civic Society  
Rhondda Cynon Taf County Borough Council  
RICS Wales  
Rio Architects  
Riverside Communities First Team  
Robert Turely Associates  
Roberts Limbrick  
Robertson Francis Partnership  
Royal Commission on the Ancient & Historical Monuments of Wales

Royal National Institute for the Blind  
RPS Group Plc  
RSPB Cymru  
Save Creigiau Action Group  
Savills  
Savills (Cardiff)  
Scope Cymru  
Scott Brownrigg  
Sellwood Planning  
Shawn Cullen  
SK Designs  
SLR Consulting  
South Wales Chamber of Commerce Cardiff  
South Wales Police Crime Prevention Design Adviser  
South Wales WIN  
Splott and Tremorfa Communities First  
Sport Wales  
SSE Energy Supply Ltd  
St Fagans Community Council  
Stedman Architectural  
Stewart Ross Associates  
Stonewall Cymru  
Stride Treglown Town Planning  
Stuart Coventry Scott Wilson  
Sullivan Land & Planning  
Sustrans Cymru  
SWALEC  
Taff Housing Association  
Tanner & Tilley  
Taylor Wimpey  
Terry Nunns Architects  
The 20th Century Society  
The Boarding Centre Ltd  
The Design Group 3  
The Georgian Group  
The Institute of Cemetery and Crematorium Management  
The Land Mark Practice  
The Planning Bureau  
The Royal Town Planning Institute  
The urbanists  
The Victorian Society  
The Wildlife Trust of South & West Wales  
Theatres Trust  
T-Mobile (UK) Ltd  
Tongwynlais Community Council  
Torfaen County Borough Council  
Turley Associates  
United Welsh Housing Association  
Urban City Ltd  
Urdd Youth Group  
Velindre NHS Trust Corporate Headquarters  
Virgin Media  
Vodafone  
Wales & West Housing Association  
Wales Council for Voluntary Action  
Wales Women's Aid  
Watts Morgan  
Welsh Ambulance Services NHS Trust - South East Region

Welsh Government  
Welsh Government - Economy Skills and Transport Division  
Welsh Language Commissioner  
Welsh Language Society  
Welsh Tenants Federation Ltd  
Wentlooge Community Council  
White Young Green Planning  
Wimpey Homes  
Wyevale Garden Centres Ltd.

Comments relevant to the draft guidance were received from the above consultees indicated \*\*\*.

# Appendix 2 Summary of External Consultation Comments and Responses

Page No.	Comment	Response
General comment	This is a very thorough document that covers in detail the elements that should be considered in the design and review of residential developments. The position of the Council is firm in certain areas setting out clear expectations for developers. The reference to Building for Life 12 Wales as well as the Site and Context Analysis Guide and Planning for Sustainable Buildings written by DCFW is welcomed, as is the reference to consulting the Commission. The sub-section headings provide a helpful set of questions for the review of a development proposal.	No response required
General comment	The scope and content of the design guide is exhaustive. Although this may be helpful in setting out the types of issues to be considered, it has the potential to become unwieldy in both preparing schemes and assessing the design of a development if stringently followed. With the level and nature of design issues raised in the SPG, it is very likely that many principles will conflict with one another and it will rarely be possible for a scheme to incorporate all of the design principles, especially when further consideration such as, site constraints, competing consultee interests and development costs are taken in to account. It is therefore vitally important that a balanced approach to design is adopted and that the issues set out in the SPG are not used as a checklist to be followed in preparing or assessing development schemes. We consider that the draft SPG should comprise general guidance.	The themes and issues within the guide are common to the designers of residential schemes and in line with both TAN 12 and Building for Life 12 (Wales). The level of content provided is broadly in line with previous SPG on this topic from 2008. It addresses the full range of issues which a designer for a major scheme should consider, but it should also be evident that not all issues will be relevant to all schemes. The guidance is written with care in how language is used to clarify areas where the Council will take a strong view, and areas where we would encourage concern. Good designers will be familiar with the material and approach.
General comment	Section and sub-section numbering may help with orientation within the document. Further use of summaries and cross references may help to reduce the amount of text further.	We feel that the structure of the document is clear, with use of straightforward headings and subheadings. It is also graphically structured with a clear table of contents. We are not convinced that summaries would add additional clarity, as the key issues are already summarised under relevant questions.
General comment	Are there differing needs or considerations for inner-city residential development compared to edge of settlement or infill? Has any work been done on understanding the local context of different areas that could be referenced?	The guidance has been written to be generic and relevant to all areas of the city. References in the document to the need for site and context analysis encourage appropriate design approaches to embrace variety in different parts of the city.
General comment	It may also be relevant to cover: development phasing considerations; providing or allowing connections to potential future development sites; and future management and maintenance considerations.	Reference is briefly made to the need for phasing plans to account for the delivery of necessary infrastructure and open spaces (4, 32). It also features in LDP policy KP4. Reference to necessary plans for management and maintenance of public spaces are referred to on pgs. 27, 31, 32 and 34. The need to account for access to future neighbouring development sites is referred to on page 17.
General reference to standard house types	The appearance of dwellings is only one element of the design process and the use of house types from housing developers' pattern books does not preclude a scheme from being of a high-quality of design. Layout, access, relationship to public open space and services as well as public realm considerations are just some of the many aspects that can result in well-designed communities, regardless of the precise appearance of the house types. There are many examples of high-quality development schemes where standard house types have been utilised. We consider that the tone of the message set out in the draft SPG in respect of the use of standard developer house types needs further consideration.	The guidance does not make the point that the use of standard house types is an undesirable form of development, whilst the substance of the guidance reflects a full range of issues. Reference to this issue can only be found on pages 10 and 21. On Page 21 the guidance states: "Avoid excessive use of standard building types (21). Standard house types should be grouped and adjusted to suit their position in a carefully conceived layout and townscape." We will briefly add further text to highlight a positive message about how standard house types are well used in most situations, and delete the first sentence. We will also adjust the text on image 21 to make reference to the streetscape and landscape design as a factor shaping the qualities of a scheme. These issues are addressed further elsewhere in the guidance.
General reference to standard house types	Standard house types can contribute to the creation of an attractive form of development with its own character provided that the standard house types utilised are of a variety of tenures and contain an appropriate degree of variation in scale, material, massing and fenestration.	See above response



11	Summarising the key design questions that must be addressed. Creating Places, third bullet, we suggest the use of alternative wording to 'exploit', such as 'sympathetically integrate with' or 'respond positively to'. As well as providing views from the development, high ground or sloping topography can also make a development prominent in surrounding views of the site and particularly sensitive design is required in such cases.	Wording will be adjusted.
12-17	Guidance under this Section is important but has its limitations if the structure and form of existing developments that define the immediate physical context of a site suffers from serious urban design deficiencies. The approach therefore needs to be honest about the context of existing development and the extent to which new development should respect this context and can be truly integrated with an existing neighbourhood.	This guidance relates to any matters within the control of a designer or developer and not to urban design problems that may exist within the wider context. The guidance may be used to assess the suitability of some sites for sustainable forms of development, and it is correct to say that some may be found unacceptable. We are confident that the scale of development at strategic sites means that these issues can fully addressed within the site.
19	A minimum density of 40 dwellings per hectare on key secondary streets and the spine street may not always be achievable. The minimum density requirements would preclude certain house types from being delivered even though there may be a demand for such housing.	The diagram, originally from the Cardiff Liveable Design Guide, will be adjusted to more closely reflect existing LDP policy for strategic sites, including their spine routes. Within strategic sites there is scope to deliver a full range of house types to meet various types of demand, at various densities.
19	Whilst density is normally a relevant consideration in assessing the efficient use of land, market demand and housing need will have implications on the types and sizes of housing that can be provided, which in turn will influence the type and size of residential development. This will in turn have implications on the scale and density that can be achieved. We suggest that other standards such as plot ratios or habitable rooms per hectare, alongside other considerations such as scale, building heights and forms could be used as these may be more valuable for guiding and testing proposals.	Density is an established indicator associated with sustainable development - to support the viability of local facilities and public transport. The higher density ranges do not preclude a choice of residential typologies being delivered, including terraced or courtyard, and sheltered forms of housing, as well as flats and apartments. In the text we will defer to the LDP policies for the key strategic sites which already refer to the densities we expect. For other sites we will adjust the table to reflect LDP policy more closely, and also create scope for a more flexible approach to delivering density related to bed-spaces per hectare.
19	[Our development] is unlikely to always meet the minimum desired storey heights of developments specified for the varying locations.	We agree in general terms that a discussion about density does not need to embrace building heights which are referred to elsewhere in the document. They will be taken out of the diagram.
19	We feel it needs to be made clearer that the density and height figures for development set out within Figure 18 are the Council's density ambitions as opposed to minimum standards.	Minimum densities are referred to in LDP policy for specific strategic sites. Away from these sites, a commitment to sustainable forms of development requires reference to minimum density standards if we are to deliver forms of development which reduce their environmental impact, as reflected within the LDP generally. Aligning other sites with density expectations for strategic sites in the LDP is consistent.
19	Should density, street type and unit type correlate in this way? For example small apartment blocks or maisonettes on a street of otherwise semi or detached housing could provide a greater variety of housing options and greater diversity.	We partially agree. References to unit type and building height will be removed from this part of the guidance, although reflecting LDP policies we will continue to maintain concern for densities along key routes. It is possible to accommodate a variety of building types within these density ranges.
21	The vast majority of housing to be delivered across Cardiff over the Local Development Plan period will be delivered by national house builders that will have pattern books of house-types that they are capable of delivering. Although these may be able to be varied to some extent, commercially it will not necessarily be possible to provide bespoke house types for specific locations.	The issue of bespoke design is only referred to on page 21 in bullet point 4 in the list, where it is suggested that plans for built form should highlight key nodal spaces "requiring special landscape and built form treatments and requiring more bespoke design solutions". We have changed this to say "possibly requiring".
21	Guidance under this heading on Page 21 states that the City Council will "resist developments that make excessive or inappropriate use of standard building types which dominate the form and character of a scheme". We feel that there is a danger with this statement in that it may prevent the creation of well-planned [developments] which are characterised by simple, homogenous, standard house-types. We therefore request that the Guide is amended to reflect the potential for standard building types alongside bespoke designs in prominent locations, especially those in transport corridors or neighbourhood centres.	The guide has been adjusted accordingly.
29	Apartment blocks should be clearly identifiable with clear signage providing block numbering or naming. The entrance to apartment blocks should be legible and welcoming.	The points will be added.

33	Under the issues to address section (pages 33-34) we recommend the inclusion of Landscape/ Green Infrastructure Parameters Plans to clearly set out strategic open space and green infrastructure concepts in outline applications, which can be carried forward to reserved matters applications. Such plans should set out objectives for different areas and routes and should consider long term management, in particular areas and features for public realm and householder/ community management.	The point has been included.
38	We suggest the text which discusses landscape (page 38) should make reference to the forthcoming Green Infrastructure SPG as a further source of guidance. We also recommend reference is made to the following documents: - Wildlife Trusts Wales Green Infrastructure Report; - Countryside Council for Wales (now NRW) Greenspace Toolkit Accessible Natural Greenspace Standards.	The first publication will be added. The second could not be readily found.
39	Experience suggests that requirements by Highway Authorities to adhere to strict engineering standards, and minimise maintenance liabilities for major streets can undermine place-making efforts. Ambitions for the types of streets and spaces envisioned by 'Manual for Streets' can only be realised with the clear support of the Highways Department....If place is to feature well in highway design, the Highways Department will need to be involved from the outset and at the different stages of the master planning process	Our highways team have provided detailed feedback on this document, and we are very mindful of the issue.
53	The minimum garden size for homes subject to Welsh Government's Design Quality Requirements (DQR) is 40sq m. In the absence of any firm justification, we question the proposed minimum standards set out in the draft SPG.	Minimum standards for private gardens to family housing reflect a consistent standard between various SPGs within the City, including the previous edition of this SPG, and historic versions on design guidance on infill development. The area is consistent with the application of other amenity standards in the guidance applied to the smallest houses developed in the city, including the need for at least a 10.5m distance to neighbouring rear gardens for reasons of privacy. The Council is committed to ensuring that all families of the smallest houses can enjoy a reasonable outdoor area, but is flexible in how other forms of amenity space are provided in other residential typologies. Scope always exists for designers to suggest innovative forms of, for example, communal amenity space provision which might reduce the areas. This is reflected elsewhere in the text on page 53.

For further information on any aspect of this guidance  
please contact:

[design@cardiff.gov.uk](mailto:design@cardiff.gov.uk)

# Tall Buildings

## Supplementary Planning Guidance



**Mae'r ddogfen hon hefyd ar gael yn Gymraeg / This document is also available in Welsh**



## Contents

1.0	Introduction	4
2.0	The location of tall buildings	8
3.0	Sustainable transport, parking guidance and community facilities	10
4.0	Skyline, strategic views and vistas	11
	i. City centre	12
	ii. Areas outside the city centre	13
5.0	Historic environment setting	16
6.0	The design of tall buildings	18
	i. Mixed land uses	19
	ii. The form and silhouette of the building	20
	iii. Quality and appearance	20
	iv. Impact and interface at street level	21
	v. Sustainable building design	24
7.0	Affordable housing guidance and design for living	26
8.0	Open space requirements	28
9.0	Pre-application discussion	30
10.0	Design and access statements	32
	Appendices	35
	Appendix A: Diagram: city centre and Cardiff Bay aerial photo	35
	Appendix B: Consultation representations and responses	36



# 1. Introduction



## 1.0 Introduction

### Policy context

- 1.1 This Supplementary Planning Guidance (SPG) supplements policies in the adopted Cardiff Local Development Plan (LDP) relating to good quality and sustainable design and more specifically tall buildings
- 1.2 Welsh Government support the use of SPG to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance. SPG helps to ensure certain policies and proposals are better understood and applied more effectively. They do not have the same status as the adopted development plan but are a material consideration in the determination of planning applications.
- 1.3. High quality design policies are embedded throughout the national and local planning policy framework. Welsh Government (WG) guidance includes the following:
  - Planning Policy Wales
  - Technical Advice Note (TAN) 12: Design
  - Practice Guidance: Planning for Sustainable Buildings
- 1.4. Policies in the LDP to which this SPG relates (amongst others) are identified below:
  - KP5 (Good Quality and Sustainable Design)
  - KP8 (Sustainable Transport)
  - EN9 (Conservation of the Historic Environment)
  - EN12 (Renewable Energy and Low Carbon Technologies)
  - H3 (Affordable Housing)

### Shaping the character of Cardiff

- 1.5. Well-designed tall buildings in appropriate locations have the potential to add significant value to Cardiff. They can enhance skylines and provide recognisable landmarks that can serve to promote the city on a national and international stage.
- 1.6. This guidance is focussed on the development of tall buildings within the city centre and broadly Cardiff bay. Tall buildings outside of these areas are unlikely to be supported unless a justification within the parameters of the guidance can be provided.

### Liveable city

- 1.7. Cardiff seeks to be the most liveable capital city in Europe and to create an inclusive, vibrant, thriving, sustainable and attractive city in which to live and work. Proposals for tall buildings need to demonstrate an exceptional standard of design together with appropriate land uses and public realm through careful planning and design so that they knit well into the existing fabric of the city.



## **Sustainability**

- 1.8. As a very high density form of development, tall buildings have great potential to promote and deliver excellence in sustainability and help to conserve land resources. This guidance aims to ensure that innovative design solutions are employed to ensure that buildings achieve low carbon targets.

## **Application of the guidance**

- 1.9. The SPG broadly covers appropriate locations of tall buildings, types of land uses, urban design, architecture and sustainable development. It will be used to assess the appropriateness of planning proposals for planning applications where it is considered to be relevant.
- 1.10. Each application for a tall building will be considered on its merits and the applicant will be required to justify the siting of the proposed scheme in the context of a clear design analysis and strategy for the site.

## **Definition of tall buildings**

- 1.11. For the purposes of this guidance, a tall building is normally considered to be:
- Within the city centre and Cardiff bay: 8 storeys+ or circa 25m+
  - Outside the city centre: Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors.

## **City centre and Cardiff Bay**

- 1.12. There are a range of tall and high density buildings in Cardiff and an audit and analysis of these was carried out prior to the SPG written in 2009. This exercise showed a high incidence of buildings up to six storeys which are fairly typical of the built form of the city centre. In this city centre context, buildings of eight storeys and above would be considered as tall buildings which stand above the general skyline and it is proposals of this order that this guidance seeks to address. Floor to ceiling heights can vary in different types of development so a pragmatic approach to this definition will be adopted, taking into consideration the typical characteristics and context of any proposal's surroundings.
- 1.13. In general terms, the city centre and Cardiff Bay area for the purposes of this SPG is considered to be within the City Centre Strategy boundary, which is currently under review as indicated in the LDP (KP10). The fringes of the city centre may adapt and change over time and each site will be considered in its own merits and how the site meets all the criteria in this guide.

## **Outside the city centre**

- 1.14. In areas outside the city centre, buildings tend to be far lower. Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors, would be considered tall in this context. Tall buildings outside the city centre are unlikely to be supported unless they can be demonstrated as meeting all of the criteria outlined in this SPG.



## 2. The Location of Tall Buildings



30 St Mary the Axe, 'The Gherkin', London,  
Nigel Young / Foster & Partners



## 2.0 The Location of Tall Buildings

- 2.1. Attractive tall buildings in clusters can help to signify the core areas of the city, particularly areas within the city centre and wider Cardiff Bay. The areas that tend to lend themselves to tall buildings are often along railway corridors, urban corner sites in the core of the city centre, sites that form part of existing clusters of tall buildings (see paragraph 4.8-4.12) and waterfronts.
- 2.2. To justify an appropriate location, proposals need to show a detailed context analysis at a variety of scales including street, block, neighbourhood, skyline and city.

All tall building proposals must demonstrate that:

- There would be no negative impacts on **important views or vistas**.
- The character or setting of **heritage assets** is not harmed.
- The proposal will be a **positive feature in skyline & streetscape**, either by complementing a cluster of tall buildings or forming a strategic landmark.
- No material harm is caused by **overshadowing or overlooking**.
- There will be walking and cycling **accessibility** to sustainable transport and local facilities.

Detailed proposals will:

- Exhibit **exceptional architectural standards**: elegance in form, silhouette and quality of materials.
- Maximise **activity** through ground floors uses and fenestration.
- Provide the highest standards of building **performance, safety, inclusivity and adaptability**.
- Include exemplary **cycle storage, low car parking levels and integrated servicing, recycling and waste storage**.
- Prove that the development will not create adverse **microclimatic** effects.
- Deliver significant enhancements to the **public realm**.



### 3. Sustainable Transport, Parking Guidance and Community Facilities

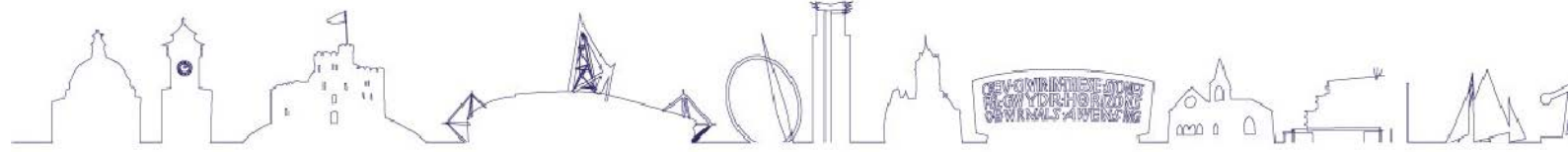




### 3.0 Sustainable Transport, Parking Guidance and Community Facilities

- 3.1. Tall buildings will only be acceptable in locations that are highly accessible by walking and cycling to a range of sustainable transport options, particularly bus stops on core routes and railway stations (as specified in Active Travel Guidance). Access to additional facilities such as car clubs and water taxi stops can also be beneficial to increase the range of options available.
- 3.2. The Active Travel Guidance (WG) indicates that transport stops are key walking trip attractors and their accessibility can be assessed using isochrones with a 400m / approximate 5-minute zone. A high quality route is of equal importance and an analysis of should be included in the Design and Access Statement. Manual for Streets advises that walkable neighbourhoods are characterised by having a range of facilities broadly within 10 minutes walking distance. The high population-density of tall buildings and the demand placed upon the transport network by this scale of development is a major consideration in determining their appropriate location. The site for a proposed tall building must be located where there is good access to community, leisure and other facilities.
- 3.3. The LDP targets for sustainable transport and aspirations for low carbon design mean that it will be unsuitable for private cars to be the predominant means of access to tall buildings. Important considerations in determining applications include capacity of the existing transport network, the quality of pedestrian and cycle links between the proposed site and public transport infrastructure and the feasibility of making improvements to the transport system. For proposals in sustainable locations, reduced or zero parking provision will be sought which will ensure that the development is not dominated by its parking provision. The design of parking measures needs to be considered along with the design principles for the public realm. Travel plans will be required to support sustainable transport proposals.
- 3.4. Any parking is preferably located completely underground. Undercroft parking is only acceptable where it does not have a negative impact on the public realm and does not create long stretches of unanimated edges. This can be overcome by wrapping car parking with ground floor uses. If a blank elevation of undercroft or partial underground parking is considered to be essential for a short stretch of the site, it must be screened with an appropriate materials such as soft landscaping, green wall, natural materials or engaging public art.
- 3.5. The entrance and exit to parking areas must be located where they minimise disruption of pedestrian movement on pedestrian routes or public spaces. Where vehicular access below the building is allowed, access needs to be strictly controlled and managed.

## 4. Skyline, Strategic Views and Vistas



- Page 200
1. Illustrative skyline of notable buildings,
  2. Skyline across Cardiff Bay, City of Cardiff Council,
  3. Tall building proposal at dusk, Callaghan Square, Rio Architects/ Watkins Jones/ Skyline



## 4.0 Skyline, Strategic Views and Vistas

### i. City centre

#### **Skyline**

- 4.1. Tall buildings in the city centre and bay need to create a positive feature in the city skyline, as viewed from key locations around the city.
- 4.2. The skyline of Cardiff is typically made up of a number of tall buildings, in addition to other notable architectural features in the roofscape. It is considered important to retain key views to strategic architectural features and buildings in the skyline from both long range and intermediate range views because they create an image for the city of Cardiff as well as aiding legibility walking through the city. Examples of notable features in the city centre and bay include: the Millennium Stadium masts, the Millennium Centre bronze-coloured domed roof, the Pierhead building, church steeples, Cardiff Castle clock tower, City Hall clocktower and the Norwegian Church.
- 4.3. Buildings of character should be given sufficient breathing space to preserve their setting. Consideration should be given to how a tall building may impact on smaller buildings of character within a view corridor. The proposal should show how the building complements them character buildings, possibly framing them, but not distract from them.

#### **Nightscape**

- 4.4 The use of well-considered, artistic or innovative lighting solutions can also enhance the legibility of buildings at night adding value to the city's skyline.

#### **Strategic views**

- 4.5. Important strategic views, of an intermediate scale, towards the bay and city centre can be gained from: the Barrage, the 10k circuit around Cardiff Bay, Penarth and Lloyd George Avenue. Intermittent views can also be glimpsed from vehicular arterial routes, such as the Central Link road and A4232. Important local / close range views to notable features and key buildings can be gained from the Hayes, Queen Street, Cathays Park, Castle Street and bridges along the River Taff.
- 4.6. Tall buildings should, where appropriate, contribute to the opening up and framing of key views, or acting as an enclosing vista at the end of street to improve the legibility of the city and the wider townscape.
- 4.7. Relevant building proposals will be required to show these strategic viewpoints (and possibly others) with computer generated images (CGIs) and in some cases audited views. These need to be discussed with the local planning authority. Views to the city centre and bay may include long range views from suburban locations such as Penarth Head, Radyr and Rumney, views from within parks, river corridors and views from within relevant conservation areas, historic parks and gardens.

## Clusters

- 4.8. Proposals for tall buildings should generally be located within an existing cluster or form part of a proposal to create a new cluster (a cluster can be defined as a group of buildings which form a visual cohesion from more than one viewing point). The building should demonstrate the ability to raise the quality and coherence of any existing cluster. There may be exceptions where a free-standing tall building outside of a cluster can be demonstrated as providing a landmark within the street scene and skyline or at the termination of a vista.
- 4.9. The development of a building within an existing cluster of tall buildings or the creation of a new cluster has specific design considerations. These include identification of the relationship of the new building to an existing dominant building in the cluster and to other surrounding buildings, or the consideration as to whether there is a need for the proposal to form a new dominant building to the group.
- 4.10. Additional tall buildings would only be acceptable if there is a distinct urban design rationale and benefit which does not prejudice other aspects of the SPG. These relationships need to be demonstrated through a skyline analysis and as the development is likely to be visible from 360° it must be assessed in this context from a number of different viewpoints. It is important to create a visual gap between tall buildings so that they do not appear to merge as one large slab.
- 4.11. It is important to consider the impact of a cluster of tall buildings at ground level. Continuity of active street edge is important and tall buildings should not become isolated objects in a space.
- 4.12. The replacement of an existing tall building with another will not necessarily be supported unless all the criteria of this guidance can be met.

## Landmarks

- 4.13. Tall buildings can draw attention to locations of civic or visual importance such as city centres and major public transport interchanges. They can also help to give focus, momentum and publicity to areas undergoing regeneration. Well-designed tall buildings often gain attention from other cities as notable landmarks and create topics of interest and discussion.

## ii. Areas outside the city centre: views

- 4.14. Views to sites for tall buildings outside of the city centre will be particularly important from parks and river corridors in the locality and anticipated views from areas where they will break an established tree line that interrupts a rural setting with hills or countryside as a back drop. A visual impact assessment is likely to be needed. The topography around the area and viewing places in the wider neighbourhoods need to be accounted for.

# 5. Historic Environment Setting



## 5.0 Historic Environment Setting

- 5.1. Tall buildings can be highly visible from many outlying areas of the city, including sensitive historic environments, and so the potential impact on these environments needs careful consideration. Any tall building proposals relating to the heritage assets listed below (or their settings) will only be permitted where it can be demonstrated that they will preserve or enhance that asset's architectural quality, historic and cultural significance, character, integrity and/or setting:
- Scheduled monuments;
  - Listed buildings and their curtilage structures;
  - Conservation areas;
  - Archaeologically sensitive areas;
  - Registered historic landscapes, parks and gardens; or
  - Locally listed buildings of merit and other historic features of interest that positively contribute to the distinctiveness of the city.
- 5.2. The Town and Country Planning (Development Management Procedure, Wales, Amendment Order 2016) gives details of consultations to Cadw that are necessary. This includes development that has a direct physical impact on a scheduled monument and also where development is likely to be visible from a scheduled monument and where it meets one of the additional listed criteria in the Schedule.
- 5.3. In particular, the area surrounding Cardiff Castle along Castle Street is especially sensitive to any buildings which break the height of the walls of the castle. Any proposals that can be viewed in the vicinity of Cardiff Castle and the Civic Centre need careful attention. In this area of very high sensitivity, it is unlikely that proposed buildings significantly taller than the prevailing townscape will be supported. Please refer to Appendix A: City centre and bay aerial photo.
- 5.4. A Conservation Area Appraisal has been adopted for each designated area. These documents set out the special architectural or historic interest of each area and provide guidance to protect their character and appearance. These can be found at [cardiff.gov.uk/conservation](http://cardiff.gov.uk/conservation).



# 6. The Design of Tall Buildings



## 6.0 The Design of Tall Buildings

6.1. Tall buildings have visual prominence and significant impact on the wider landscape of the city, and often take on the role of major landmarks. In this context it is essential that the design and appearance of tall buildings are of exceptional quality. The Design Commission for Wales' (DCfW) Design for Tall Buildings and CABE/ English Heritage's Guidance on Tall Buildings emphasises that tall building development carries with it an increased obligation to return positive benefits to the immediate and wider environment. In assessing this, particular attention will be focussed on five major issues:

1. A **mixture of land uses** within the tower that compliment other land uses within the area to create a vibrant city that supports streets that are busy at many times during the day and night;
2. The **form and silhouette of the building** - this includes consideration of visual impact, and relationships with both the local context and other tall buildings;
3. The **quality and appearance** of the proposed materials and architectural detailing;
4. The **impact and interface at street level**- how the building contributes positively to high quality, safe, secure and legible public realm and urban design;
5. The **sustainable building design** – how the building employs low carbon design.

### i. A mixture of land uses

6.2. Tall buildings should ideally contain a range of land uses to support a vibrant area. At the least, ground floor uses should support frequent coming and going and overlooking. Opportunities may be explored in some cases to include publicly accessibly atrium areas.

6.3. Mixed uses within one building on different floors can support the provision of active frontages to the ground floor, enlivening streets and spaces at different times of year and throughout the day and night. Various uses can be accommodated within a tall building. These might include office development, a hotel, residential, student-accommodation, restaurants, cafes and shops, leisure use, and more public uses such as an art gallery, a university campus, libraries, and hospital buildings. The design principles set out below can generally be applied in most situations although there may be some specific design requirements that are relevant to a particular land use. The needs of the occupiers should be supported with suitable design. For example, any tall buildings that contain student accommodation need a clear strategy for pick up and drop off at the start and end of term.

#### **Public access to top of building**

6.4. Tall buildings can benefit from public viewing areas or restaurants on the uppermost floors of a tall building. If such an area is being included, it should be outlined how this access would be managed.

## ii. The form and silhouette of the building

### **Architectural quality**

- 6.5. The prominence of tall buildings dictates that they must be of outstanding quality in architectural form and detailing. The proposal must be a well-articulated structure developed from a strong understanding of the site context and a clear design vision.
- 6.6. The quality of the form and silhouette of the building is critical and includes consideration of visual impact, and relationships with both the local context and other tall buildings. Tall buildings should be elegant and slender in form and should not appear as slab like structures. The treatment of the top of the building is particularly significant given its visibility on the skyline. Attention needs to be given to the sensitive integration / screening, of antennae, aerials, roof plant, lift over runs health and safety barriers and external cleaning hoists to ensure that they become an integral part of the overall design of the building.

### **Scale and massing**

- 6.7. The scale and massing needs to be considered in terms of impact at street level in addition to appearance from more distant views. Bulky tall buildings with a strong horizontal massing should be avoided, with the emphasis being on creating vertically slender buildings with a clear base, middle and top.

### **Legibility**

- 6.8. The form of the building must have a positive effect on the skyline and where appropriate, aid the legibility of the townscape, for example by providing a terminating landmark to a vista (without compromising other criteria). The building should help pedestrians find their way around the local area.

### **Adaptability/ flexibility/ future proofing**

- 6.9. The building should be designed to be adaptable for a range of future uses. Adaptability involves the design of buildings so that they are flexible and can be used for a variety of uses over time. Such considerations can include appropriate floor to ceiling heights and load bearing requirements. Layout and modular forms can also help with future adaptability, for example enabling an office building to be subdivided into smaller units either horizontally or vertically. The use of high quality materials result in durable buildings which can stand the test of time.

### **Civil Aviation Authority restrictions**

- 6.10. Consultation with the Civic Aviation Authority may be required.

## iii. Quality and appearance

- 6.11. The architectural quality of the building needs to be outstanding. There can be numerous design solutions to a site that respond to the built and natural context in terms of similarity or contrast. Whichever approach is chosen, it must convey how the proposal references its surroundings through a contextual appraisal.

## **Materials**

- 6.12. Materials need to be of the highest quality and robust (given the prominence of the buildings and limited opportunities for maintenance access). Qualities which can work well at a building of this scale include lightness, reflectivity and transparency, as this can help to reduce visual bulkiness and add elegance. The appearance of the materials on the façade should appear seamless where possible to minimise the visual impact of vents and joints. At ground floor level, materials should be of sufficient quality, richness and scale for appreciation at the walking 'human scale'.
- 6.13. There are some instances of tall buildings in Cardiff where light coloured render has not weathered well. Applicants should demonstrate that the materials selected have been subject to a thorough assessment to demonstrate that they will stand up to the level of exposure they will experience. In general, render finishes do not weather well and should be avoided. Low carbon design may provide the opportunity for the use of innovative materials but the robustness and appropriateness of such materials will need to be clearly demonstrated.
- 6.14. The materials specification needs to demonstrate that appropriate levels of counter- terrorism measures have been taken. This will include, for example, the use of glazing that minimizes shattering and blast effects.

## **iv. Impact and Interface at Street Level**

### **Street interface**

- 6.15. The impact of the building at street level warrants focussed design to ensure successful design for the pedestrian experience. The interface between the building and the street or public realm is critical to the success of the overall building. The building at street level needs to integrate well into the remainder of the built environment. In rare cases where topography necessitates that the ground floor is above street level, care is needed at both the ground floor and the street. Active ground floor uses (in addition to residential or student accommodation access) including a sufficient number of entrance points are essential in city centre and urban locations at intervals along the façade at strategic places to enliven the street throughout the day and night. The quality of material, detailing, glazing and window design needs to articulate the street interface (which may be ground floor plus first floor and above) as a distinct section of the building to reinforce an animated facade.
- 6.16. Where a proposal for a tall building has private or semi-private space surrounding it, the space should be well defined, high quality, often frequented, overlooked and secure.

### **Public realm impact**

- 6.17. The high volume of pedestrians moving from the main entrance hall / lobby of the building into the street places pressure on the surrounding public realm. The facade design at the first few floors should be integrated with landscaping and public realm design from the outset to achieve a holistic design of highest quality, both in the public realm and the architecture at the human scale.
- 6.18. Outside, there needs to be adequate circulation space and a high quality setting for the building including paving; any changes in level need to be well integrated into the landscaping strategy. Improvements to the public realm may necessitate redesign of street infrastructure, such as highway and footway layout. If there is space to do so and if it is appropriate for the



location, it may be necessary to design in bespoke lighting, benches, trees and planting, publicly accessible cycle stands, way finding and any other street furniture. Contributions towards public realm improvements via a financial contribution may be requested in lieu of physical works. Reference can be made to the LDP policy KP7: Planning Obligations, emerging SPG and the emerging guidance on Community Infrastructure Levy. The Cardiff Public Realm Manual provides more information on appropriate finishes.

- 6.19. Opportunities to manage water run-off through sustainable drainage systems through hard and soft landscape are encouraged and should be investigated.

### **Open space and parks interface**

- 6.20. Where a tall building plot adjoins an area of public open space or a park, the existing use of the space as well as the anticipated uses will dictate a site-specific ground floor design in order to create an appropriate interface. Decisions will be needed with regards to the best boundary treatment and whether opening up to the space or creating a hard edge is most appropriate.

### **Water frontage**

- 6.21. It is important that publicly accessible waterfront assets are maximised to their full potential. Creating, enhancing or continuing a pleasant waterfront walkway can increase quality of life benefits for residents of Cardiff and visitors. Such environments include Cardiff bay which includes a 10km circular walk, city centre river frontages, and canals. To create an inviting walkway, it should be sufficiently wide and the interface with the building needs to be active and overlooked to ensure that pedestrians feel safe. This includes ensuring there is sufficient interest and detailing, overlooking, windows and doorways from units to walkways and footpaths. In certain situations, a set-back with a small courtyard area with greenery and railings to a unit can provide such an environment. Public art can provide some interest for short stretches, but is not in itself a substitute for an active and overlooked water frontage.
- 6.22. There may be opportunities for public spaces to be created at strategic points along the walkway to facilitate sitting and opening up views to the walkway to aid legibility in the wider area and movement to key streets to facilitate links. Such an example includes the landscaped area in front of the Senedd building. The views and experiences gained along the waterfront experience as a sequence of spaces for any proposals along Cardiff Bay 10km circuit should be included in a Design and Access Statement.
- 6.23. North of the Millennium Stadium, the established Taff Trail running along the River Taff frontage is typically rural and screened in character and this should be maintained wherever possible. The Ely and Rhymney River frontages will also need careful consideration to improve the experience along the trails.

### **Accessibility, inclusive and universal design**

- 6.24. There are a number of best practice documents which can be sourced with regards to mobility and inclusive design and can be referenced in association with the Equality Act. One such example is the: Inclusive Design in the Built Environment Handbook – Who Do We Design For? by Sandra Manley (2016) and endorsed by Welsh Government and Design Commission for Wales.
- 6.25. The seven principles of universal design should be looked at in conjunction with inclusive design and include: Equitable use; Flexibility in use; Simple and intuitive use; Perceptible information; Tolerance for error; Low physical effort; Size and space for approach and use.

- 6.26. The movement around the outside of the building and the access into the building needs to be designed with inclusive design principles. This aim should be to ensure a single, equal access treatment for all users. Proposals should be linked with surrounding buildings, transport facilities and existing footpaths effectively with dropped kerbs, appropriate tactile paving and adequate manoeuvrability and avoiding creating under-used routes through vulnerable areas.

### **Public art**

- 6.27. Opportunities for the integration of public art should be investigated at early design stages in line with the Council's Public Art Strategy and Cardiff Public Art SPG. Well-designed public art can deliver a wide spectrum of positive outcomes for the scheme and the wider community, as well as enhance place identity. Tall buildings can often benefit from integrating art into the building itself such as façade details or as part of other necessary engineering such as wind breaks or doorways, for example.

### **Parking**

- 6.28. The integration of parking should not have a negative impact on the public realm (see section 3).

### **Microclimate**

- 6.29. The proposal must demonstrate evidence of an acceptable level of impact in terms of microclimatic effects including wind tunnel effect, shadowing, solar glare and the effect of night time illumination.
- 6.30. A daylight and sunlight assessment should include a technical assessment as well as a 3D model sun path analysis illustrating the shadowing of the building at during each season and in the morning, midday and evening.
- 6.31. In general, the taller the building, the stronger the potential for wind effects at the base of the building and the greater the need for mitigation measures. A full wind tunnel assessment should include evidence together with conclusions drawn about the impact on building entrances, pedestrian strolling, public spaces and seating areas, cyclists and other road users on nearby streets. The study should account for the impact it may create further down the street outside other existing buildings. Any adverse wind conditions should be identified during the design process, the design amended accordingly in an integrated way and summarised clearly in the Design and Access Statement.
- 6.32. A short summary of any studies that affect all aspects of microclimate should be given in the Design and Access Statement.

### **Security**

- 6.33. The proposal must demonstrate that it positively contributes to community safety. This approach includes: ensuring public spaces around the building have regular pedestrian footfall; enabling capable guardianship; good natural surveillance; illumination; well defined, secure and inclusive points of access, and clearly defined public and private space. It is recommended that further advice is sought from the South Wales Police Design Out Crime Officer and where appropriate the Counter Terrorism Security Advisor during the design stage.

### **Waste management and servicing**

- 6.34. The necessary servicing requirements such as refuse storage, access for refuse collection and transformer rooms should be well integrated and achieved with minimal impact on the quality and vitality of the public realm, including pedestrian movement and public spaces. Consideration needs to be given to the access for waste collection vehicles, particularly when emptying multiple bins. Where the collection of bins is likely to take a significant amount of time (i.e. more than 10 minutes) a service lane should be considered to prevent congestion.
- 6.35. A designated storage area to accommodate general waste, recycling and food waste needs to be provided at a suitable scale for the type of development. The Waste Storage SPG provides guidance on internal and external storage sizes including requirements for bulky item storage and division of waste streams for different types of developments, such as commercial units, residential flats and mixed-use. It is important that residential units in tall buildings, allow for a degree of flexibility with waste storage in order to accommodate possible future changes to the Council's waste collection method. In mixed-use developments, two storage areas need to be identified to clearly separate domestic and commercial waste streams.
- 6.36. A detailed waste management strategy will be required to outline how all waste from a tall building will be managed and collected. Integrated and innovative solutions that maximise recycling will be welcomed. Other types of deliveries to the building also need to be considered.

### **Amenity**

- 6.37. Tall buildings will not be permitted in locations where they would overshadow or overlook adjacent properties to the significant detriment of the amenity of neighbouring occupiers.
- 6.38. The proximity of two or more tall buildings can create significant issues of overlooking and overshadowing. Proposals adjacent to or in the vicinity of other tall buildings need to ensure that the privacy and amenity of existing and future residents and occupiers is not compromised, in addition to the implications of the proposal on existing views from neighbouring properties. Appropriate positioning and orientation of windows and habitable rooms may assist in mitigating amenity issues.

## **v. Sustainable building design**

- 6.39. The planning system plays an important part in improving the sustainability, including the energy performance, of new developments whilst helping to address the impact of climate change. As set out in Planning Policy Wales (PPW) the planning system must provide for new homes and buildings in a way which is consistent with sustainability principles.
- 6.40. Tall buildings are considered by the Council to be a form major development where the co-location of high density living and mixed-use development can present significant opportunities for utilising renewable and low carbon technologies including energy supply systems. An environmental strategy for the building should be based on analysis of the site and should inform early decisions such as building form and orientation. An independent energy assessment should be submitted with the scheme investigating the financial and technical feasibility of incorporating such a scheme and submitted at planning application stage, in line with LDP policy EN 12.
- 6.41. The Council will reasonably expect the fabric and the operation of tall buildings to achieve

higher energy efficiency standards than the norm due to their landmark nature, their density, and the need to future-proof a building type which is expected to have a significant lifespan. Planning Policy Wales and the WG Guidance document: *Planning for Sustainable Buildings*, should be referred to. Tall buildings in particular are likely to require innovative solutions to issues to optimise solar energy, natural lighting and heating, whilst also reducing solar glare through orientation and appropriate glazing. Explanation on these matters have been addressed can be referred to in the Design and Access Statement.

- 6.42. Measures which could be integrated into the design of the building include improved insulation levels, efficient heating and ventilation systems and energy-efficient illumination. Comfort conditions both internally and externally need to be considered as part of the environmental strategy in relation to daylight, ventilation, solar gain and possible overheating.
- 6.43. The sourcing of locally sustainable materials is encouraged by reducing waste and energy in the production stages. Waste minimisation at the design, demolition and construction stage of the development should be taken into account.



## 7. Affordable Housing Guidance and Design for Living





## 7.0 Affordable Housing Design and Design for Living

- 7.1. Any residential tall building proposal needs to demonstrate how it will result in the creation of good places to live, through the quality of internal living spaces, amenity space and through adherence to principles relating to access, security, legibility and quality.
- 7.2. The location and type of affordable housing will be determined by the particular circumstances and characteristics of the site and the development, and the economics of affordable housing provision in line with current LDP policies. Applications for a tall building(s) do not preclude the provision of affordable housing. Proposals should make reference to the current LDP policies on affordable housing and the forthcoming Planning Obligations SPG.



## 8. Open Space Requirements





## 8.0 Open Space Requirements

- 8.1. Given the high population-density of tall buildings, adequate provision needs to be made for public and private open spaces. The types of appropriate spaces will need to be site specific and in accordance with the LDP policy C4 and C5, Open Space SPG (to be superseded), forthcoming Planning Obligations SPG and forthcoming Green Infrastructure SPG.

### **Public green spaces, hard landscaping, parks and waterfronts**

- 8.2. Tall buildings, particularly when grouped together, need to be complemented with a network of high quality open spaces, easily accessible by short walking distance for the occupiers. This provision will be secured through S106 agreement in accordance with the Council's open space guidance.
- 8.3. All waterfronts should be publically accessible and contribute to the local pedestrian network. The waterside promenades should provide an opportunity for active recreation, walking, jogging and cycling, good accessibility and intermittent seating in places where the microclimate and views are preferable.

### **Shared private and semi-private spaces and roof gardens**

- 8.4. Shared private outdoor circulation spaces around the building should be designed for dwelling in and quiet contemplation, rather than simply moving through, where possible.
- 8.5. Where family accommodation is proposed, shared courtyards must provide for quality informal recreation and relaxation in a mainly soft landscaped environment.
- 8.6. It can be useful to include practicalities for private open spaces where appropriate, such as washing lines.

### **Individual private courtyards and balconies**

- 8.7. The amenity value of individual private outdoor space such as balconies, roof terraces and small ground floor courtyard areas to public spaces are often valued and can become an important design consideration.



## 9. Pre-application Discussions



Left: Comcast Innovation and Technology Centre, dbox/ Foster and Partners,  
Right: High density city living can be an attractive housing choice  
Collins House, Melbourne, Bates Smart Architects

## 9.0 Pre-application Discussions

- 9.1. The Local Authority encourages applicants to submit pre-application proposals on any proposal for a tall building in Cardiff. A demonstration of the design vision for the proposal in addition to the key impacts of the proposal through appropriate modelling and visual material can greatly assist pre-application discussion.

### **Design Commission for Wales**

- 9.2. The Design Commission for Wales (DCfW) offers a design review which can be requested by the developer or may be undertaken at the request of the Local Planning Authority. The Commission welcomes consultation on proposals at the earliest stage before planning applications are submitted in order to provide advice on achieving design quality in development.
- 9.3. The DCfW set out the material that they seek from applicants when presenting proposals in their Designing for Tall Buildings guidance. Materials to convey the design proposals and rationale should include:
- Plans clearly showing how the building relates to the surrounding area;
  - Sections to demonstrate street width to building height ratio;
  - Elevations to show how the building meets the ground and relates to adjacent buildings
  - Clear, unambiguous verifiable three dimensional studies;
  - Models to show the massing and impact of the proposed building on the surrounding area
  - Illustrations of the scheme at pedestrian eye level from the adjacent street(s) and from the strategic locations identified;
  - Attention to the top of the building including how plant will be accommodated;
  - The nature of the impact, at ground level, of servicing the building;
  - Materials and, at the appropriate stage, detailing of facade treatment.
- 9.4. The DCfW and Welsh Government have produced a Site and Context Analysis Guide: Capturing the Value of a Site, which can help guide an appropriate site analysis.

### **Guidelines regarding outline applications**

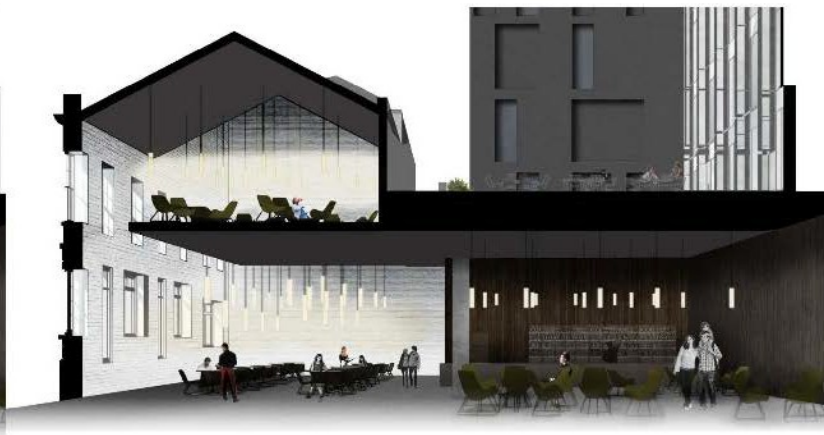
- 9.5. The submission of an outline application for a tall building will not normally be appropriate given the requirement for detailed information to allow the application to be adequately assessed. Proposals for tall buildings may be considered at an outline stage as part of a wider masterplan proposal subject to sufficient information regarding this element of the scheme being provided to the satisfaction of the authority.



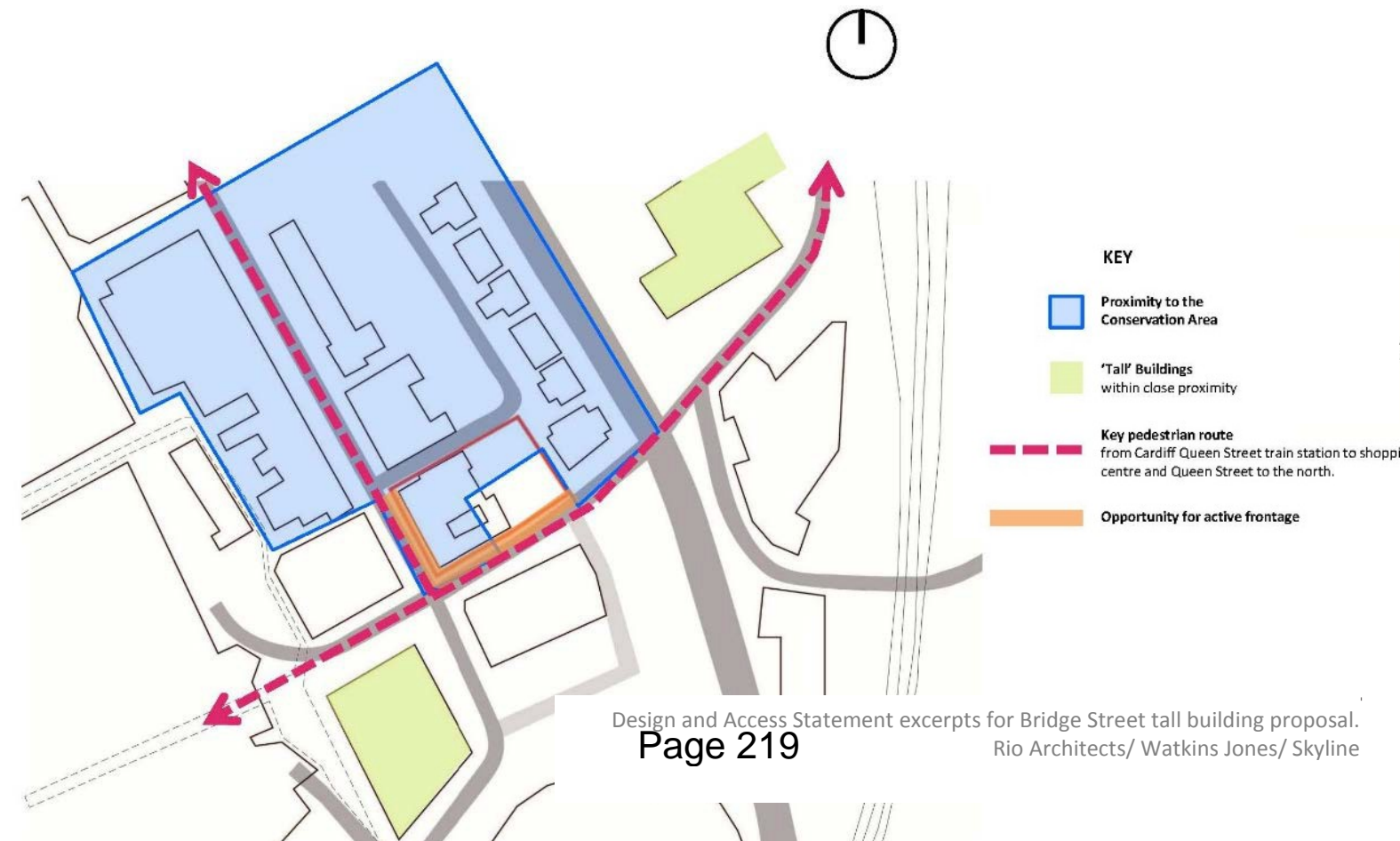
# 10. Design and Access Statements



Open retail unit occupying Lettable Unit A



Possible Mezzanine level within Lettable Unit A to create additional commercial floor



## 10.0 Design and Access Statements (DAS)

- 10.1. The scope of Design and Access Statements should be agreed with the Local Authority at the pre-application stage to ensure all site specific issues are covered in line with WG Guidance on Development Management Procedures.
- 10.2. An indication of the scope of design information required as part of the planning application is indicated below. Some of this detailed information may be in separate studies or reports, but should all be referenced in the DAS in summary form. Information to be included in the DAS following discussion would include:

### 1. Vision

#### 2. A contextual analysis of the immediate area and wider area:

- Character and context, architectural, materials and historic character appraisal;
- Wider strategic context, city centre or city scale;
- Pedestrian cycling and transport access and amenities;
- Development constraints;
- Development opportunities;
- Justification of location in line with locational criteria;
- Topography;
- Urban grain;
- Significant existing views of the skyline. Include any other tall building proposals;
- Scale, height and massing;
- Streetscape and landscape;
- Landmark buildings and areas and their settings;
- Open space or waterfront network and sequence of spaces;
- Microclimate summary.

#### 3. Design strategy

- How the concept has evolved and explanation of options explored during the design process;
- Any consultation or community engagement;
- Design narrative / story;
- Precedent studies and why / which aspects are relevant;
- Summarise with a coherent architectural concept being put forward with engineering strategy.

#### 4. Proposal

- How the proposed building relates to the surrounding area;
- Access and movement diagrams;
- Materials including precedents;
- Visual impact. A visual appraisal and 3-dimensional modelling of the proposal demonstrating how it responds to this context and that of the wider city skyline. This should include key views including recent approvals;
- Audited key views;
- Sections to demonstrate street width to building height ratio;
- Elevations to show how the building meets the ground and relates to adjacent buildings;
- Illustrations of the scheme at pedestrian eye level from the adjacent street(s) and from



- the strategic locations identified;
- Street interface detail;
- Attention to the top of the building including how plant will be accommodated;
- Inclusive design within the building;
- A summary of any structural, health and safety issues overcome;
- Evidence of wind testing and shading diagrams with an explanation as to how these have influenced design.

## **5. Landscape, public realm design, safety and security**

- Proposed paving, landscaping, public space, circulation space, art, building interface, and street furniture, Public Realm Manual;
- Inclusive design and access.

## **6. A security statement**

- Details of any advice sought from the police authority including impact on public realm, nearby uses and the building itself.

## **7. Sustainability**

- Carbon reduction, energy efficiency, sustainable construction methods, use of recycled aggregates, waste management, recycling measures.

## **8. A physical model**

- At an appropriate scale to integrate with the Council's city model.



Appendix A: Diagram: City Centre and Cardiff Bay Aerial Photo



Area of very high sensitivity: includes Cardiff Castle, Bute Park, Civic Centre and Park Place



## Appendix B: Consultation Representations and Responses

Public consultation was undertaken between 8th September and the 20th October 2016. A press notice was placed in a local newspaper on Wednesday 7th September 2016. Copies of the draft guidance was placed in all Cardiff libraries and at County Hall Reception. The draft guidance was also published on the Council website. Letters notifying that consultation was being undertaken on the draft guidance were sent to all Councillors, the Welsh Government, Community Councils in Cardiff and any interested persons and the following organisations known to have general interest in planning in Cardiff or a potential interest in this guidance.

Comments specifically or generally relevant to the draft guidance were received from the below consultees indicated \*\*\* in addition to members of the public:

Alder King	Cardiff Heliport
Alternatives for Transport	Cardiff International Airport Ltd.
AMEC Environment & Infrastructure UK Limited	Cardiff Local Access Forum
Arts Council of Wales	Cardiff Metropolitan University
Arup	Cardiff Naturalists
Asbri Planning Ltd	Cardiff Pedestrian Liberation
Associated British Ports	Cardiff Transition
Association of Inland Navigation Authorities	Cardiff University
Atkins	Cardiff West Communities First
Austin-Smith: Lord	Carolyn Jones Planning Services
Baker Associates	CDN Planning
Barton Willmore	Celsa Manufacturing (UK) LTD
Bellway Homes (Wales Division) Ltd	Cemex Uk Operations Ltd
Biffa	CFW Architects
Bilfinger GVA	CGMS Consulting
Black Environment Network	Chartered Institute of Housing in Wales
Blake Morgan LLP	Chichester Nunns Partnership
BNP Paribas Real Estate	Chris Morgan
Bovis Homes	Chwarae Teg
Boyer Planning	Civil Aviation Authority
Bristol City Council	Coal Authority
Bryant Homes (South West)	Coleg Glan Hafren
BT Group plc	Communities First Adamsdown
Business in the Community Wales	Community Housing Cymru
C2J	Community Land Advisory Service Cymru
Cadwyn Housing Association	Confederation of British Industry
Caerau and Ely Communities First	Confederation of Passenger Transport
Caerphilly County Borough Council	Connections Design
Campaign for the Protection of Rural Wales	Country Land and Business Association
Cardiff & Vale Parents Federation	CSJ Planning Consultants
Cardiff & Vale University Health Board (UHB)	Danescourt Community Association
Cardiff Access Group	David Lock Associates
Cardiff Against the Incinerator	Davies Sutton Architects
Cardiff Bus	Davis Meade Agricultural
Cardiff Bus Users	Derek Prosser Associates
Cardiff Civic Society	Design Circle RSAW South
Cardiff Community Housing Association	Design Commission for Wales
Cardiff Cycling Campaign	Development, Land & Planning Consultants Ltd
Cardiff Ethnic Minority Elders	Disability Wales
Cardiff Greenpeace	Disability Arts Cymru

DLP Consultants  
 DPP Cardiff  
 Drivers Jonas  
 DTB Design  
 DTZ  
 Dwr Cymru Welsh Water  
 Edenstone Homes  
 Equality and Human Rights Commission  
 Ethnic Business Support Project  
 Federation of Small Businesses  
 First City Limited  
 FirstGroup plc  
 Firstplan  
 Forestry Commission Wales  
 Freight Transport Association  
 Friends of Nantfawr Community Woodland  
 Fulfords Land & Planning  
 G L Hearn  
 G Powys Jones MSc FRTPi  
 Garden History Society  
 Geraint John Planning Ltd  
 GL Hearn Ltd  
 Glamorgan - Gwent Archaeological Trust Ltd  
 Glamorgan Gwent Housing Association  
 GMA Planning  
 Graig Community Council  
 Graig Protection Society  
 Great Western Trains Company Limited  
 Grosvenor Waterside  
 GVA  
 GVA Grimley  
 H O W Commercial Planning Advisors  
 Hafod Housing Association Limited/ Hafod Care  
 Association Limited  
 Halcrow  
 Hammonds Yates  
 Harmers  
 Heath Residents Association  
 Herbert R Thomas LLP  
 Home Builders Federation  
 Hutchinson 3G UK  
 Hyland Edgar Driver  
 Hywel Davies  
 Interfaith Wales  
 Jacobs Babbie  
 Jeremy Peter Associates  
 JLL  
 John Robinson Planning & Design  
 John Wotton Architects  
 Jones Lang LaSalle  
 Keep Wales Tidy  
 Kelly Taylor & Associates  
 Kingsmead Assets Limited  
 Knight Frank  
 Landscape Institute Wales  
 Level Ltd  
 Linc-Cymru  
 Lisvane Community Council  
 Llandaff Conservation Group  
 Llandaff Society  
 Lovell Partnership  
 Loyn & Co Architects  
 LUC  
 Madley Construction  
 Mango Planning and Development Limited  
 Marshfield Community Council  
 Martin Robeson Planning Practice  
 McCarthy & Stone (plc)  
 McCarthy and Stone (Western Region)  
 Meadgate Homes Ltd  
 Mineral Products Association  
 Morgan Cole  
 Mott MacDonald  
 Nathaniel Lichfield and Partners  
 National Youth Arts  
 Natural Resources Wales  
 Neame Sutton  
 Network Rail  
 Network Rail Infrastructure Ltd  
 Newport City Council  
 NFU Cymru  
 North West Cardiff Group  
 Novell Tullet  
 O2 UK  
 Oakgrove Nurseries  
 Old St Mellons Community Council  
 Orange  
 Origin3  
 Pantmawr Residents Association  
 Peace Mala  
 Peacock & Smith  
 Pegasus  
 Pentyrch Community Council  
 Persimmon Homes  
 Peterson Williams  
 Peterstone Community Council  
 Philippa Cole  
 Planning Aid Wales  
 Planning Potential  
 Police & Crime Commissioner  
 Powell Dobson  
 Powergen  
 Prospero Planning  
 Quarry Products Association  
 Quinco  
 Race Equality First  
 Radyr & Morganstown Association  
 Radyr and Morganstown Community Council



Radyr and Morganstown Partnership and  
Community Trust (PACT)  
Radyr Farm  
Radyr Golf Club  
Rapleys  
Redrow Homes (South Wales)  
Reeves Retail Planning Consultancy Ltd  
Renplan  
Reservoir Action Group (RAG)  
Rhiwbina Civic Society  
Rhondda Cynon Taf County Borough Council  
RICS Wales  
Rio Architects  
Riverside Communities First Team  
Robert Turely Associates  
Roberts Limbrick  
Robertson Francis Partnership  
Royal Commission on the Ancient & Historical  
Monuments of Wales  
Royal National Institute for the Blind  
RPS Group Plc  
RSPB Cymru  
Save Creigiau Action Group  
Savills  
Savills (Cardiff)  
Scope Cymru  
Scott Brownrigg  
Sellwood Planning  
Shawn Cullen  
SK Designs  
SLR Consulting  
South Wales Chamber of Commerce Cardiff  
South Wales Police Crime Prevention Design  
Adviser  
South Wales WIN  
Splott and Tremorfa Communities First  
Sport Wales  
SSE Energy Supply Ltd  
St Fagans Community Council  
Stedman Architectural  
Stewart Ross Associates  
Stonewall Cymru  
Stride Treglown Town Planning  
Stuart Coventry Scott Wilson  
Sullivan Land & Planning

Sustrans Cymru  
SWALEC  
Taff Housing Association  
Tanner & Tilley  
Taylor Wimpey  
Terry Nunns Architects  
The 20th Century Society  
The Boarding Centre Ltd  
The Design Group 3  
The Georgian Group  
The Institute of Cemetery and Crematorium  
Management  
The Land Mark Practice  
The Planning Bureau  
The Royal Town Planning Institute  
The urbanists  
The Victorian Society  
The Wildlife Trust of South & West Wales  
Theatres Trust  
T-Mobile (UK) Ltd  
Tongwynlais Community Council  
Torfaen County Borough Council  
Turley Associates  
United Welsh Housing Association  
Urban City Ltd  
Urdd Youth Group  
Velindre NHS Trust Corporate Headquarters  
Virgin Media  
Vodafone  
Wales & West Housing Association  
Wales Council for Voluntary Action  
Wales Women's Aid  
Watts Morgan  
Welsh Ambulance Services NHS Trust - South  
East Region  
Welsh Government  
Welsh Government - Economy Skills and  
Transport Division  
Welsh Language Commissioner  
Welsh Language Society  
Welsh Tenants Federation Ltd  
Wentlooge Community Council  
White Young Green Planning  
Wimpey Homes  
Wyevale Garden Centres Ltd

Chapter	Comment	Response
General	We welcome the updating of the SPG, which seeks to ensure that Cardiff, (“the City”) continues to develop as “The most liveable city”	Agree
General	Recommend more images of Cardiff tall buildings are included and referenced clearly, including good and poor examples.	The SPG is illustrated with images to show how a particular principle is met and includes good examples of future tall buildings in Cardiff. Examples of any poor tall buildings are not considered to be relevant.
General	We would expect to see more plans, diagrams and images to support the text. For example there is no plan identifying the boundaries of the city centre and bay areas.	A clearer description of the definition of the City Centre and Bay areas has been added to 1.13. The boundary is undergoing review in line with the LDP KP10.
General	Recommend the inclusion of plans and views showing opportunity areas for tall buildings.	Each site put forward by developers needs to be assessed on its own merits to judge the site's appropriateness for a tall building. The planning application process can fully take account of the design analysis including views, clusters, amenity issues and the site's opportunities and constraints.
General; 10. Design and Access Statements	Recommend that additional text is provided in the SPG to encourage Applicants to provide further information in Design and Access Statements on public realm.	Section 10 references the public realm in Design and Access Statements and has been expanded to include additional items. It is considered that there is sufficient reference to the public realm throughout the document.
General	The conservation area around Cardiff Castle, and the Civic Centre is classified as being of very high sensitivity. High rise buildings in the immediate vicinity of this area would damage the perception of the City as a whole. The skyline of the City Centre is at an acceptable height of around eight storeys.	The impact of any tall buildings on the skyline of Cardiff city centre as viewed from strategic points and its impact on the zone of very high sensitivity will be considered. It is not considered appropriate to set a height limit on storeys.
General	Beware of overuse of the word innovative – solutions do not necessarily need to be innovative but well thought through and may potentially use latest technology.	Noted and replaced with more appropriate wording in specific places
General	If the document is going to be electronic it may be helpful to include links to other documents.	Electronic links added
General	Reference should be made to the Site & Context Analysis Guide produced by DCFW for WG	Reference to document added to Section 9, Design Commission for Wales.
General	A note of caution on using too many images from one architect which could be seen as promotion.	Whilst it is recognised there are images used from a handful of architectural practices, this is not intended to be promotion. All images are selected because they demonstrate in some way, application of principles in the SPG.

Chapter	Comment	Response
General	This is an important document for the future shape of the city, whilst the design principles and considerations are covered in the document there is a lack of local analysis and interpretation to make the guidance specific to Cardiff. E.g. what are the key views, what are the important existing tall buildings, what buildings need to remain stand alone and where might clusters of tall buildings be appropriate? We would expect to see more plans, diagrams and images to support the text. For example there is no plan identifying the boundaries of the city centre and bay are.	Some analysis has been done by the Council to inform the SPG, but it is considered that it is not directly relevant for inclusion. Most of the important features are mentioned in the text. It is considered that the applicants need to make a thorough design analysis through their application, in discussion with the Planning department. There are other planning documents that outline the approximate boundaries of the city centre and Bay, the general area is shown in Appendix A.
1. Introduction	Liveable City - Cardiff seek to be the most Liveable City...in the UK/World?	Addition made to say 'in Europe'
1. Introduction	City Centre and Cardiff Bay: it would have been appropriate to update the 2009 audit and analysis in the preparation of this guidance as this is out of date. What is the strategy and vision for tall buildings in these areas? Have examples of other cities of a comparable size been looked at? What are the important existing tall buildings in the city centre/bay?	Some analysis has been done by the Council to inform the SPG, but it is considered that it is not directly relevant for inclusion. Since the 2009 audit and analysis, there has not been a substantial amount of change to warrant a new analysis.
2. The location of tall buildings	Where are the core areas of the city? Where are the most important views?	See response as above. The DAS should highlight these details.
3. Sustainable Transport	The support of public transport, walking and cycling in the SPG is endorsed. However, there is a distinct shortage of cycling paths and indeed places to park cycles especially outside shops and official buildings. The provision of non-obtrusive parking for cars is valid. However to discourage illegal parking and to aid older people and the physically impaired, sufficient car parking spaces are needed.	The Council's transport team are working on introducing better cycle paths and cycle parking spaces throughout the city centre, bay and wider city. There is an SPG that covers parking. It is acknowledged that a balance needs to be struck between sustainable transport provision and providing for the private car.
3. Sustainable Transport	When discussing underground car parking (paragraph 4) we suggest the following wording: Developers need to adhere to Groundwater protection: Principles and practice (GP3) guidance and in particular (but not exhaustively) position statements N7, N8 and N9 relating to groundwater disruption. These may be relevant (depending on site location) should there be any groundwater pumping or disruption to local hydrogeological regime.	Technical groundwater issues do not fall within the scope of this SPG.
4. Skyline, Strategic Views and Vista; 5. Historic Environment Setting and Appendix A; City Centre and Cardiff Bay aerial photo	The proposed conservation area in Cardiff Bay, is one of equal importance to the City Centre. Due to the tight delineation of the conservation area, there is a stronger likelihood of high rise buildings encroaching and affecting the waterfront area in particular. The picture on page 12 demonstrates the reasonably low level of the skyline from the Wetherspoon Public House, round to the Atradius building. This includes the very important seat of the Welsh Assembly Government. However, it fails to extend the exclusion of the High Rise Tall Buildings to tie in the only green space of Britannia Park and the Norwegian Church. In other words a substantial area of the waterfront – probably 25% - is omitted from any sort of protection in terms of conservation.	The conservation area boundaries are the official boundaries that were drawn as part of the Conservation Area Appraisals. These were designated according to strict historical character criteria and any proposals affecting these areas need to preserve or enhance the Conservation Area. Outside of these areas, the general character and appearance will be considered as part of the urban design considerations outlined in the SPG.

Chapter	Comment	Response
4. Skyline, Strategic Views and Vista; 5. Historic Environment Setting and Appendix A; City Centre and Cardiff Bay aerial photo	The vistas and views associated with the bay and the waterfront are photographed in your document. This is an attractive view and should not be impeded by future tall buildings, especially as you go on to cite the need to preserve the Mermaid Quay and Barrage views. Tall buildings along the waterfront should consider the first impressions of visitors to the Bay, including from Plas Roald Dhal and the National Assembly. The wide views of the bay from standing on the steps of the Senedd building also need to be considered and not blocked.	SPG states that an urban design analysis is needed to illustrate how tall buildings are acceptable on a site. This would include an analysis of the skyline and impact on residential amenity. Reference to Senedd added to the Waterfront in section 6.
4. Skyline, Strategic Views and Vista; 5. Historic Environment Setting; Appendix A; City Centre and bay aerial photo	Please note photographs of Old State House in Boston. Here a wonderful iconic building is overshadowed by tall buildings. It is hoped that the buildings in the Bay, such as the Pier Head Building, The Assembly and the Norwegian Church will not be overwhelmed in any way at all. Could it be stated that buildings above 6 storeys would be discouraged, especially where they impede important vistas along the watersides and provide no public value?	The text will be strengthened to say that historic buildings of character need to be given sufficient breathing space and frame the buildings, not distract from them, section 4.
4. Skyline, Strategic Views and Vistas	Plans, photos and diagrams would help to explain the description in the skyline section. Which features are to be kept as distinguishable features e.g. castle keep, City Hall clock tower, Llandaff Cathedral spire... and which could become clusters? Nightscape - Lighting solutions don't necessarily need to be innovative, rather appropriate, well considered and potentially bold. Plans, diagrams and images are needed for Strategic Views and Clusters.	Text clarified accordingly in section 4. Some analysis has been done by the Council on strategic views and clusters to inform the wording in the SPG, but it is considered that it is not directly relevant for inclusion as this will form part of the DAS.
4. Skyline, Strategic Views and Vistas	Paragraph 2 - It is also important to consider the impact of a cluster of tall buildings at ground level. Continuity of street edge is important and tall buildings should not become isolated objects in a space.	Text added accordingly to Section 4.
6. Design of Tall Buildings	The landscape design of the public realm should include consideration of changes in level; planting, particularly trees; grass/wildflower areas; hard surfacing materials; walls & fences; street furniture & lighting; public art. Integrated building and landscape/public realm design should be included from the outset to achieve a holistic design of highest quality, both in the public realm and the architecture.	Agree in part, some additions made to 6. iii. Public Realm Impact
6. Design of Tall Buildings	Open spaces and walkways must be preserved have high priority in considering proposals, including their maintenance needs.	Agree and reinforced in Section 6, iv, Water Frontage
6. The Design of Tall Buildings	Section i. A Mixture of Land Uses - paragraph 2 - there are many other land uses than those mentioned such as hotels? Is a list necessary?	A list is considered helpful to spark ideas. List made more comprehensive



Chapter	Comment	Response
6. The Design of Tall Buildings	Section i. Adaptability/ Flexibility/ Future Proofing - Delete: Adaptability involves the design of buildings so that they are flexible and can be used for a variety of uses over time. Add: layout and modular forms can also help with future adaptability for example enabling an office building to be subdivided into smaller units either horizontally or vertically.	Original wording retained as considered still to be relevant. Additional text added
6. The Design of Tall Buildings	Section i. Materials - Materials should be of sufficient quality and richness when close to the building as well as at a distance from the building.	Text clarified accordingly
6. The Design of Tall Buildings	Section i. Water frontage - The section that says often a set-back with a small courtyard area with greenery and railings to a unit can provide such an environment. This seems a little specific, not all set-backs work well.	Text clarified accordingly
6. The Design of Tall Buildings	Section iv. Microclimate - Any adverse wind conditions....should be identified during the design process and the design amended accordingly to overcome the matter in an integrated way.	Text clarified accordingly
6. The Design of Tall Buildings	Section iv. Security - Second sentence - Clearly defined public and private spaces	Text clarified accordingly
6. The Design of Tall Buildings	Section i. - Deliveries to the building also need to be considered. Re-word 'innovative' for waste solutions	Text clarified accordingly
6. The Design of Tall Buildings	Section iv. Street interface - access to mixed use on floors above also important	Text clarified accordingly
6. The Design of Tall Buildings	Section v. Sustainable Building Design: Second paragraph, include 'an environmental strategy for the building should be based on analysis of the site and should inform early decisions such as building form and orientation'. Fifth paragraph - Comfort conditions both internally and externally need to be considered as part of the environmental strategy in relation to daylight, ventilation, solar gain and possible overheating. Image Baters Smart p.23 - I don't consider 'quirky' to be an appropriate term.	Text included Section 6, v, second and fifth paragraph. The word quirky is considered an acceptable description.
9. Pre-application discussion	Section 9. Pre-application discussion - include a link to our guide to design review <a href="http://dcfw.org/consulting-the-commission-through-the-design-review-service/">http://dcfw.org/consulting-the-commission-through-the-design-review-service/</a>	Electronic hyperlink included
10. Design and Access Statements	Section 10 - Where it says a physical model at an appropriate scale to integrate with the Council's city model - it would be helpful to provide the scale	To ensure that the correct scale is used for the correct model, applicants should contact the Council.

For further information, please contact:

Placemaking  
City of Cardiff Council  
Room 223, County Hall  
Atlantic Wharf  
Cardiff  
CF10 4UW

[design@cardiff.gov.uk](mailto:design@cardiff.gov.uk)  
[www.cardiff.gov.uk/citydesign](http://www.cardiff.gov.uk/citydesign)

**CYNGOR DINAS CAERDYDD  
CITY OF CARDIFF COUNCIL**



**COUNCIL MEETING: 26 JANUARY 2017**

**CARDIFF CAPITAL REGION CITY DEAL**

**REPORT OF THE CHIEF EXECUTIVE**

**AGENDA ITEM: 1**

**PORTFOLIO: LEADER (ECONOMIC DEVELOPMENT AND PARTNERSHIPS)**

**Reason for this Report**

1. To outline the next steps for the Cardiff Capital Region City Deal.
2. To seek approval for the formal establishment of the Cardiff Capital Region Joint Committee, which will oversee the region's economic growth agenda and delivery of the 20 year Cardiff Capital Region City Deal.
3. To seek approval of the Joint Working Agreement, Assurance Framework, Implementation Plan and Cardiff's role as the Accountable Body that will enable the establishment of the Cardiff Capital Region City Deal.

**Background**

4. The Council report of 24 March 2016 outlined that the City Deal was signed in Cardiff on 15 March 2016 by the ten local authority leaders, the First Minister of Wales, the Welsh Government Minister for Finance, the Secretary of State for Wales and the Chief Secretary to HM Treasury.
5. The associated 'Heads of Terms' agreement attached as Appendix A outlines the parameters for the detailed development of the City Deal and sets out how the ten local authorities will work in partnership with the Welsh Government and UK Government to support economic growth.
6. In order to progress enhanced regional working, and the establishment of the Investment Fund, the Heads of Terms outline proposals to establish a Cardiff Capital Region governance model that:
  - Complies with the existing statutory framework that exists in Wales to deliver the City Deal proposals;
  - Strengthens and streamlines the existing governance and partnership arrangements across the Capital Region;

- Improves business involvement in local decision making;
  - Provides confidence and assurance to both the UK and Welsh Governments that local authority leaders are making collective decisions which will serve to drive economic growth across the Capital Region; and
  - Enables local authorities to explore with Welsh Government arrangements for local government reform in the medium term.
7. In particular, the development of the City Deal is reliant on the establishment of a Joint Committee comprising the participating local authorities. This Joint Committee in the first instance will have collective responsibility for decisions relating to the agreed investment programme. However, it will also be the lead body for any local authority regional collaboration on issues highlighted within the City Deal Heads of Terms.
  8. Securing a final City Deal agreement is also reliant on the establishment of an Investment Fund Assurance Framework. By adopting the Assurance Framework prior to the commencement of the Investment Fund, the Cardiff Capital Region will ensure that schemes taken forward (outside of the South East Wales Metro which will be subject to a separate Welsh Government assessment) represent good value for money and are underpinned by a robust business case.
  9. The Council, at its meeting of 24 March 2016, resolved to: “delegate authority to the Chief Executive, in consultation with the Leader of the Council, the Corporate Director Resources and Monitoring Officer to conclude any interim arrangements necessary to facilitate the development of the final City Deal (including without limitation to the generality of the foregoing appointment of external consultants and any interim appointments that may be required), provided the requisite budget provision is available”. The development of a City Deal has also been identified in the Corporate Plan as a key commitment to: “deliver with partners a proposal to Central Government for a City Deal for Cardiff by March 2017, along with a subsequent programme for delivery”.
  10. This report updates Members on the position and seeks approval for the Council to commit to a Joint Working Agreement that represents a fundamental and long-term shift in the way in which local government in the city-region functions, bringing about a step change in collaboration in the areas of economic development, skills and training, regeneration, strategic planning, housing and transport.

### **The City Deal in Context: Cardiff’s Economic Strategy and the Wider Region**

11. In considering next steps, the fundamentals of Cardiff’s role in the city-region need to be underlined. The City Deal process represents a significant enhancement of Cardiff’s – and all partners’ - commitment to working in partnership. But it also needs to be viewed in the context of the successful economic, regeneration and investment strategy that the Council has been pursuing over recent decades.



12. Cardiff has undergone an unrivalled physical transformation that has seen the city emerge as one of the best places to live and work in the UK. The city's economic base has been successfully transitioned into a modern service economy which despite major restructuring continues to provide employment opportunities right across the city-region. For a sustained period the Council has implemented a consistent economic strategy of place-making and reputation building as the basis for attracting and retaining investment and talent. This has included major projects, developed and delivered by partnerships between the Council and a range of public and private sector organisations, such as the regeneration of Cardiff Bay, the Wales Millennium Centre, St David's 2, and the International Sports Village.
13. The city is set to change even further - driven by population growth, predicted to reach nearly 25% over the period 2006-26 - one of the fastest rates of city expansion in the UK. This will require a new wave of public sector investment to address housing pressures, to support job creation, and to deliver the transport and other infrastructure that will maintain and enhance Cardiff's recent success.
14. The Council has already put in place an investment plan with private sector partners to drive the momentum of city development. Numerous regeneration projects are underway including Central Square, the Brains development, Callaghan Square, Capital Quarter, Dumballs Road and the continued regeneration of Cardiff Bay. These projects will provide the high quality urban context for attracting the next wave of jobs and investment. In addition, to ensure Cardiff's growth is delivered in the right way, the Council is committed to delivering a number of nationally significant facilities and attractions including a new 15,000 seat Indoor Arena, improved city centre open spaces, stronger connections between the city centre and Cardiff Bay and a range of improvements to bus, car, cycle and pedestrian networks.
15. Cardiff's recent economic success has been fuelled by a regional workforce that has enabled the city to punch above its weight. There is a long history of co-dependency between the city and region and although the nature of the relationship has changed over the years they remain inextricably linked and will continue to be in the future. The critical mass to compete internationally can only be achieved through the collective power of 1.5 million people working together in a joined up system and sharing the benefits. Through the City Deal, local partners can now work together to develop strategic plans based on economic geography rather than arbitrary local authority boundaries to make the best of opportunities and to address key barriers to growth.
16. One particular issue that presents a barrier to the city-region's long-term growth aspirations is the increasing congestion caused by traffic flows between the city and region. The City Deal has helped unlock the delivery of the Metro project with a procurement process currently underway to determine the next phase of implementation. The Council has also been instrumental in taking the case to UK Government for

investment in the redevelopment of Cardiff Central Station. There is also potential to develop a Metro+ package of measures that includes bus, cycle and rail based initiatives, and a ring of park and ride sites around the city's perimeter.

17. In addition to this, regional partners have agreed a broad framework for collaboration and investment based around a number of key themes including transportation, innovation, skills, and regeneration. The next 12 months will see the development of a programme of projects that will shape how investment will be delivered over the next 10 years.
18. Given scarce capital resources, it is imperative that Cardiff's investment plans are closely integrated with the emerging City Deal investment plan for the whole region so that that the Council's contribution maintains the momentum of city development and addresses issues and opportunities that will spread the benefit across the whole city-region. This is fundamental to Cardiff's continued ability to deliver nationally significant projects from which local communities, as well as the wider region, benefit.

## **Recent Progress in the Delivery of the City Deal**

### Heads of Terms

19. The Cardiff Capital Region City Deal Heads of Terms signed in March 2016 is attached to this report as Appendix A. It outlines the joint commitments made by the ten local authorities of the Cardiff Capital Region, the UK Government and the Welsh Government to unlock £1.2 billion of investment to increase the performance of the city-region economy. Over its lifetime of 20 years, partners envisaged that the City Deal would deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment.
20. As its core proposition the City Deal provides funding to support investment in projects to stimulate economic growth: £734m is allocated to Metro; £495m covers an Investment Fund to support additional economic development activities. The latter provides the focus of the local government contribution to the deal and consists of a local government capital contribution of £120m with the remaining £375m provided by the UK Government over a 20 year period. Any expenditure incurred in advance of receipt of the flow of UK Government monies would require borrowing by local authorities. In addition the City Deal is also subject to five year 'Gateway Reviews'.
21. The Heads of Terms made clear that further work was needed to conclude the City Deal, particularly in relation to the development of governance arrangements. This has been prioritised since the experience of every city-deal partnership to date has tended to highlight the importance of laying sound foundations in terms of good governance. Recent work has encompassed the establishment of:
  - Cardiff Capital Region Joint Cabinet;

- A Programme Management Office;
  - Growth and Competitiveness Commission;
  - Employment and Skills Board;
  - Regional Transport Authority;
  - Cardiff Capital Region Economic Growth Partnership
  - A Regional Business Organisation.
22. In addition, in order to discharge the Cardiff Capital Region's City Deal commitments and implement an ambitious economic strategy in the longer term, the ten local authorities requested that greater financial autonomy and flexibility should be granted by government in order to accelerate the delivery of critical infrastructure across the region at a time of local authority funding constraints.

#### Cardiff Capital Region Shadow Cabinet

23. Following the signing of the Cardiff Capital Region City Deal Heads of Terms the Cardiff Capital Region Shadow Cabinet was established in the summer of 2016, comprising the ten leaders of the participating local authorities. The Shadow Cabinet has provided the interim governance arrangements as a pre-cursor to the development of the proposed Joint Committee and has met on a monthly basis, with more regular fortnightly meetings taking place in recent months.

#### Programme Management Office

24. In order to progress the development of the City Deal, a Programme Management Office has been established comprising a Programme Director and Project Manager. The Programme Management Office is responsible for supporting the activities of the Cardiff Capital Region Shadow Cabinet and has also been responsible for progressing key elements of the City Deal; in particular, the development of an Assurance Framework (see Appendix C, Schedule 8) that will assess the programme of projects that will be taken forward by the City Deal partners, as well as the Cardiff Capital Region City Deal Implementation Plan (see Appendix C, Schedule 9), which outlines how the commitments of the City Deal Heads of Terms will be delivered.
25. In addition, external legal support was appointed to develop a Joint Working Agreement (see Appendix C) that will provide the legal framework for the establishment of a Joint Committee for the Cardiff Capital Region.

#### Growth and Competitiveness Commission

26. In accordance with the Heads of Terms - and reflecting broadly the approach taken by Greater Manchester to draw on academic and professional expertise to explore the case for city-region collaboration - an independent Growth and Competitiveness Commission was established under the chairmanship of Professor Greg Clark with a remit

to examine the challenges and opportunities for economic growth and competitiveness in the city-region, and to make recommendations on how the Cardiff Capital Region can achieve its full growth potential. The Commission produced a final report on the 16<sup>th</sup> December 2016, attached as Appendix B.

27. The Growth and Competitiveness Commission's core assertion is that: "The Cardiff Capital Region's potential to develop into a prosperous capital city-region for Wales, requires an integrated economic strategy."
28. The Growth and Competitiveness Commission report provides a number of key recommendations for the development of the city-region. In particular: "*The Cardiff Capital Region Cabinet should quickly establish itself as the primary strategic decision making body for the city-region and build a strong partnership with WG to ensure that Local and Welsh Government act in tandem, as the City Deal requires. This means that the CCR Cabinet should integrate appropriate strategic activities in Economic Development, Spatial Development, Transport, and Skills and Employment within a single framework of authority and reporting, and avoid fragmented initiatives.*"

#### Cardiff Capital Region Employment and Skills Board

29. The Cardiff Capital Region committed to strengthening the existing Learning, Skills and Innovation Partnership, to be re-launched as the Cardiff Capital Region Skills and Employment Board. The Board will represent a wide range of stakeholders, including: business organisations; higher and further education; local authorities and the Welsh Government. It will be responsible for:
  - Cardiff Capital Region's skills and worklessness strategy;
  - Pooled local authority skills resources including any devolved Welsh Government budget;
  - Producing an annual regional plan for employment and skills. This annual plan, led by industry, will set out how both the existing skills needs of businesses and the Capital Region's future skills challenges will be addressed;
  - Influencing and monitoring the delivery and impact of employment and skills programmes across the region;
  - Ensuring an industry-led approach to the design and delivery of apprenticeship programmes meets the needs of both business and apprentices;
  - Supporting the Welsh Government's "Curriculum for Wales, Curriculum for Life" plan, by encouraging closer alignment between future employer skills needs and education provision across the region; and
  - Ensuring European Union funding investments in skills and employment add value and align with other programmes.



### Regional Transport Authority

30. The City Deal Heads of Terms also committed to establish a new non-statutory Regional Transport Authority to co-ordinate transport planning and investment, in partnership with the Welsh Government. The Cardiff Capital Region Transport Authority will be responsible for:
- Pooled local transport resources;
  - Regional planning for the local transport network;
  - Working with Transport for Wales to ensure objectives for transport investment are aligned;
  - Exploring the creation of a single integrated ticketing platform for public transport across the Cardiff Capital Region;
  - Working in partnership with the Welsh Government to define the priorities of the South East Wales Metro concept and to support its delivery; and
  - Working in partnership with the Welsh Government to promote the development of integrated aviation routes from Cardiff Airport and St Athan Enterprise Zone, to deliver economic benefit.
31. A shadow Regional Transport Authority involving relevant Cabinet portfolio holders has met to initiate work to establish formal arrangements once the Joint Working Agreement is approved.

### Regional Economic Growth Partnership

32. The Heads of Terms included a commitment for local government to initiate the establishment of a Cardiff Capital Regional Economic Growth Partnership – in effect, a multi-agency advisory board to shape the development of the wider city-region economic development agenda. The remit of the partnership has been agreed to include: recommending a regional economic vision to the Cardiff Capital Region Cabinet; providing recommendations relating to City Deal Investment Fund decisions; and providing a broader advocacy role for the Cardiff Capital Region. The overall membership will cover local government, business and employee bodies, higher education and skills, community development, the third sector and social enterprise.
33. An independent person will be appointed in early 2017 to lead the process of formation of the Regional Economic Growth Partnership and the appointment of an independent Chair. Again, this broadly reflects the approach taken by city-region partnerships across the UK to ensure wider public, private and voluntary sector buy-in to city-region governance and strategy.

### Regional Business Organisation

34. Finally, in terms of Heads of Terms commitments, the development of a Regional Business Organisation consisting of key business stakeholder

groups across the city-region was viewed by all signatories to the deal as an important step towards effective city-region governance. The creation of a single voice for business in the city-region will serve to strengthen the ability of businesses to design and deliver economic development and regeneration activities across the region, and influence the implementation of city deal projects and initiatives.

35. A joint Confederation of British Industry, Federation of Small Businesses, Institute of Directors and South Wales Chamber of Commerce statement outlined the underlying principles for the Business Organisation. The final structure is being designed by the Cardiff Capital Region business community with the launch anticipated in the spring of 2017.

### **The Next Phase of City Deal Decisions**

36. On the basis of recent progress, councils across the region are now being asked to consider several matters which relate to the governance and financial principles on which the City Deal will rest. Crucial to the deal is the establishment of a Joint Committee of the ten local authority leaders: the principles of the financial commitment local authorities are being requested to make need to be understood; the process by which investment proposals are assessed needs to be in place; and, an Accountable Body to oversee the administration of the City Deal needs to be appointed. In summary, there are key issues of governance, financial commitment, project assessment and administration that now need to be considered.
37. Three key documents have been produced to provide more certainty relating to these issues. These documents are the Joint Working Agreement; the Assurance Framework; and the Implementation Plan. These documents need to be considered, along with the Heads of Terms, as the “foundation” documents of the City Deal. In addition a Joint Working Agreement Business Plan will be developed outlining an indicative investment programme against the key programme themes and agreed strategic projects. This document is required for local authorities to understand the detail of their financial commitment. The Business Plan has yet to be prepared and, therefore, approval of this key document is held back as a ‘reserved matter’ in the Joint Working Agreement for future consideration by all councils.

### **Financial Principles**

38. Participating in the City Deal requires a major financial commitment covering the local government capital contribution, the cost of servicing debt used to finance projects in advance of receiving UK Government funding, and the cost of administering the Joint Committee arrangements.
39. In the absence of a programme of projects it is not possible to provide complete detail in terms of the financial implications for Cardiff. However, an indicative model of expenditure has been developed based on the profile of spend from other city-regions in the UK. This model suggests

that for the ten local authorities of the city-region the lifetime cost of the City Deal would be £210.8m. This represents a reduction of £63.8m (23.2%) against the position reported in March 2016 and would unlock funding of £375m, equating to leveraging in £1.78 of additional funds for every £1 contributed. It should be noted that this is an indicative funding profile based on a series of different assumptions, such as interest rates and an assumed spend profile that will be subject to change.

40. It is agreed that the local authority contribution will be shared between local authorities based on a population basis. A model has been developed using 2015 ONS population data which will be used as the baseline for sharing costs moving forward. This baseline position will continue throughout the duration of the payback period.

*Table 1: 2015 Mid-Year Population Estimates*

<b>Councils</b>	<b>Proportion of Contribution</b>
Blaenau Gwent	4.6%
Bridgend	9.4%
Caerphilly	12.0%
Cardiff	23.7%
Merthyr Tydfil	3.9%
Monmouthshire	6.1%
Newport	9.8%
Rhondda Cynon Taff	15.8%
Torfaen	6.1%
Vale of Glamorgan	8.5%

41. Members were previously advised that the costs of the City Deal could be structured to reflect population and/or projects “on-patch”. In the absence of project proposals, the Joint Working Agreement reflects agreement among local authorities that the most transparent, equitable and simple way to share costs is on a pro-rata, population-based formula.
42. Calculated on this basis, Cardiff would be required to make a financial commitment over the long term of circa £50m - a reduction of £14.7m against the position reported in March 2016. Using the same model the estimated total cumulative costs for the first five years would be £2.5m, with costs peaking in year 11 at £3.2m for that year. These costs remain indicative and will be subject to change pending the agreement of a programme which will firm up the actual profile of spend, as well as other assumptions relating to the financial modelling.
43. It is also important to note that the UK Government aspect of the Investment Fund is dependent on five-year Gateway Reviews. The Reviews are intended to ensure that money is being spent correctly, and ultimately is delivering the key objectives of the City Deal. The Gateway Review process is, however, still in development for all City Deals, and hence there is an element of uncertainty regarding the process. It is therefore important that decisions made with regard to the Investment Fund are cognisant of the risks associated with under-delivery.

44. The lack of a programme at this stage also highlights the need for local authorities to clearly understand the profile of their financial commitments and project proposals. It is proposed that individual local authorities will need to agree the region's indicative programme for investment as part of approving the Business Plan. This "reserved matter" will be subject to approval by the Council in due course prior to drawing down the wider Investment Fund.

#### Joint Working Agreement

45. The Joint Working Agreement, which is attached to this report as Appendix C, has been developed as the legal framework for establishing a Joint Committee. Legal Advisors were commissioned as an independent body to produce the relevant agreement documentation. The Joint Working Agreement is in essence the agreement that will establish the governance arrangements determining the roles and responsibilities for a Joint Committee that rests on the powers and responsibilities of a Joint Committee.
46. From a local government perspective, this is a model that is considered an effective, tried and tested way of formalising governance arrangements at the pan-local authority level. The Council is already involved in similar arrangements (such as Prosiect Gwyrdd and Shared Regulatory Services), and this approach is also replicated in the Glasgow and Clyde Valley City Deal.
47. Overall the Joint Working Agreement establishes the following principles:
- The establishment of a Joint Cabinet of the ten Cardiff Capital Region local authorities;
  - The areas of delegation for the Joint Committee (which focus on the management of the City Deal fund and project approval);
  - The establishment of City of Cardiff Council as the Accountable Body;
  - Financial principles for the Joint Committee;
  - The matters reserved to individual Councils; and
  - The means by which decisions relating to the programme of investment (linked with the Assurance Framework) are agreed.
48. The Joint Working Agreement confirms that the Joint Committee would be formed by the ten local authority representatives of the Cardiff Capital Region. The Joint Committee would work on a one member one vote basis, and decisions would be made by simple majority reflecting the position in other city-region arrangements. It is intended, however, that decisions would be sought on a consensus basis before any proposal is taken to the vote. It is also proposed that meetings would require a quorum of seven.
49. The Joint Working Agreement also establishes that the Joint Committee will establish as sub-committees, as soon as reasonably practicable, the



Regional Transport Authority and the Cardiff Capital Region Region Skills and Employment Board.

50. There are also “conditions subsequent” which would need to be met in order for the Joint Working Agreement to become operational. These include the requirement for all local authorities to sign up to the Joint Working Agreement, as well as some technical financial issues relating to the passporting of funding from the Welsh Government to the Accountable Body.
51. In approving the Joint Working Agreement it needs to be clearly understood that the Council would be delegating responsibility for overseeing the implementation of the City Deal to the Joint Committee, with only the ‘reserved matters’ being brought back to the Council for approval. The key reserved matters are the approval of the Joint Working Agreement Business Plan and any expenditure in excess of the Affordability Envelope. The Joint Committee will be required to report progress to constituent councils and it is intended this will be on an annual basis. Further, it is intended that a joint scrutiny panel will be established at a regional level to provide additional accountability with representation from each individual council. Individual councils’ scrutiny committees would also remain a vital source of advice and challenge relating to their council’s participation in the process
52. Importantly, the Agreement commits councils to participation in the Joint Committee for a minimum of five years or, if later, the completion of the first five year Gateway Review – this is the “lock-in” period. "Lock-in" provisions also feature in other collaborations involving the Council, including the Shared Regulatory Service. For the sake of completeness only, it should be appreciated that if the Council sought to withdraw from the joint working arrangement during the lock-in period it would be in breach of the provisions of the Joint Working Agreement, unless a negotiated arrangement could be reached with the other councils. Entering the agreement creates a legitimate expectation that the Council will remain a party to the City Deal arrangements for at least the lock in period.
53. Following the lock in period, councils may withdraw from the Agreement at any time - in accordance with the defined withdrawal provisions - but this would be subject to liabilities determined by, among other matters, the extent of financial commitments made.
54. If the reserved matter relating to the Joint Working Agreement Business Plan is not approved, then the Council would still be locked into the Joint Committee for the lock in period. This would serve to constrain the Committee since it would not have an agreed plan against which to deliver the City Deal investment programme. In practice it is intended that all parties will be actively involved in the preparation of the Joint Working Agreement Business Plan and that this will be agreed by all councils.
55. The Joint Working Agreement also authorises the Joint Committee to have discretion over £50 million of HM Treasury funding ahead of the

agreement by the councils of the Joint Working Agreement Business Plan. This is equivalent to the first 5 years of HM Treasury funding or 10% of the total Investment Fund. Any projects covered by this funding will still be subject to the Assurance Framework and all associated evaluation. In the event that a council does not agree the Joint Working Agreement Business Plan it would still be liable for any spend committed under these arrangements. Accordingly, approval of the Joint Working Agreement will incur a level of liability related to the amount of expenditure committed for Councils in advance of the agreement by the councils of the Joint Working Agreement Business Plan.

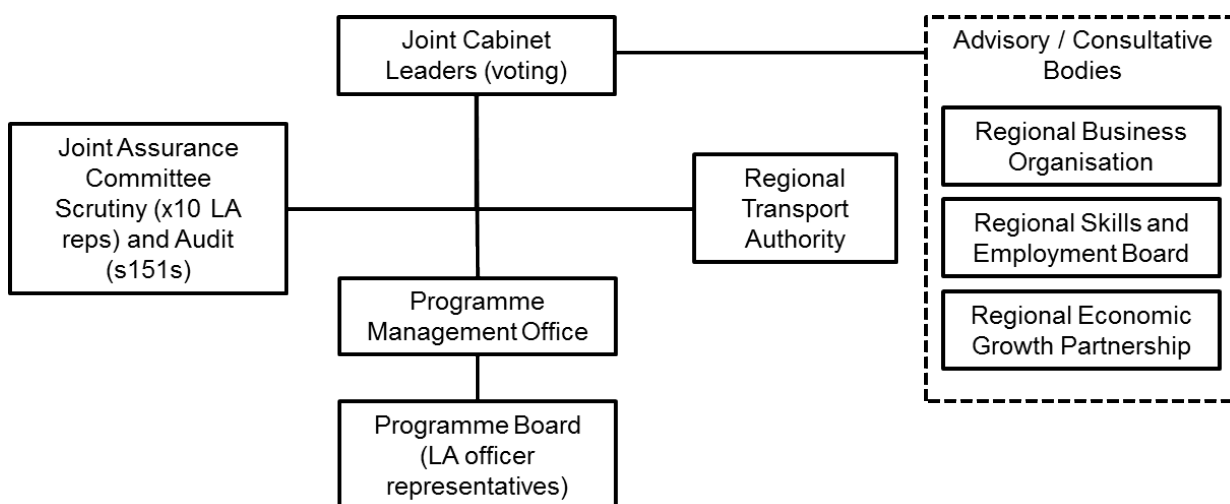
### Accountable Body

56. The Joint Working Agreement outlines the administrative arrangements that will be put in place, including the establishment of an Accountable Body. The Accountable Body will administer the City Deal and will hold the funds from UK Government, local government and other sources. The Accountable Body will also be responsible for ensuring financial and legal compliance.
57. It is proposed that the City of Cardiff Council should become the Accountable Body of the City Deal.
58. As outlined in the Joint Working Agreement, the Accountable Body will be required to:
  - Act diligently and in good faith in all its dealings with the other councils and it shall use its reasonable endeavours to discharge the councils' obligations in relation to the City Deal pursuant to and in accordance with the Agreement and all applicable legislation;
  - Act as the primary interface (on behalf of itself and the other councils) with the Welsh Government, the UK Government and the European Regional Development Fund and any other body necessary to discharge the councils' obligations in relation to the City Deal; and
  - Act as the Accountable Body to hold any funds received directly from the Welsh Government, the UK Government, the Regional Development Fund, the councils and/or any other sources in relation to the City Deal and only to use and release such funds as agreed in accordance with the terms of such funding and this Agreement.
59. It should be noted that acting as the Accountable Body does mean that there will be additional responsibilities associated with the City of Cardiff Council's participation in the City Deal.
60. Resources to cover the costs of the Accountable Body role will be allocated on a population basis among constituent local authorities. It is intended that local authorities would commit funds in addition to the capital contribution and cost of borrowing.
61. In taking on the role of Accountable Body, Cardiff Council's Contract Standing Orders and Procurement Rules, Financial Procedure Rules and all other Policies and Procedures will be adopted by the Joint Committee.

## Assurance Framework

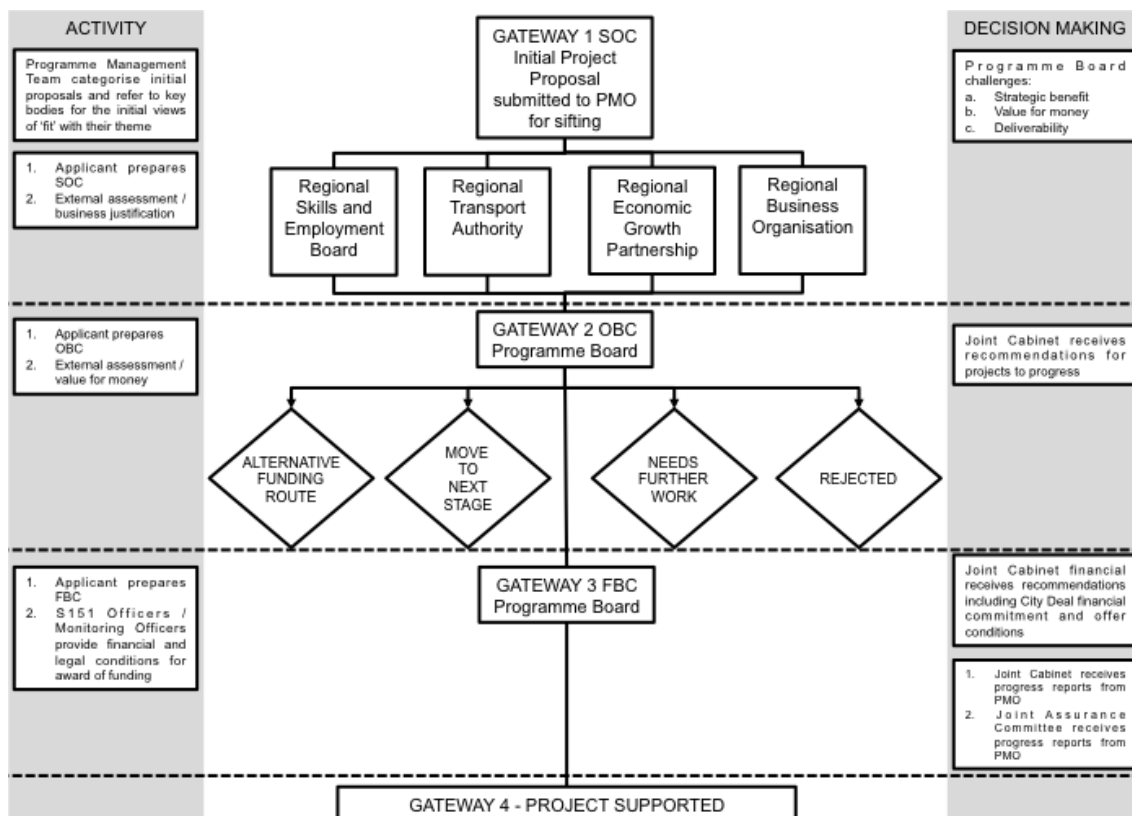
62. The Assurance Framework – attached in Appendix C, Schedule 8, – applies to the £495 million Cardiff Capital Region City Deal Investment Fund and is the document that outlines the set of systems, processes and protocols designed to provide an evidence-based and independent assessment of the governance, risk management, and control processes of the Investment Fund.

### **Assurance Framework Governance and Resource Structure**



63. The Assurance Framework should also be considered in tandem with the Joint Working Agreement in as much as both documents outline decision making processes relating to the City Deal. The diagram above outlines the governance and reporting structure of the Assurance Framework in relation to the development and approval of a programme and projects.
64. Adherence to the processes detailed in the Assurance Framework will ensure that funding and resources will be applied appropriately to deliver stated outcomes.
65. The Assurance Framework commits to the development of a Regional Economic Strategy, a Regional Impact Assessment Tool and a Prospectus for Growth and Prosperity in order to determine eligible projects for consideration.
66. The Assurance Framework will apply to any:
- Additional devolved funding provided to the Cardiff Capital Region;
  - Additional borrowing by the constituent authorities provided to the Cardiff Capital Region; and
  - Use of devolved business rate income above an agreed growth forecast, subject to Welsh Government agreement.

## Cardiff Capital Region Assessment Process



67. The Assurance Framework outlines the process and decisions that are required for approval of the programme and overall projects, which includes the appraisal criteria for projects. This process requires projects to be submitted to the Programme Management Office for initial consideration to ensure that the proposal is in line with City Deal objectives. After initial assessment the proposal will be shared with appropriate advisory groups and an external business case assessor for further review. Following this review the initial proposal will be submitted to a Programme Board (which comprises senior officials from each participating local authority) for approval prior to being presented to the Joint Committee. A more detailed outline of this process is included in the Assurance Framework and outlined in the flow diagram above.

68. The Assurance Framework makes clear that the ultimate decision for approval of projects will lie with the Joint Committee.

### Implementation Plan

69. The Implementation Plan – attached in Appendix C, Schedule 9 - details the work to be undertaken over the next three to five years, setting out the key milestones and activities, against which the independent Gateway Review will assess performance of the City Deal activities at the first 5 year milestone.



70. The Implementation Plan outlines the approach that will be taken to delivering key elements of the City Deal Heads of Terms, covering the following areas:
- South East Wales Metro and Connecting the CCR
  - Additional Flexibilities
  - Investing in Innovation and the Digital Network
  - Developing a Skilled Workforce and Tackling Unemployment
  - Supporting Enterprise and Business Growth
  - Housing Development and Regeneration
  - Cardiff Capital Region Cabinet
  - Strategic Regional Planning
  - Cardiff Capital Region Economic Growth Partnership
  - Independent Growth and Competitiveness Commission
  - Delivery, Monitoring and Evaluation

### **Local Government Reform**

71. The City Deal provides, through the Joint Committee, a framework for progressing the emerging local government reform agenda. A major statement on public service reform is anticipated in the near future and is likely to emphasise the importance of city-regions for delivering public services in the future.
72. As a result, the proposals outlined in this report are likely to chime with those of Welsh Government. The Welsh Local Government Association (WLGA) has made the following points: “New developments like the Capital Region City Deal are based on local councils coming together at the regional level. These developments have been locally led, are maturing quickly and have the potential to offer vast benefits to our local communities.”
73. The establishment of the Joint Committee will provide a governance vehicle to build further collaboration – subject to the approval of constituent councils - given that there is no legislation in place at present to establish vehicles similar to a Combined Authority in Wales.
74. The governance arrangements outlined in the Cardiff Capital Region City Deal, and those proposed in the other City Deals being developed in Wales, provide a platform for the delivery of key elements of the local government reform agenda, notably matters relating to spatial and place-based developments. In this context, work is underway to consider the development of streamlined strategic planning and transport arrangements for the city-region.

## **Future Generations and Wellbeing Act**

75. The Future Generations and Wellbeing Act aims to make public bodies think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach. The Act places a duty that the public bodies will be expected to carry out. The well-being duty states:

*Each public body must carry out sustainable development. The action a public body takes in carrying out sustainable development must include:*

- a) *Setting and publishing objectives (“well-being objectives”) that are designed to maximise its contribution to achieving each of the well-being goals, and*
  - b) *Taking all reasonable steps (in exercising its functions) to meet those objectives.*
76. Given the importance of the City Deal and the development of the Cardiff Capital Region Joint Committee to the city-region it is important that the Future Generations and Wellbeing Act is given due consideration in the development of any proposals. The Future Generations and Wellbeing Commissioner has outlined clearly expectations that the City Deal will need to be based on evidence of its contribution to the well-being ‘goals’ identified in the Act.
77. In considering this matter, Members should note that the strategic direction of the Capital Region City Deal reflects key tenets of the Act: in particular, the Investment Fund is based on principles of joined-up interventions, planned over the long-term to deliver sustainable improvements in the performance of the city-region economy. In addition, the development and implementation of the Metro is designed to represent a key contribution to increasing public transport use.

## **Next Steps**

78. As outlined above, the implementation of the City Deal is dependent on putting in place fundamental governance arrangements. Following agreement by councils, the Joint Working Agreement, Assurance Framework and Implementation Plan will be submitted to the Welsh Government and the UK Government. It is anticipated that these will be approved by March 2017 in order to release the first phase of funding contribution from UK Government.
79. As outlined in Schedule 1 of the Joint Working Agreement, a number of matters will be reserved for consideration by councils at a later date. This will include the development of a more detailed financial profile and a Joint Working Agreement Business Plan outlining in more detail how the City Deal funding will be invested. It is intended that a further report is brought to Cabinet and Council later in 2017 to consider these matters further.

80. Further detail of the proposed arrangements for financial passporting will need to be established prior to the Joint Working Agreement coming into force. Further work is required to establish the Joint Committee, including the establishment of the Regional Economic Growth Partnership and the Regional Business Organisation. The Accountable Body will also need to be established with appropriate financial control, monitoring, legal and staffing arrangements put into place.

### **Reasons for Recommendations**

81. To enable the formal establishment of the Cardiff Capital Region Joint Committee, which will oversee the region's economic growth agenda and delivery of the 20 year Cardiff Capital Region City Deal.
82. To approve the Joint Working Agreement, Assurance Framework, Implementation Plan and agree Cardiff's role as the Accountable Body to enable the establishment of the Cardiff Capital Region City Deal.

### **Financial Implications**

83. The attached report provides an update on the work completed since the report to the Council on 24<sup>th</sup> March 2016. In addition, the report seeks the approval of key documents that will form the basis of how the City Deal will be governed (Joint Working Agreement), how the Investment Fund will be managed and approved (Assurance Framework) and the proposals for implementing the City Deal (Implementation Plan).
84. The ten local authority partners established a Memorandum of Understanding (MOU) during 2015 to enable them to progress work on the City Deal. The MOU set out a Partnership Contribution Budget required to fund the work needed based on an annual sum of £500,000. Whilst the final out-turn position against this budget will be reported to the Joint Committee in due course, Council should note that a significant underspend is projected at this time.
85. Recommendation (c) of this report seeks approval to utilise Cardiff's share of any underspend towards meeting its share of the Joint Committee costs of up to £1 million. In addition, the Council's proposed revenue budget for 2017/18 includes a budget of £150,000 which together with the underspend, should be sufficient to meet Cardiff's share of Joint Committee costs for that year. The 5 year Joint Committee Budget Plan will provide an indication of the likely level of contributions needed in future years. It will be matter for the Joint Committee to set its 'actual' budget each year.
86. The Joint Working Agreement appended to this report sets out the establishment of a Joint Committee. Furthermore, Recommendation (e) seeks approval for the City of Cardiff Council to undertake the role of 'Accountable Body', which is akin to the role of 'Host Authority' typically associated with Joint Committee arrangements. Whilst the Council is well rehearsed in the management of Joint Committees, additional complexities (and demand on resources) will arise from accepting this

role, primarily due to the fact that is the first City Deal in Wales, but also due to the involvement of nine other partnering councils, in addition to Cardiff.

87. Officers have been assessing the practical and resource implications of an Accountable Body since late autumn 2016 and have made an assessment of the various strands of work which need to be completed. This work is progressing in line with the work programme established and can be summarised into the following headings:
- Preparation of a 5 year Budget Plan covering Joint Committee costs and determining each local authority partner's indicative contribution over that period;
  - Formal establishment of the Programme Management Office (Regional Office) arrangements, including recruitment and selection of staff;
  - Consideration of detailed Accounting & Reporting arrangements for Joint Committee income and expenditure;
  - Understanding the operational and financial implications associated with setting-up the range of Regional Bodies referred to in this report as the detailed work for each is taken forward;
  - Consideration of wider implications for hosting the City Deal e.g. ICT arrangements, information management, committee clerking, insurances, support services, welsh language translation etc.
88. As outlined above, this is the first City Deal awarded to Wales and the operation of an Investment Fund totalling £495m on behalf of ten local authorities introduces a number of practical and accounting considerations. With this in mind project officers have commenced dialogue with senior officials from both Welsh Government and Wales Audit Office to work through the implications of a number of detailed accounting and reporting matters.
89. Schedule 4 of the Joint Working Agreement outlines 'Heads of Expenditure' envisaged in relation to Joint Committee costs, although this does not represent an exhaustive list. The Heads of Expenditure will need to be kept under review and updated from time to time as the roles and responsibilities of the Accountable Body 'bed down'. For example, Cardiff will need to be clear on the expectations in relation to resourcing the development of projects (and the associated documentation), which are agreed as part of the Joint Working Agreement Business Plan. Another area that will need to be clearly understood is how responsibilities for delivering the agreed list of projects will be determined etc. For these reasons the Joint Working Agreement contains the necessary provisions to share Accountable Body costs and liabilities 'back to back' with the other nine partnership councils.



90. Once approved, if the Joint Committee budget is exceeded by more than 5%, then the Joint Working Agreement outlines that any increase will need to be met from the Wider Investment Fund rather than falling on individual council budgets. Similarly, if the Joint Committee wishes to set a budget which is more than 5% greater than the previous year's budget, then any increase will also need to be met from the Wider Investment Fund.
91. The March 2016 Council report outlined details of the high-level affordability modelling work undertaken at that time to provide partnering councils with an indication of the overall cost and profile associated with delivering an Investment Fund totalling £495m. The costs consisted of (i) the interest costs arising from spending HM Treasury funding ahead of receipt, referred to as the 'Cost of Carry' and (ii) the Local Authority funding share of £120 million, plus any interest costs.
92. In addition, the report outlined that the indicative modelling was predicated on a range of assumptions and therefore subject to change as the City Deal is developed. In essence the assumptions can be categorised as (i) Partnership - those which Cardiff, along with the other nine partnering councils need to agree e.g. basis for allocating the costs amongst partners, whether the £120m is capital, revenue or a mix of each etc. (ii) External - those which are to some extent outside the direct control of the project e.g. funding terms and conditions, accounting treatment etc. and (iii) General - those which remain general and can only be determined at the time when the actual costs are incurred e.g. interest rates, inflation costs etc.
93. Officers have reviewed the assumptions it made for the March 2016 report and updated these to reflect the decisions taken by partnering authorities since that date. In addition, some 'external' and 'general' assumptions have also been revisited and amended to reflect accounting guidance (repayment term) and changes in general economy (interest rate). A summary of the revised affordability modelling is set-out in table 2 overleaf.

Table 2. – Cardiff Capital Region City Deal Investment Wider Fund Indicative Modelling and Proposed Affordability Envelope

CCRCD Investment Fund	HoTs March 2016	JWA Jan 2017	Change
UK Contribution	£375.0m	£375.0m	-
LA Contribution (Capital)	£120.0m	£120.0m	-
Repayment Term	20 years	25 years	+5 years
Interest Rate	5.0%	3.0%	- 2.0%
UK/WG 'Cost of Carry'*	£111.9m	£44.0m	- £67.9m
LA £120M Cost of Capital**	£162.8m	£166.8m	+£4.0m
<b>Proposed 'Affordability Envelope'</b>	<b>£274.6m</b>	<b>£210.8m</b>	<b>-£63.8m</b>
<b><u>CARDIFF ONLY Figures</u></b>			
Total @ 23.7%	£64.7m	£50.0m	-\$14.7m
Years 1-5 (MTFP)	£4.5m	£2.5m	-\$2.0m
Peak Debt (Year 11)	£5.7m	£3.2m	-\$2.5m

\*Cost of Carry refers to the interest costs associated with up-front borrowing of the UK Government funding ahead of receipt

\*\*Cost of Capital refers to the Principle and interest cost associated with borrowing the capital contribution to be made by the local authorities

94. In summary, the revised modelling provides for a Total Affordability Envelope of £210.8m, and represents a reduction of £63.8m (23.2%) against the position reported in March 2016. Cardiff's share has reduced by £14.7m from £64.7m to £50.0m. The partnership has resolved that approval of the above modelling will represent the project's 'Affordability Envelope' i.e. the financial envelope in which the ten Local Authority partners will manage the cost of the Wider Investment Fund over its life.
95. As set-out in this report, approval of the Joint Working Agreement Business Plan is a Reserved Matter and will be brought back to the Cabinet and Full Council for final consideration and approval. Central to this will be the development of the proposed programme of investment that will be undertaken as part of the City Deal initiative. The Joint Working Agreement Business Plan will provide the Council with confirmation of its affordability exposure over the life of the City Deal i.e. whilst the overall financial envelope is being agreed now, any changes to Cardiff's annual profile will need be set-out in the Joint Working Agreement Business Plan along with the implications of any financial matters unresolved at this time.

96. Once the Reserved Matter is satisfied, a report will be brought back to Cabinet and Full Council to provide an update on the Joint Working Agreement Business Plan and deal with the budget framework issues that arise from its approval, as well as the impact on the Council's Treasury Management Strategy and performance indicators. The Local Authority (Capital Finance and Accounting) (Wales) Regulations 2003 and the Prudential Code for Capital Finance in Local Authorities put the principles of Prudence, Affordability and Sustainability at the centre of all decisions made in relation to capital expenditure. The reports setting the final approvals will need to ensure that these principles are fully satisfied over the full term of the Joint Working Agreement Business Plan.
97. Once the Joint Working Agreement is approved, councils will be 'locked-in' for a minimum period of five years. As with other Joint Committee's such as Prosiect Gwyrdd the Legal Implications set out that the cost of withdrawing are likely to be substantial and are effectively designed to keep councils locked in for the duration of the City Deal.
98. In addition to the above, Council should note that there are a number of 'Regional financial issues and risks' at this time i.e. they are matters that all ten local authority partners acknowledge and agree the importance of ensuring these are reported in a consistent way. These are summarised as follows:
- (i) *Discretionary Spend - The report outlines that, ahead of the Joint Working Agreement Business Plan being agreed, the Joint Committee is given the discretion to commit up to £50m of the HM Treasury funding, subject to funding Terms & Conditions. This 'discretionary spend' would be subject to the Assurance Framework processes and any commitments made would need to be incorporated into the Joint Working Agreement Business Plan once agreed. Council should note that in the event that a Business Plan cannot be agreed Cardiff may still be liable for its share of any commitment.*
  - (ii) *Affordability Modelling Assumptions - As set-out above, in arriving at the Total Affordability Envelope (Table 2.) the project has agreed a range of assumptions based on the position understood at this time. These assumptions will need to be reviewed and updated as the project progresses. In particular, as agreement is reached on 1. Partnership matters, 2. Resolution of External matters and 3. Through the General passage of time i.e. as the Joint Working Agreement Business Plan is agreed an individual project business cases come forward.*
  - (iii) *UK/Welsh Government 5 year Gateway reviews - It is understood that the continuation of HM Treasury's funding is subject to securing satisfactory 'Gateway Reviews' as part of the Investment Fund Assurance Framework adopted. Reviews are likely to be structured to occur at Years 5, 10 and 15. Therefore, funding from Year 6 onwards will be subject to the agreed performance objectives being achieved at each of the gateway stages.*

- (iv) *An Investment Fund structured on this basis introduces a level of uncertainty, as there will be a requirement to borrow in advance of receipt of UK Government grant and meet the associated interest costs. Therefore, in the event that the agreed performance targets are not fully achieved, there is a risk that UK Government funding may be reduced or even cease. Under these circumstances any reduction will represent a further cost to the City Deal in the event that there are committed projects that are reliant on the receiving the full level of future grant. Furthermore, this position assumes that there is no 'clawback' provision within the UK/Welsh Government Terms & Conditions, which is yet to be confirmed. In order to mitigate this risk, the projects selected will go through a detailed economic modelling assessment to inform the key discussions that will take place around performance measures. The final performance targets agreed will include a 'margin of safety', which will further reduce the risk of targets not being achieved.*
- (v) *The Investment Fund Assurance Framework has been developed by the project and will need to be approved by UK and Welsh Government. An independent panel is to be established to monitor compliance with the agreed framework and it is understood that a representative from the Cardiff Capital Region City Deal will be invited to key meetings as the work of that panel is developed.*
- (vi) *UK/Welsh Government Funding Terms & Conditions (T&Cs) - The project is yet to see a copy of the funding T&Cs, although a number of discussions have taken place with UK and Welsh Government officials on the key principles that will underpin any T&Cs. Therefore, the Joint Working Agreement contains a condition that its formal adoption is subject to the T&Cs being acceptable to the Accountable Body and the wider partnership.*
- (vii) *Resolution of Technical Accounting Matters - As outlined above there are a number of detailed technical accounting matters that remain unresolved at this time. These matters need to be resolved with the Wales Audit Office and be confirmed with the external auditors responsible for the audit of the ten partnership councils. These matters have arisen due to the way City Deal Investment Funds tend to typically operate i.e. grant expenditure being incurred ahead of receipt. The Glasgow & Clyde Valley City Deal also faced these challenges, and successfully resolved these matters with their auditors. In relation to those matters which could give rise to affordability implications, the approach adopted within the affordability modelling (outlined in table 2.) reflects the successful approach adopted by the Glasgow City Deal. However, it should be recognised that until such time as written agreement is in place with Wales Audit Office on these matters, these remains as key project risks, albeit that any changes that result in an increase to the Affordability Envelope is a matter reserved back to each council*



## **Legal Implications**

99. Legal Powers - There are a number of legal powers available to the councils to facilitate the proposed collaboration and creation of the Joint Committee. These powers include Sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000, section 9 of the Local Government Wales Measure 2009 and Local Authorities (Goods and Services) Act 1970. These powers include the ability to delegate functions, the ability for two or more authorities to discharge any of their functions jointly, and where this occurs, to do so via a Joint Committee, and/ or by their officers and the ability to supply administrative professional and technical services.
100. Councils have the power to spend outside of their area, where there are benefits to their area from doing so.
101. To facilitate the delivery of the City Deal it is proposed that the 10 constituent Councils conclude a Joint Working Agreement which will serve to establish a Joint Committee to be known as the 'Cardiff Capital Region Joint Cabinet'. It is proposed that the councils will delegate their relevant Executive and Councils function relating to delivering the City Deal to the Joint Committee. These legal implications highlight the salient legal issues raised by the Joint Working Agreement, with the body of the report (paragraphs 45 to 55) setting out further detail on the proposed governance arrangements.
102. Of relevance are the following factors:
  - (i) Accountable Body - The Joint Committee has no separate legal identity and so cannot own property, accept grants or enter into contracts in its own right. It is proposed that one authority, namely Cardiff Council, will act as the 'Accountable Body'. As the Accountable Body, the Council will take responsibility for employment of the staff directly affected, enter any third party agreements required and provide all support services required by the Joint Committee. Of significance, the Council will act as the primary interface (on behalf of itself and the other councils) with the Welsh Government, the UK Government and the European Regional Development Fund (if applicable) and any other body necessary to discharge the Councils' obligations in relation to the City Deal. Further, as the Accountable Body, the Council will hold any funds received directly from the Welsh Government, the UK Government (if any), the European Regional Development Fund (if any), the Councils and/or any other sources in relation to the City Deal. Cardiff Council will have the primary obligation to ensure that the funding received is only used and released in accordance with the terms of the funding imposed by WG, which in turn are passed back to the other councils via the Joint Working Agreement.
  - (ii) Funding conditions - At the time of writing the report the terms that will attach to the City Deal funding are not definitively known. Accordingly the Joint Working Agreement contains a condition

(referred to as a condition subsequent) that approval of the terms of any Welsh Government funding conditions relating to the City Deal is a “Matter Reserved to the Joint Committee and Cardiff Council, as the Accountable body for approval”.

- (iii) The Joint Working Agreement sets the extent of the matters to be delegated to the Joint Committee. See schedule 2 of the Joint Working Agreement.
- (iv) The Joint Working Agreement sets out that each Authority would appoint 1 elected member to the Joint Committee. Decisions would be taken by simple majority vote and each authority would have one vote exercisable by their appointed elected member. It is proposed that the Chairperson would be one of the elected member representatives, appointed for 12 months, with the position of Chairperson allocated in turn to each authority. The Joint Working Agreement providing that the Chair would agree not to exercise their casting vote.
- (v) The Joint Working Agreement provides that Joint Committee would be supported by a Programme Board comprising one officer nominated from each authority. This board would not be a decision making body. The Board would be chaired by a Programme Director, who is given certain delegated powers (which are primarily intended to relate to day to day operational matters). See schedule 1. The Joint Committee will provide an annual report on progress which could be reported to the Council/Cabinet as appropriate.
- (vi) ‘Lock-in’ and exit provisions. It is important to note that the Joint Working Agreement contains ‘lock-in’ provisions. What this means in practice is that no council can withdraw from the Joint Working Agreement for a period of five years from the commencement date (Proposed to be 1st March 2017). Thereafter a party can withdraw but such withdrawal is likely to come at significant costs to the withdrawing authority. The reason for this is that, put simply, the withdrawing party has to make good to the other authorities in respect of any additional costs they would incur as a result of the withdrawal (in effect the monies the authority has agreed to contribute).
- (vii) The Joint Working Agreement contains what are referred to as reserved matters. These are matters which cannot be decided upon by the Joint Committee but which must be referred back to each council for approval. A key such matter is approval of the City Deal Joint Working Agreement Business Plan. If the reserved matter is not approved, then the Council would still be locked into the Joint Committee for the lock in period but in effect the Committee would be stymied in its actions because it would not have an agreed Joint Working Agreement Business Plan against which to deliver the City Deal investment programme. In practice it is intended that all parties will be actively involved in the preparation of the Joint Working Agreement Business Plan and that the same would not be presented

to councils for formal approval until all were content. It is however proposed that prior to approval of the reserved matter (The Joint Working Agreement Business Plan) that the Committee would be empowered to spend up to £50m on City Deal projects identified as having regional benefit and meeting the other requirements set in the Assurance Framework. It should be appreciated that even if the Council does not approve the Reserved matter (Joint Working Agreement Business Plan) that it will none the less be obliged to meet its part of any expenditure committed up to the sum of £50m.

- (viii) The Joint Working Agreement at clause 12 sets out the totality of the Council's agreed financial contributions.
- (ix) The Joint Working Agreement sets out how the costs associated with delivering the City Deal and running the Joint Committee are to be met, which will be shared on a per capita population basis as at 2015 figures.
- (x) The Joint Working Agreement contains provision to address matters such as disputes, variations, data protection and freedom of information. As Accountable Body the Council's Senior Information Risk Owner (SIRO) will retain responsibility for all information security and information management policies regarding the upkeep and exchange of data.

103. Scrutiny Arrangements - There are a range of approaches to scrutiny of collaborative activities, which include scrutiny by existing Scrutiny Committees on a 'council by council' basis, joint meetings between Councils' Scrutiny Committees through to the establishment of new joint overview and a Scrutiny Committee. It is proposed that initially scrutiny will be undertaken by Councils' existing Scrutiny Committees but that the Councils will work together to create a new City Deal joint overview and Scrutiny Committee. It is anticipated that Scrutiny would be involved in monitoring the performance and governance of the City Deal on an ongoing basis; but it would be a matter for the Scrutiny Committee to determine what areas it wishes to scrutinise.

#### Equality Act 2010

104. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010. Pursuant to these legal duties councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.

#### **RECOMMENDATIONS**

It is recommended that subject to the terms of the Joint Working Agreement the Cabinet and Council agree the following in so far as it applies to each of their functions:

- a) Approve the Joint Working Agreement (Appendix C) as the legal document that formally establishes the Cardiff Capital Region Joint Cabinet (the Regional Cabinet) as a Joint Committee, with delegated functions, with a Commencement Date of the 1<sup>st</sup> March 2017. The elected member representative to the Regional Cabinet shall be the Leader of the council, or his/her nominated Deputy.
- b) Approve, the financial contributions towards the collective £120m total, (together with such associated costs e.g. carry costs), as detailed in paragraph 94 of this report.
- c) Approve the carry forward of any remaining revenue funds from 16/17, contributed by each Council, into 17/18 in order that the support structure for the Joint Committee continues.
- d) Approve the collective revenue contributions of up to £1 million (inclusive of recommendation (c) above, on a proportionate basis as set out in the Joint Working Agreement) to the 17-18 budget, in order that the support structure for the Regional Cabinet continues.
- e) Approve that the City of Cardiff Council acting as the Accountable Body with the responsibilities as set out in the Joint Working Agreement.
- f) Approve the Assurance Framework as the open and transparent, robust decision making process for considering all proposals requiring support from the Cardiff Capital Region City Deal Wider Investment Fund.
- g) Approve the Implementation Plan in the form attached to the Joint Working Agreement, subject to each council approving the Joint Working Agreement Business Plan.
- h) That the Chief Executive in consultation with the Leader of the Council, the Monitoring Officer and s151 Officer be granted delegated authority to agree such amendments as are necessary to the Joint Working Agreement, Assurance Framework and Implementation Plan (as are appropriate) from the date of acceptance of these recommendations to the Commencement Date of the 1<sup>st</sup> March.
- i) That the Chief Executive in consultation with the Leader of the Council, the Monitoring Officer and s151 Officer be granted delegated authority to decide whether the Council should continue to explore the opportunity in the CCR City Deal in the event that one or more of the 10 Constituent Councils fail to agree any of recommendations (a) to (g) above.
- j) That the Leader of the Council or his/her nominated Deputy be granted delegated authority to sign the Joint Working Agreement on behalf of the Council.

## **PAUL ORDERS**



**Chief Executive**  
**19 January 2017**

*The following appendices are attached:*

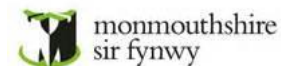
*Appendix A: Heads of Terms*

*Appendix B: Growth and Competitiveness Commission Report*

*Appendix C: Joint Working Agreement*

Mae'r dudalen hon yn wag yn fwriadol

# Cardiff Capital Region City Deal



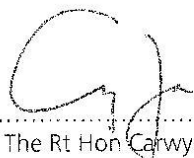
## Executive Summary

1. Cardiff Capital Region has secured a deal worth £1.2 billion. Over its lifetime, local partners expect the City Deal to deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment.
2. This City Deal will provide local partners with the powers and the resources to unlock significant economic growth across the Cardiff Capital Region. It is a deal that builds on the region's sectoral strengths, its high skill base and three successful universities. The City Deal also provides an opportunity to continue tackling the area's barriers to economic growth by: improving transport connectivity; increasing skill levels still further; supporting people into work; and giving businesses the support they need to innovate and grow.
3. This deal will also develop stronger and more effective leadership across the Cardiff Capital Region, enabling ten local authority leaders to join up decision making, pool resources and work more effectively with local businesses.
4. The Cardiff Capital Region City Deal includes:
  - **£1.2 billion investment in the Cardiff Capital Region's infrastructure.** A key priority for investment will be the delivery of the South East Wales Metro, including the Valley Lines Electrification programme.
  - **Connecting the region.** The Cardiff Capital Region will establish a new non-statutory **Regional Transport Authority** to co-ordinate transport planning and investment, in partnership with the Welsh Government.
  - **Support for innovation and improving the digital network.** To develop capabilities in Compound Semiconductor Applications the UK Government will invest £50 million to establish a new Catapult Centre in Wales. The Cardiff Capital region will also prioritise investment in research and development and provide support for high value innovative businesses.
  - **Developing a skilled workforce and tackling unemployment.** The Cardiff Capital Region Skills and Employment Board will be created (building on existing arrangements) to ensure skills and employment provision is responsive to the needs of local businesses and communities. The Cardiff Capital Region and the Welsh Government will work with the Department of Work and Pensions to co-design the future employment support from 2017, for people with a health condition or disability and/or long term unemployed.
  - **Supporting enterprise and business growth.** A Cardiff Capital Region Business Organisation will be established to ensure that there is a single voice for business to work with local authority leaders.
  - **Housing development and regeneration.** The Welsh Government and the Cardiff Capital Region commit to a new partnership approach to strategic planning. This will ensure the delivery of sustainable communities, through the use and re-use of property and sites.

Our signing of this document, subject to relevant council approvals, confirms our joint commitment to ensure full implementation of the Cardiff Capital Region City Deal proposed by: City of Cardiff Council; Blaenau Gwent County Borough Council; Bridgend County Borough Council; Caerphilly County Borough Council; Merthyr Tydfil County Borough Council; Monmouthshire County Council; Newport City Council; Rhondda Cynon Taff County Borough Council; Torfaen County Borough Council; and Vale of Glamorgan Council.



The Rt Hon Stephen Crabb  
Secretary of State for Wales



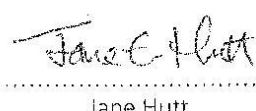
The Rt Hon Carwyn Jones  
First Minister of Wales



Cllr. Phil Bale  
Leader of City of Cardiff  
Council



The Rt Hon Greg Hands  
Chief Secretary to the  
Treasury



Jane Hutt  
Minister for Finance and  
Government Business  
Welsh Government



Cllr. Steve Thomas  
Leader of Blaenau Gwent  
County Borough Council



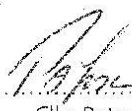
Cllr. M E J Nott OBE  
Leader of Bridgend County  
Borough Council



Cllr. Keith Reynolds  
Leader of Caerphilly County  
Borough Council



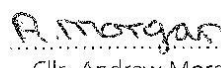
Cllr. Brendan Toomey  
Leader of Merthyr Tydfil  
County Borough Council



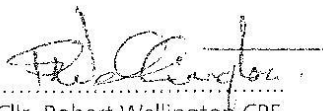
Cllr. Peter Fox  
Leader of Monmouthshire  
County Council



Cllr Bob Bright  
Leader of Newport City  
Council



Cllr. Andrew Morgan  
Leader of Rhondda Cynon  
Taff County Borough  
Council



Cllr. Robert Wellington CBE  
Leader of Torfaen County  
Borough Council



Cllr. Neil Moore  
Leader of Vale of  
Glamorgan Council



## Introduction

5. The Cardiff Capital Region is comprised of ten local authorities: Blaenau Gwent; Bridgend; Caerphilly; Cardiff; Merthyr Tydfil; Monmouthshire; Newport; Rhondda Cynon Taff; Torfaen; and Vale of Glamorgan. It is the largest city-region in Wales and accounts for approximately 50% of the total economic output of the Welsh economy, 49% of total employment and has over 38,000 active businesses.
6. The Cardiff Capital Region is an area where people want to live and work. With two cities (Cardiff and Newport) at its core, the region has seen significant regeneration and investment over recent decades. Cardiff, as the capital city, is now dynamic, fast growing and forecast to have a higher population growth rate over the next 20 years than any other city in the UK.
7. The area is home to a range of competitive business clusters with significant international and indigenous businesses across sectors such as: financial services; creative and digital industries; advanced manufacturing; life sciences; energy; and energy supply. These business clusters are serviced through a wide and supportive ecosystem. This ecosystem contains a thriving higher education sector which includes Cardiff University, Cardiff Metropolitan University and the University of South Wales..
8. However, despite these strengths, numerous challenges remain. Gross Value Added, which is a measure of goods and services produced in an area, is lower than all but one of the English Core City Regions. There are also connectivity issues across the region which makes it more difficult for people in Valley's communities to access economic opportunities.
9. Recognising these opportunities and challenges all the signatories to this deal are working together to realise the vision for the Cardiff Capital Region, which is to: *“work together to improve the lives of people in all our communities. We will maximise opportunity for all and ensure we secure sustainable economic growth for future generations”*. This City Deal provides local partners with further powers and tools to realise this vision.

## **Key Elements of the Deal**

### **Cardiff Capital Region Investment Fund**

10. This City Deal sets out a transformative approach in how the Cardiff Capital Region will deliver the scale and nature of investment needed to support the area's growth plans. Central to this will be the development of a 20 year £1.2 billion Investment Fund, which the Cardiff Capital Region will use to invest in a wide range of projects.
11. Both the UK and Welsh Government are contributing £500 million to this fund respectively. The Welsh Government funding will be provided over the first seven years of the Investment Fund, from 2016/17 to 2022/23. The ten local authorities in the Cardiff Capital Region will contribute a minimum of £120 million over the 20 year period of the Fund. In addition, over £100m from the European Regional Development Fund has been committed to delivering the City Deal.
12. The Cardiff Capital Region believes investments in these areas will deliver up to 25,000 new jobs and bring forward at least £4 billion of additional investment from local partners and the private sector by 2036.

### **South East Wales Metro**

13. A key priority, which the City Deal Investment Fund will support, is the delivery of the South East Wales Metro. The scheme has the potential to provide a significantly improved public transport system that will transform the way people travel around the region.
14. Given the importance of the Metro to the UK Government, Welsh Government and Cardiff Capital Region, a proportion of the Investment Fund will be pre-allocated to the delivery of this scheme. This pre-allocation focuses on both phases of the wider Metro scheme. These are:
  - The delivery of the Valley Lines Electrification programme. This City Deal re-confirms the continued shared ambition of both Government's and the Cardiff Capital Region to deliver this element of the wider Metro scheme. £325 million of the £1.2 billion Investment Fund has already been committed to the delivery of this scheme (£125 million from the UK Government, £94 million from the Welsh Government and £106 million from the European Regional Development Fund).
  - The delivery of the wider South East Wales Metro scheme. The Welsh Government will pre-allocate over £400m further funding from the Investment Fund to deliver the wider ambitions around the Metro scheme, which is the subject of ongoing design work. As part of this City Deal the Welsh Government commits to involving the Cardiff Capital Region in the co-design of the wider Metro scheme and in the procurement of a delivery organisation.

15. The Department for Transport will agree the arrangements for making the agreed contribution to the Valley Lines Electrification project with the Welsh Government. The Welsh Government will agree with the local authorities the arrangements for managing the funding of the Metro scheme, and how it interacts with funding for additional Metro investments delivered through this City Deal.

### **Wider Investment Priorities**

16. The remaining element of the Investment Fund will be used to take forward a wide range of projects and schemes that support economic growth across the Cardiff Capital Region. Decisions on the prioritisation of these schemes will be taken by the Cardiff Capital Region Cabinet. Schemes taken forward could include: further transport schemes; investment to unlock housing and employment sites; and development of research and innovation facilities.

### **Investment Fund Assurance Framework**

17. The ten local authorities across the Cardiff Capital Region commit to writing and adopting an assurance framework for this Investment Fund. This will be agreed by the UK and Welsh Government. By adopting the assurance framework prior to the commencement of the Investment Fund, the Cardiff Capital Region will ensure that schemes that are taken forward (outside of the South East Wales Metro which will be subject to a separate assessment against an assurance framework) represent good value for money and are underpinned by a robust business case.
18. This assurance framework will be based on existing best practice from the UK Government and Welsh Government. In addition the framework will also draw upon any local best practice for managing investment decisions across the Capital Region. Key elements that the assurance framework will include are:
  - purpose, structure and operating principles of the framework;
  - arrangements to ensure value for money and effective delivery through strong project development, project and options appraisal, prioritisation, and business case development;
  - a description of the arrangements for supporting the effective delivery and implementation of projects and schemes, including relationships with delivery bodies; and
  - arrangements which enable effective and meaningful engagement of local partners and the public in the investment decisions taken and subsequent scrutiny of these decisions.

### **Investment Fund Gateway Assessments**

19. Cardiff Capital Region will be required to evaluate the impact of the Investment Fund in order to unlock funding that has not been pre-allocated to the South East Wales Metro programme. This will be comprised of gateway assessments every five years. To underpin these gateway assessments, an independent review will be commissioned to evaluate the economic benefits and economic impact of the investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Cardiff Capital Region, but agreed at the outset with the UK Government. The next five

year tranche of funding will be unlocked if the UK and Welsh Governments are satisfied that the independent assessment shows the investments to have met key objectives and contributed to national growth.

### **Local Authority Borrowing**

20. Throughout the course of the City Deal programme the ten Cardiff Capital Region local authorities will be responsible for financing the capital investment programme. The difference in the profile between the proposed investment and the capital grant funding may require a local authority or authorities to borrow to fund any difference in expenditure and grant. The cost of any external borrowing is the responsibility of the relevant local authority or local authorities and is to be managed in accordance with prudential principles – it must be prudent, affordable and sustainable.
21. In a scenario where a future Investment Fund Gateway is not achieved, leading to any reduction or cessation of City Deal grant, then it will be the responsibility of individual local authorities within the Cardiff Capital Region to manage the financial impact of this within their local authority budget, utilising reserves or surpluses as required.

### **Additional Flexibilities**

22. In order to deliver the Cardiff Capital Region's City Deal commitments and a longer-term economic strategy, the ten local authorities have requested greater financial autonomy and flexibility. As part of this City Deal the Welsh Government will explore with the Cardiff Capital Region:
  - the devolution of business rate income above an agreed growth baseline to provide funding for the City Deal programme;
  - providing the ability to levy an infrastructure supplement;
  - creating the option for the local authorities to use alternative finance sources; and
  - removing conditions around some specific Welsh Government grants, to allow funding to be pooled at the regional level in areas such as school support and interventions that seek to address poverty.

## Connecting the Cardiff Capital Region

23. Transport has a key role in delivering economic growth and improving outcomes for people by connecting communities, business, jobs, facilities and services. However across the Capital Region there are significant congestion and transport capacity issues that need to be addressed. The City Deal Investment Fund and South East Wales Metro will make a significant contribution to improving transport connectivity.
24. In addition to this investment the Cardiff Capital Region will establish a new non-statutory Regional Transport Authority to co-ordinate transport planning and investment, in partnership with the Welsh Government. The Cardiff Capital Region Transport Authority will be responsible for:
  - pooled local transport resources;
  - regional planning for the local transport network;
  - working with Transport for Wales to ensure objectives for transport investment are aligned;
  - exploring the creation of a single integrated ticketing platform for public transport across the Cardiff Capital Region;
  - working in partnership with the Welsh Government to define the priorities of the South East Wales Metro concept and to support its delivery; and
  - working in partnership with the Welsh Government to promote the development of integrated aviation routes from Cardiff Airport and St Athan Enterprise Zone, to deliver economic benefit.



## **Investing in Innovation and the Digital Network**

25. The Cardiff Capital Region has an aspiration to extend the “arc of innovation” that runs along the M4 corridor into the Cardiff Capital Region. Capitalising on the research strengths of the Region’s three universities, the Cardiff Capital Region will designate an “Innovation District” that helps to: create and nurture new high growth businesses; increases investment in research and development; and provides the skills that businesses need now and in the future.

## **Developing the Compound Semiconductor Sector**

26. To transform the UK’s capability, and help position Cardiff as the European leader in Compound Semiconductor applications, the UK Government will invest £50 million to establish a new Catapult in Wales. This new Catapult will complement the work of other organisations in Wales who are already working in this important area, including the Compound Semiconductor Institute at Cardiff University and the Compound Semiconductor Centre, a joint venture between Cardiff University and IQE.
27. Recognising this opportunity, the Cardiff Capital Region will prioritise interventions that support the development of an internationally-competitive Compound Semiconductor cluster. Local partners believe that this will put the UK at the heart of an emerging global growth technology.

## **Innovation Investment**

28. To accelerate the growth of innovation and facilitate investment in research and development, the Cardiff Capital Region will seek to prioritise:
  - mechanisms to support high growth sectors;
  - the development of new facilities and employment sites;
  - new approaches to public service delivery;
  - the Software Academy in Newport and related programmes across the Capital Region;
  - investment in intellectual property creation and commercialisation;
  - adding value and complimenting existing innovation support; and
  - developing a cyber-security academy with the University of South Wales.

## **Innovate UK**

29. Innovate UK is now planning to increase its footprint and presence in Wales, in order to: raise the awareness and engagement in Innovate UK programmes and activities; to strengthen its links with business, universities and other key partners; and to work with the Welsh Government to promote and support innovation.

## **Data**

30. Cardiff Capital Region commits to developing proposals for how better and more flexible use of data could be used to drive innovation across the public sector and

within the wider economy. The Cardiff Capital Region will present a clear case to the UK Government for how a different approach to the use of specific data would improve service delivery and would benefit particular groups.

### **The Digital Network**

31. Innovation will also be a central theme within the Cardiff Capital Region's ambition to deliver an outstanding digital infrastructure and wider ecosystem to support economic growth. To continue to build on investments in next generation broadband, and the Region's reputation as one of the fastest growing tech hubs in the UK, the Cardiff Capital Region will prioritise:

- exploring the case for direct international connectivity;
- the mobile infrastructure across 4G and 5G technologies that add value to existing provision;
- increasing Wi-Fi services across public transport;
- digital solutions to solve the big problems, such as smart housing, citizen payments and open data challenges; and
- facilitating collaboration between stakeholders to identify and exploit opportunities.

## **Developing a Skilled Workforce and Tackling Unemployment**

32. This City Deal will improve the co-ordination and delivery of skills and employment support across the Capital Region. It will help to increase the number of people moving into work (including those that have been out of work for a long time), increase the number of people undertaking an apprenticeship or other relevant skills provision and give people the skills they need to compete in a global employment market.

### **The Cardiff Capital Region Skills and Employment Board**

33. To ensure skills provision is adapted to local economic and social needs and provides the best value for money, the Cardiff Capital Region will strengthen the existing Learning, Skills and Innovation Partnership. This will be re-launched in 2016 as the Cardiff Capital Region Skills and Employment Board.
34. The Partnership will represent a wide range of stakeholders, including: business bodies; higher and further education; local authorities and the Welsh Government. It will be responsible for:
- Cardiff Capital Region's skills and worklessness strategy;
  - pooled local authority skills resource;
  - producing an annual regional plan for employment and skills. This annual plan, led by industry, will set out how both the existing skills needs of businesses and the Capital Region's future skills challenges will be addressed;
  - influencing and monitoring the delivery and impact of employment and skills programmes across the Region;
  - ensuring an industry led approach to the design and delivery of apprenticeship programmes meets the needs of both business and apprentices;
  - supporting the Welsh Government's "Curriculum for Wales, Curriculum for Life" plan, by encouraging closer alignment between future employer skills needs and education provision across the region; and
  - ensuring European Union funding investments in skills and employment add value and align with other programmes.

### **Work and Health Programme**

35. Cardiff Capital Region and the Welsh Government will work with Department for Work and Pensions to co-design future employment support from 2017, for people with a health condition or disability and/or long term unemployed<sup>1</sup>, many of whom are currently referred to the Work Programme and Work Choice.
36. The respective roles of the Department for Work and Pensions and Cardiff Capital Region in the co-design include:
- Department for Work and Pensions setting the funding envelope; however Cardiff Capital Region and the Welsh Government can top up this if they wish, but are not required to.

---

<sup>1</sup> Long term unemployed is defined as claiming benefits for 24 months.

- Cardiff Capital Region and the Welsh Government setting out how they will join up local public services in order to improve outcomes for this group.
  - Department for Work and Pensions setting the high level performance framework, ensuring support appropriately reflects labour market issues. The primary aim will be to reduce unemployment and move people into sustained employment.
  - Cardiff Capital Region (working with the Welsh Government) will have input into determining specific local outcomes that reflect their labour market priorities, however these outcomes should be complementary to the ultimate employment outcome. In determining any local outcome(s) Cardiff Capital Region and the Welsh Government will work with the Department for Work and Pensions to take account of the labour market evidence base and articulate how these will both fit within the wider strategic and economic context and deliver value for money.
37. Before delivery commences the Department for Work and Pensions, Cardiff Capital Region and the Welsh Government will set out an agreement covering the respective roles of each party in the delivery and monitoring of the support. This will include a mechanism by which each party can raise and resolve any concerns that arise.
  38. The Department for Work and Pensions sets the contracting arrangements, including contract package areas, but should consider any proposals from Cardiff Capital Region on contract package area geography.
  39. Providers will be solely accountable to the Department for Work and Pensions, although Cardiff Capital Region and the Welsh Government will be involved in the tender evaluation.
  40. The Department for Work and Pensions and Cardiff Capital Region will develop a mechanism by which Cardiff Capital Region (working with the Welsh Government) can escalate to the Department for Work and Pensions any concerns about provider performance/reaching local agreements and require the Department for Work and Pensions to take formal contract action where appropriate.

## **Supporting Enterprise and Business Growth**

41. The Cardiff Capital Region is committed to improving the co-ordination of local and national business support arrangements. This includes working in partnership with the Welsh Government to address identified barriers to growth, support spatial and sectoral priorities and to target emerging opportunities for driving economic performance.

### **The Cardiff Capital Region Business Organisation**

42. Local partners recognise that ensuring there is a strong business voice to guide both the design and delivery of business support across the region will be critical.
43. Therefore working with public sector partners, the business community, and representative bodies, Cardiff Capital Region will establish a Cardiff Capital Regional Business Organisation. This organisation will provide a clear business voice that will influence and shape business support programmes. In creating the Board, a mapping and consultation process will be undertaken with existing advisory Boards operating within the Region. This will ensure roles and remits are complimentary and add value. The Board will be responsible for:
  - articulating the regional needs of business;
  - identifying regional priorities for existing business support services; and
  - designing future business support programmes.
44. Membership will be drawn from across a range of sectors and interests, including social enterprises and mutuals. A joint Confederation of British Industry, Federation of Small Business, Institute of Directors and South Wales Chamber of Commerce statement outlined the underlying principles for the Business Organisation. The final structure will be designed by the Cardiff Capital Region business community.

### **Integration of Local Business Support Services and Resources**

45. To ensure that relevant business support and promotional activities are delivered at the Capital Region level, local resources will be aligned to create an Integrated Delivery Unit. This unit will deliver regionally significant aspects of economic development. This includes: business development; marketing; tourism; and inward investment.
46. The Integrated Delivery Unit, working in collaboration with the Welsh Government and the proposed Regional Business Organisation, will ensure that any new business support provision complements existing national initiatives. In addition, through this collaborative approach, the Welsh Government is committed to working with the Cardiff Capital Region to explore where existing business support provision can be built on or expanded, whilst avoiding duplication. A number of existing programmes (for example Business Wales, which offers a one stop shop advice and referral service to SMEs and Entrepreneurs) have already been designed through consultation with industry and have the potential to be aligned with identified regional needs and priorities.



47. Further to this, the Welsh Government is also committed to working in partnership with the Cardiff Capital Region to promote the area at a global level. As part of this, the Welsh Government will ensure greater levels of visibility with the Welsh Government's own overseas offices. In addition the Welsh Government will continue to work closely with UK Trade and Investment to ensure that its propositions are promoted and co-ordinated across the UK Trade and Investment overseas post network.

## Housing Development and Regeneration

48. Delivering an increase in house building across the Cardiff Capital Region will help to address critical housing shortages especially for first time buyers and those unable to join the 'housing ladder'. House building is also a critical element of the economy as it: stimulates demand within the supply chain during construction and through purchases by the eventual occupiers; contributes to a more balanced regional planning framework; and is a major employer in its own right.
49. The City Deal presents a unique opportunity for the ten local authority areas to come together to develop and deliver a strategic approach to housing, regeneration and economic growth which will create an accessible, liveable, 'work-life integrated' and highly connected Capital Region. To support this ambition the Cardiff Capital Region will:
- Commit to the development of a partnership between the Cardiff Capital Region and the Welsh Government to take a strategic and balanced approach to housing and regeneration, focussing development on where it is most needed – in a regional and coordinated way.
  - Ensure that new housing is linked to the delivery of sustainable and balanced communities, through the re-use of property and sites. Further, both the Welsh Government and Cardiff Capital Region will ensure that proposals to improve the efficiency and quality of the housing stock are aligned with other regeneration outcomes.
  - Establish a collective way of working, for example, through an asset development vehicle to progress speculative opportunities for potential Cardiff Capital Region regeneration ventures.
  - Develop an integrated public-private housing offer, with clarity over tenure, mix type, design and affordability with prototyping for 'settlements of the future'.
  - Utilise innovation in local procurement to secure supply chain benefits, local labour and other social clauses to maximise value.
  - Establish the delivery of renewable energy-led regeneration and housing programmes and ensure the principles of 'clean-tech' are anchored within physical development initiatives. This will contribute to ensuring 'future-proofing' and creation of new supply chain networks.
  - Engage the affordable housing sector providers in the region as one network. Working with Cardiff Capital Region this network will develop a regional "Housing Plus" strategy in which added value benefits such as training construction apprenticeships, energy resilience and job creation are clearly set out and adopted. This will provide a framework against which site regeneration schemes can be prioritised for investment.
50. In both the planning and delivery of new housing and regeneration projects, the Cardiff Capital Region will ensure that there is alignment to current Welsh Government programmes including Creating Vibrant and Viable Places – the Welsh Government's regeneration framework and increasing the supply and standards of housing.

## **Cardiff Capital Region Governance**

51. The ten local authority partners of the Cardiff Capital Region City Deal have agreed to establish a governance model that:
- complies with the existing statutory framework that exists in Wales to deliver this City Deal;
  - strengthens and streamlines the existing governance and partnership arrangements across the Capital Region;
  - improves business involvement in local decision making;
  - provides confidence and assurance to both the UK and Welsh Government that the local authority leaders are making decisions which will drive economic growth across the Capital Region; and
  - enables local authorities to explore with the Welsh Government alternative governance arrangements in the medium term.

### **Cardiff Capital Region Cabinet**

52. Utilising the existing statutory framework, the ten local authorities will establish a Cardiff Capital Region Cabinet. The Cabinet will have the status of a Joint Committee and will be the ultimate decision making body in the governance structure.
53. The establishment of a Capital Region Cabinet will be the first step in the development of greater city-region governance across the Cardiff Capital Region. The Cabinet, which will comprise the ten participating local authorities, will provide the basis for initial decision making regarding the Investment Fund. In addition the Cardiff Capital Region Cabinet will be responsible for:
- management of the Cardiff Capital Region Investment Fund;
  - additional devolved funding provided to the Capital Region;
  - the Cardiff Capital Region Transport Authority;
  - contracting with Transport for Wales on prioritised Metro projects;
  - control over devolved business rate income above an agreed growth forecast, subject to Welsh Government agreement;
  - strategic planning including housing, transport planning and land use;
  - influencing skills and worklessness programmes;
  - an Inward investment and marketing strategy; and
  - considering the scope for strengthening Capital Region governance further.
54. A comprehensive agreement will be drawn up between the participating authorities which will bind and commit each individual local authority and any successor authority (in the event of local government re-organisation) for such duration as is necessary to deliver the City Deal. The agreement will also allow for the possibility of additional functions and powers to be devolved to the Cabinet in the future.
55. The Cardiff Capital Region commit to reviewing the City Deal governance and exploring the future options for moving to even stronger and effective governance that is legally binding. The review will include consulting the Welsh Government

and the UK Government to identify actions needed to take forward future governance options.

### **Strategic Regional Planning**

56. The Cardiff Capital Region, in partnership with the Welsh Government, will commit to the creation of an integrated strategic development plan that incorporates housing and employment land-use with wider transport plans. The strategic plan will provide the underpinning blue-print for development across the city-region.

### **Cardiff Capital Region Economic Growth Partnership**

57. A Cardiff Capital Region Economic Growth Partnership will be established to bring together business, higher education and local government. The partnership would be responsible for setting the overarching city-region economic development strategy, as well as monitoring and making recommendations to the Cabinet with regard to City Deal implementation. The partnership will have a specific role to provide advice on investment decisions. This will ensure the City Deal and other interventions make an impact on economic growth and increase employment.
58. The Partnership's membership and terms of reference will be established using the best international practice such as the Danish Growth Forums, as well as the Local Enterprise Partnership model in England and the Economic Leadership Board established in Glasgow.

### **Independent Growth and Competitiveness Commission**

59. The Cardiff Capital Region will establish an independent Growth and Competitiveness Commission to support the city region's economic and investment strategy. It will review activities related to the City Deal as well as wider economic and growth interventions.
60. The Commission's first task will be to review the evidence about the functional economic area and advise how best to generate Gross Value Added growth and support the ambitions of a dynamic capital region.
61. The Commission will be jointly established by the ten local authorities that comprise the Cardiff Capital Region in consultation with the Welsh and UK Governments.
62. The Commission will examine the challenges and opportunities for economic growth and competitiveness and make recommendations for how the Cardiff Capital Region can achieve its full growth potential.

### **Delivery, Monitoring and Evaluation**

63. Cardiff Capital region will work with the UK Government and the Welsh Government to develop an agreed implementation, monitoring and evaluation

plan in advance of implementation, which sets out the proposed approach delivery and evaluating the impact of delivery.

64. The Cardiff Capital Region City Deal will be monitored by the Joint Cabinet. The joint programme management team will provide the Cabinet, the UK Government and the Welsh Government with quarterly performance report that will:
  - highlight City Deal successes;
  - provide a performance narrative for each element of the City Deal against agreed implementation plan timescales;
  - provide information on outputs and outcomes agreed;
  - identify mitigating actions for projects and programmes that are not being delivered to agreed timescales.
65. The UK Government and Welsh Government will work with the Cardiff Capital Region to agree a timetable for the production of these reports and will convene regular progress meetings.
66. The Cardiff Capital Region commit to recognising the “City Deal” in promoting and branding investments made as a result of this Deal. This includes acknowledging the UK Government equally alongside other funding partners. The Cardiff Capital Region may wish to explore a single unique brand identity that represents the whole Capital Region area and all the partners involved in delivering the City Deal.



Cardiff  
Capital  
Region  
**City Deal**

Growth &  
Competitiveness  
Commission

# Report and Recommendations



Cardiff  
Capital  
Region  
**City Deal**

Growth &  
Competitiveness  
Commission

---

Cardiff  
Capital  
Region  
**City Deal**

---

**Growth &  
Competitiveness  
Commission**

# CONTENTS

	Page
Chair's Foreword	4
Setting the Scene	5
PART 1 - The Commission and The Evidence	6
Summary and Core Proposition	6
Context and Methodology	7
The Evidence Gathering Process	9
PART 2 - The Cardiff Capital Region: The Case for the Region	10
<b>2.1</b> Introduction and Summary	10
<b>2.2</b> Previous Studies and Reports: The Case for the Cardiff Capital Region	12
<b>2.3</b> International Evidence: How City-Regions Work	18
PART 3 - Review and Recommendations	22
<b>3.1</b> Prospects for the Capital City Region	22
<b>3.2</b> Economy	23
<b>3.3</b> Inclusion	32
<b>3.4</b> Sustainable Development	37
<b>3.5</b> Investment	44
<b>3.6</b> Organisation: Governance and Leadership	48

# CHAIR'S FOREWORD

The signing of the Cardiff Capital Region City Deal signalled an intention by the UK Government, Welsh Government, and the ten Local Authorities to increasingly work together, through joint enterprise, on issues of long term development, infrastructure, land use, economic development and employment. This important agreement provides a fresh start for the city-region and offers the possibility of an integrated, singular, and long term approach to the region, rather than the multiple and fragmented initiatives of the previous cycles.

We set out to do an evidence based review. This involved:

- A public survey.
- An open invitation for submission of evidence.
- Literature and data assessment.
- A review of previous city-region studies and interviews with their authors and chairs.
- International case studies.
- Multiple workshops with local stakeholders and decision makers.

The Commissioners have been able to benefit from extensive work that has already been undertaken and we are very grateful to all those who submitted evidence, provided us with briefing, and shared their data. We are especially grateful to the chairs and members of previous commissions, task forces, and working groups who have covered some of the same ground that we have sought to review. They have been generous with their time and insights.

International evidence shows us that city-regions are functional units in sub-national economies and the degree to which they are well organised and cohesive impacts upon their long term performance. City-regions that have joint strategies, shared institutions, and common investment programmes do better than those that do not. City-regions do much better if the higher tiers of government are aligned with the local level in a common strategy.

It is tempting to suggest that the Cardiff Capital Region will succeed best in the long term if we focus solely on one or two priorities such as growth sectors, education, enterprise, connectivity, promotion, or tourism. But our commission has found that a long term strategy for the region needs to combine and sequence multiple interventions that are not in tension with one another but require careful integration. As this report explains, we believe the long term strategy for the region will include at least:

- Investment in education to improve employability and productivity.
- Fostering of employment growth across distinct skills and income spectrums.
- Infrastructure investment to integrate the region better and provide more opportunities.
- Development in the spatial economy that will see multiple locations of growth.

- Improvements in the quality of place and the range of institutions investing in improving the city and town centres.
- Fostering of emerging sectors of employment and new/young companies.
- Increasing governance integration in the city-region to combine efforts and leverage investment.
- Effective working relationships that support economic flows and opportunities with areas outside the city-region including South Wales, Wales, the Severn Valley, The Midlands of England and the Greater South East around London.

Our report develops this multi-strand approach and argues for increasing levels of collaborative co-investment. We stress the need to move to rapid implementation and avoid further reviews.

I would like to sincerely thank my fellow Commissioners for their important work and to thank the teams from Cardiff University, the Centre for Cities and the Office for National Statistics who supported the work of the Commission.

**Prof Greg Clark CBE,  
Commission Chair**

# SETTING THE SCENE

The idea of the city as a “growth engine” is a compelling but partial picture of the world today: compelling because the global economy is becoming ever more urbanised, but partial because it is not so much cities as city-regions that are the real engines of economic growth. In other words, cities are not self-sufficient entities no matter how much they aspire to be, and this is especially true of Cardiff.

Indeed, few cities have been as dependent on their regional hinterland as the Welsh capital. Without the dramatic growth of the coalfields in the South Wales valleys, there would have been no commercial logic for the Bute family to build a port; and without export facilities, Cardiff would never have become the Coal Metropolis of the early 20th century. So the city and the region were mutually dependent from the outset and, though the form clearly changed, this inter-dependence remains the overriding feature of the region, so much so that the greatest political challenge today is to tap the potential of this shared destiny.

The inter-dependence of Cardiff and its regional neighbours has been recognised in planning and policy circles for many years. The Wales Spatial Plan captured the problem and the solution back in 2004 when it described the area as an “inter-dependent but unplanned urban network” where the challenge was to become “a single networked city-region on a scale to realise its international potential”.

Realising this potential will require one thing above all others, namely a political commitment to collaborate for mutually beneficial ends. In the past a zero-sum political mind-set has stymied the growth potential of the city-region, a mind-set in which the gains of the city were perceived as losses for the region.

Political leaders have put that parochial mind-set behind them in recent years, evidenced by the creation of the Cardiff Capital Region and the City Deal. Realising the potential of the City Deal will require all parties – in the public, private and third sectors of the city-region – to prove that what they have in common is so much greater than what divides them. The projects that will flow from the City Deal, particularly the Metro, will need collaboration on a scale never before witnessed in the region because no single party has the resources or the imagination to realise these projects on its own, hence the significance of the shared destiny.

**Professor Kevin Morgan**  
**Cardiff University**



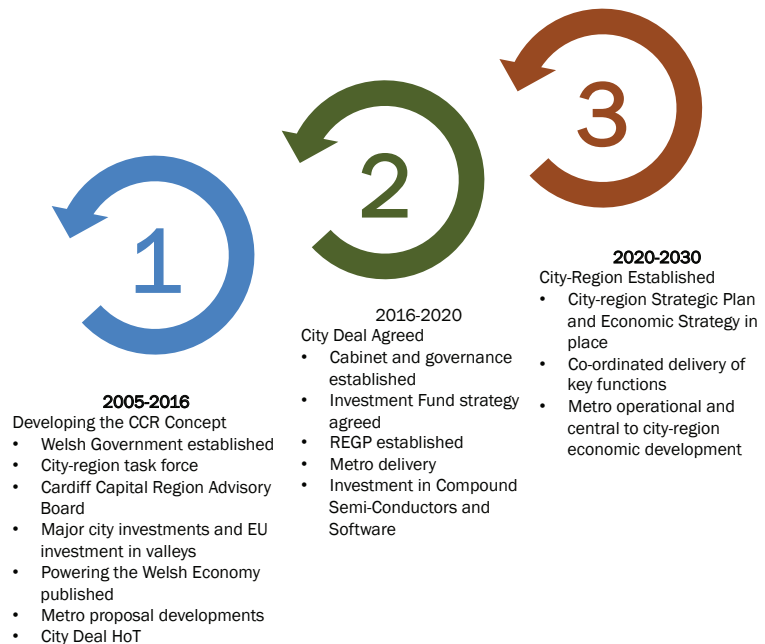
# PART 1 - THE COMMISSION AND THE SUMMARY AND CORE PROPOSITION

This evidence based review by the Independent Commission sought to understand how best to generate growth and support the ambitions of the Cardiff Capital Region, and has resulted in a core proposition that drives our report.

Our assessment is that the Cardiff Capital Region can be more prosperous, more inclusive and more sustainable. We do not see inevitable or unresolvable tensions between these priorities, but we recognise that they can only be achieved if the region becomes much better connected and inter-dependent, and if investment in connectivity is used to drive changes in transport modes, new land uses, the fostering of a multi-centred economy, and improved liveability for people at all levels of income. Improvements in rail connections must act as drivers and enablers of broader placemaking, business clustering, higher skills and bolder aspirations for the city-region.

The international evidence shows us that those city-regions that adopt strategies that combine together economic development with spatial development, infrastructure development, improved sustainability and more effective human services can find a path to increased prosperity and inclusion. This evidence also shows us that such progress is achieved over 5-10 year cycles and through integrated strategies supported by combined efforts between different governments. It will not be achieved in the short term, or solely by individual projects, and one-off or fragmented, actions. We encourage the leaders of the 10 Authorities, the Welsh Government and the UK Government to act in concert now, and for the long term, to create unified governance, an increased rate of investment and deeper delivery capability that can be sustained for the two to three cycles necessary to achieve success. We see an urgent need to make progress and achieve a rapid mobilisation of efforts.

## Cardiff Capital Region Three Potential Cycles of Development



The Cardiff Capital Region's potential to develop into a prosperous capital city-region for Wales, requires an **integrated economic strategy** that is sequenced with increased investment in infrastructure, placemaking and renewal. This strategy should use **connectivity to play to the strengths of multiple locations of growth**, underpinned by measures to enhance long term productivity and innovation readiness. It should be complemented by more **integrated governance, confident story-telling, and adjustments to meet the requirements of external investors.**

The Cardiff Capital Region City Deal was signed in Cardiff on 15 March 2016 by the ten local authority Leaders, the First Minister of Wales, the Minister for Finance, the Secretary of State for Wales and the Chief Secretary to HM Treasury. The 'Heads of Terms' document outlines the parameters for the detailed development of the City Deal. The document also outlines how the ten local authorities will work in partnership with the Welsh Government and UK Government to support economic growth.

The Cardiff Capital Region City Deal will invest **approximately £1.2bn in the city-region economy between now and 2036**. Whilst much of this is already earmarked for certain activities, particularly investment in the South East Wales Metro, there are funds available as part of the £1.2bn to leverage wider economic benefits. The City Deal has a small number of key targets. Notably, these include the creation of 25,000 new jobs by 2036, the leveraging of £4bn of private sector investment and securing economic growth.

The City Deal document Heads of Terms identified that an **Independent Growth and Competitiveness Commission** be established with the remit to:

- Review the evidence about the functional economic area and advise how best to generate Gross Value Added growth and support the ambitions of a dynamic capital region in a successful Welsh economy.
- Examine the challenges and opportunities for economic growth and competitiveness, and make recommendations for how the Cardiff Capital Region can achieve its full growth potential and contribute most to the Welsh economy.

In order for the City Deal to fully realise its ambitions there is a consensus that a **robust and long term strategic plan is required**.

This document cannot provide that strategic plan or strategy, but we hope that it can set the framework for it. A proper strategy will need more detailed consideration than has been the remit, timescale and resources of this Commission. It must also consider more inputs than just the City Deal. However, we can set out some clear principles, based on the materials provided to the Commission, as well as some suggestions for where action should be targeted.

At the heart of this report is the need to prioritise and make informed choices. The City Deal represents a significant investment into the Cardiff Capital Region, but it cannot finance everything that is required, particularly given that much of the funding is already committed. The available funds are also limited in that they are phased over a twenty year timeframe. Not everything that would have a positive impact on the long term development of the economy and, more particularly, the communities of the Cardiff Capital Region, will be able to be funded. Choices will need to be made, which we hope will be informed by the principles and recommendations provided by the Commission.

Rather than seeing the City Deal as a broad programme of investment, we suggest that it may be better to regard it as the **foundation to increase joint working and co-investment**. Resources should focus on key themes intended to signal a direction of travel and leverage wider investments, enhance the performance of existing assets, accelerate the process of change, and guide future policy options.

# THE COMMISSION

In June 2016, the Cardiff Capital Region Programme Board agreed to establish the Growth and Competitiveness Commission to be chaired by Prof Greg Clark CBE, an international city-region development expert. The Commission was established as a 'task and finish' group aiming to report in late autumn 2016, within 6 months. A launch event was held for the Commission on the 28 June in Merthyr Tydfil where the appointment of additional Commissioners, Alexandra Jones (Chief Executive of Centre for Cities), Kevin Gardiner (Global Investment Strategist at Rothschild), Helen Molyneux (Chief Executive Officer of New Law) and Julie-Ann Haines (Customer Director for Principality Building Society) was also announced. Details on the Commissioners are provided below:

## **Prof Greg Clark CBE - Chair**

Greg Clark is an international advisor to city-regions including Auckland, Bilbao, Hong Kong, London, Malmö, New York, Oslo, Santiago, São Paulo, Singapore, Sydney, Turin and Vienna. He is Senior Fellow at the Urban Land Institute (Europe). He is Strategic Advisor to the OECD's Local Economy programme, a Global Fellow of the Brookings Institution in Washington, and a Global Fellow LSE Cities. He is author of more than 10 books and 100 major reports on city-regional development. He is a former Chief City and Regional Development Advisor to the UK Government. He is a Fellow of the Academy of Social Sciences and received a CBE for City and Regional Economic development in 2015.

## **Kevin Gardiner - Global Investment Strategist at Rothschild & Co**

Kevin joined Rothschild Wealth Management in August 2014. He was previously chief investment officer (Europe) at Barclays Wealth and Investment Management. He has also worked at several investment banks and the Bank of England in career covering roughly thirty years. He is a member of the Welsh Government's Financial and Professional Services advisory panel, chair of Wales Public Services 2025, and a governor at Atlantic College. He was educated at Hywel Dda School and Glan Ely Comprehensive (Cardiff); Atlantic College (Llantwit Major); the London School of Economics; and Cambridge University. In 1994, at Morgan Stanley, he wrote the "Celtic Tiger" report on the Irish economy.

## **Alexandra Jones - Chief Executive of Centre for Cities**

Alexandra is Chief Executive of Centre for Cities. She is an influential voice in the cities debate, providing advice for senior policymakers in national and local government on a regular basis. Alexandra has worked on strategic projects with organisations ranging from Leeds City Region and the Solent Local Enterprise Partnership to the business-led West End Partnership. She has been a member of the City Finance Commission chaired by Sir Stuart Lipton and both London Finance Commissions chaired by Tony Travers, as well as being a senior adviser to the City Growth Commission, chaired by (now Lord) Jim O'Neill. She is currently Chair of the London Stansted Cambridge Consortium and on the Board of the Heseltine Institute at Liverpool University.

## **Helen Molyneux - former Chief Executive, NewLaw Solicitors**

Helen established NewLaw Solicitors in 2004 to provide outsourced legal services facilities to organisations seeking to deliver legal services to their customers and members. From a standing start, NewLaw now employs over 450 people in Cardiff, Bristol and Glasgow and manages 7 law firms for its corporate partners. In 2014, NewLaw was sold to the Redde Group PLC. In 2013 Helen was named Legal Business Woman of the Year at The Law Society Excellence Awards. In 2015 she was awarded an Honorary Doctorate for her contribution to legal services in Wales, by the University of South Wales. Helen was a member of the Silk Commission on the devolution of powers to Wales and is Chair of the Institute of Welsh Affairs. She is also a non-executive director of Hodge Bank and Confused.com.

## **Julie-Ann Haines - Customer Director at Principality Building Society**

Julie-Ann Haines joined the Principality Building Society in 2007, building and developing its e-commerce offering. In 2010, she was appointed Director of IT & e-channels and at the end of 2012, promoted to Customer Director, responsible for ensuring that the Society stays well ahead of the rapidly-changing nature of its customer base. Julie-Ann's new role saw her appointment to the Group Board. As Customer Director, Julie-Ann has accountability for the operation of the Building Society encompassing all customer facing areas across 70 locations across Wales and the Borders, and 600 colleagues. Julie-Ann is also Chair of the Council of Mortgage Lending Cymru and is a member of the Welsh Government's Expert Panel on Housing for an Ageing population.

## **Research Support**

To support the Commissioners assistance was provided from Cardiff University, the Centre for Cities and the Office for National Statistics. Cardiff University also helped to co-ordinate local consultation exercises, whilst the Centre for Cities provided analytical support. Note that this report represents the findings and views of the Commission and not Cardiff University or the Centre for Cities.

# THE EVIDENCE GATHERING PROCESS

In August the Chair of the Commission wrote to key stakeholders inviting them to submit evidence to the Commission. This call was also extended to the public and was promoted through local media and social media. All MPs, MEPs and AMs received written communication from the Commission Chair, in addition to the Leaders of all ten Cardiff Capital Region local authorities and the Secretary of State for Wales. Relevant scrutiny chairs were also contacted. The Commission sought specific evidence on:

- Challenges and opportunities for economic growth and competitiveness.
- Data and analysis on economic and social issues affecting the city-region.
- How to maximise economic links between the ten local authorities, and thereby make a greater contribution to the Welsh economy.

In total over 40 organisations or individuals responded to the call for evidence. In addition a number of sessions were hosted by **Commissioners and Cardiff University across South East Wales over the four months of research**. A separate in-depth **desk research exercise was also undertaken by Cardiff University and the Centre for Cities**. This focussed on reviewing the currently available evidence as well as a review of previous and existing policy relating to the Cardiff Capital Region.

**Leaders of previous commissions** and other major enquiries and interim boards were contacted and interviewed by the Commission Chair. These included:

- Dr Elizabeth Haywood, Chair of the Commission on City Regions in Wales.
- Roger Lewis, former Chair of the Cardiff Capital Region Board.
- Ann Beynon, Chair of the Cardiff Capital Region Interim Board.
- Simon Gibson, Chair of the Newport Task Force.
- Prof Gerry Holtham, Hodge Professor of Regional Economy at Cardiff Met.

Two conversations took place with Sophie Howe, the **Wellbeing and Future Generations Commissioner**, one with the chairman and one with the whole commission. In December 2016, as the Commission concluded its findings, discussions with the Commission chair were held with **Ministers for Economic Development and Local Government in the Welsh Government, The Secretary of State for Wales and The Permanent Secretary for Wales Government**.

A survey of over 1,500 city-region residents was also undertaken to gauge views on the city-region and their local communities.

The Cardiff Capital Region is widely recognised as a region with **major strengths, an attractive environment, a strong heritage, a growing economy and emerging opportunities. However, it is also a region where there are intense concentrations of poverty**, where many people suffer from poor health and where not all have access to the opportunities available. In recent reports about both the **Cardiff and the Welsh city regions**<sup>1</sup>, these twin priorities of realising great potential and tackling stubbornly high levels of disadvantage are recognised.

Evidence presented to the Commission demonstrates how the Cardiff Capital Region functions as a **substantially self-contained space, but that the connectivity between places within its borders is lacking**. Strengthening this connectivity underpins much of the City Deal agreement, most notably through the proposals for the South-East Wales Metro<sup>2</sup>. Submissions to the Commission stressed the importance of this connectivity, particularly in the operation of labour market, supply chains, housing markets and training / employability opportunities. Connectivity is also seen as key to enabling the evolution of a more polycentric city-region where multiple locations can thrive and flourish. In addition, better connectivity - digitally and physically - between this city-region and the neighbouring regional economies was emphasised.

The Cardiff Capital Region City Deal provides an opportunity to build on **existing assets to develop a vibrant and interconnected city-region**, which enhances prosperity and well-being for all through economic growth. In doing so, we heard how the City Deal must ensure that growth not only brings benefits to all currently in the Cardiff Capital Region, but that it also needs to consider how this will enhance the well-being of our future populations and tackle population decline. Inter-connectedness is the means

to enable shared prosperity and should shape the current cycle of city-regional development, hence the prioritisation of the Metro project. If implemented successfully, the Metro will address the issues of sustainability and future generations directly through several mechanisms:

- It can increase labour market participation by building one labour market system.
- It can increase locational options for firms, institutions and public bodies, and foster multiple locations for growth, employment, innovation and co-working.
- It can herald a major modal shift towards lower carbon public transport through system integration and expansion.
- It can drive enhanced quality of place, multiple locations of jobs and growth, and community wellbeing.
- It can promote a much more resilient city-region with enhanced capacity in housing and job markets.
- It can enable residents and visitors to enjoy more of the diverse services and opportunities the region can provide.

Implementation of the Cardiff Capital Region City Deal will involve making choices. Some will be difficult, as there are short term limits to the public funds available. A City Deal which strengthens aggregate growth without reducing overall levels of inequality, or raising standards of living in the poorest communities of the city-region, will not be regarded as a success. The aim of this City Deal must be to build on the proposed infrastructure investments in order to help residents to improve their quality of life and to ensure that all citizens can participate in the benefits of economic growth.

The city-region has a strong grounding for improvement. The Cardiff Capital Region is a dynamic economy where GVA has increased by between 28% and 30% over the 10 years depending on the measure used (GVA per job filled or GVA per hour worked). This is broadly comparable to the average rate of growth across the UK as a whole. However, GVA per job filled and per hour remains less than 90% of the UK average<sup>3</sup>.

**New employment opportunities** are being created across the city-region. During the five years from 2009-2014 the number of jobs within the Cardiff Capital Region increased by 7,000, a trend which, if continued, would see the City Deal target easily met. This was wholly due to an increase in private sector jobs (by 5% to 455,000) as the number of public sector jobs declined by almost 11% to 155,000<sup>4</sup>. This highlights the importance of a workforce that is able to adapt to changing requirements.

**The population of the Cardiff Capital Region is also ageing** and it is likely that a quarter of the population will be aged over 65 years old by 2039<sup>5</sup>. As such, the available workforce is shrinking and the city of Cardiff is projected to be the only local authority in the region with a growing population aged 16-64 between now and 2039. Compared to many other city-regions in the UK, **the Cardiff Capital Region has proven less attractive to inward migration**<sup>6</sup>. Increasing population growth over time, and attracting working age populations, will be an important measure of how successful the city-region is becoming.



# THE CARDIFF CAPITAL REGION: FOR THE REGION

## ON AND SUMMARY

There is a pressing need to raise productivity levels in the Cardiff Capital Region, where many indicators suggest significant structural challenges to raising incomes and employment rates. Improved investment in skills, infrastructure and innovation, combined with enterprise and sustained business expansion, are vital to raising productivity and so generating economic growth<sup>7</sup>.

Recognising future risks and tackling them is crucial for good economic management. **These risks include the impacts of meeting greenhouse emissions targets<sup>8</sup>, the threat of closure or reduced operations of major employers<sup>9</sup>, the cuts to public sector budgets, an ageing population and the outcomes and uncertainties of the Brexit negotiations.** A future strategy will need to build the capacity for individuals, households and firms to meet these challenges and opportunities, rather than trying to predict the future and provide an answer.



### City Regional Economy

In 2012 a report by the **City-region's Task and Finish Group** (chaired by Dr Elizabeth Haywood) marked an important intervention in promoting city-regionalism as a policy priority in Wales. **The City Regions Final Report** considered whether a “city-region approach” would deliver “more jobs and greater prosperity” for Wales and identified South East Wales and Swansea Bay as areas exhibiting city-region dynamics that could be enhanced to promote growth. It observed the potential for a city-regional framework to achieve larger markets, labour market depth and knowledge sharing. The report noted that city regionalism “will certainly involve ceding power, funding and decision making to a more regional level” and required a long term perspective from the Welsh Government alongside local governance adaptations. Following the report, **the Cardiff Capital Region Advisory Board** was appointed in late 2013, spanning private, public, third and education sectors.

The first output of the Cardiff Capital Region Advisory Board was **Powering the Welsh Economy**, released in February 2015. It identified “connectivity”, “skills”, “innovation”, and “identity” as critical in order to transform south-east Wales from an under-performing region into: “[a] globally-connected, great place to live and work”. The report highlighted the central role of the Metro project in triggering interest in city-regionalism. The report set out a series of credible propositions on the growth of the city-region economy.

Emerging in parallel with these studies, the South East Wales Directors of Environment and Regeneration’s (SEWDER) report **Delivering a Future with Prosperity** identified “place”, “business support and development”, and “people and skills” as “strategic priorities” for South East Wales. The report also considered a range of funding

options – from structural funds to lottery funds – and points to roles for the Welsh Government in alleviating revenue pressures faced by local authorities and committing to support key infrastructure (such as the development of Cardiff airport).

In addition to work on the city-region, there is a long history of work looking at the Valleys, with a key report covering an area spanning five local authorities in South East Wales. The strategy for the **Heads of the Valleys (2006), Turning Heads**, set out a vision for “a culturally rich, dynamic network of vibrant and safe communities; a place where people want to live, work and play with a sustainable, high quality of life and a thriving population”. It identified concerns around “economic inactivity”, “quality of jobs”, “health” and “image” and set out to support “balanced communities” across the area. Sustainability and environmental criteria were stated as key principles that should guide future development. Subsequently, in 2016, a Welsh Government led task force has been established to address the priorities in the Valleys following the EU referendum. This work is in train in December 2016.

Building on the momentum gained by the Northern Powerhouse proposal, **Britain's Western Powerhouse**, prepared by Metro Dynamics, examines the opportunities for Cardiff, Newport, and Bristol to pursue a deliberate strategy of connectivity, complementarity, and concentration. The report suggests agglomeration economies may be activated across the three cities and points to the role of transport in forming deeper linkages. It suggests a potential lobbying and marketing basis for the three cities and highlights renewable energy opportunities. Though independent of the City Deal, the tri-city arrangement is posed as complementary to the evolution of the Cardiff Capital Region.

### Spatial planning

The **Wales Spatial Plan** set out in 2004, then revised in 2008, points to the role of Cardiff and its connections to proximate towns such as Barry and Pontypridd. The plan contains a vision to: “**spread prosperity from the two major centres of Cardiff and Newport to valleys across the region**”. South-east Wales is split into three areas in the strategy: “city coastal zone”; “heads of the Valleys plus”; and “connections corridor”. The report acknowledges the interdependence of Cardiff and the wider Capital Region and Cardiff’s distinctive role at the centre of an internationally competitive region. Meanwhile local development plans have emerged intermittently across the city-region, but typically express individual, local authority-level thinking on key areas such as housing and transport.

The introduction of the **Planning (Wales) Act** will bring about a new planning framework, introducing the possibility of a new strategic/sub-national layer. According to the Welsh Government, such strategic development plans: “will allow [for] larger than local issues such as housing demand, search areas for strategic employment sites and supporting transport infrastructure, which cut across a number of local planning authorities”. The precise geographies of the strategic plan areas are to be determined but are likely to closely align with the city-region geography. The introduction of a national development framework will effectively replace or take over from the Wales Spatial Plan.



## Transport








Transport infrastructure has been a core concern in South East Wales and a driving priority behind the nascent city-region agenda. **SEWTA's strategic positions** set out in 2010 and in 2013, for rail, identified the most urgent cross-regional infrastructure projects. The 2013 rail strategy points to the necessity for linking areas of “need” with areas of “opportunity”, including through additional rolling stock, and station and frequency enhancements.

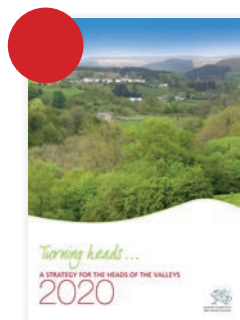
Proposals for a **Metro in South East Wales** are premised on developing an integrated transport system which reduces travel times and introduces simplified ticketing and timetabling across multiple modes. Mark Barry, a key advocate for the scheme, suggests that it has the “potential to transform the economy of south east Wales”. The Metro benefits from cross-regional political support, and funding commitments have been made by the Welsh Government. A procurement exercise is currently (December 2016) underway which will, amongst other things, shape preferred transport modes. Whilst project phasing will no doubt be of concern to individual local authorities, other questions relate to who and where within South East Wales will benefit, as some feel that Metro risks hollowing out Valleys communities by bringing more people into Cardiff as the dominant employment centre.

**Valleys Line Electrification** and the renewal of the rail franchise agreement further shapes the transport context in South East Wales. The St David's Day agreement also approved additional powers over aspects of transport, port and related infrastructure.



# Timeline of Cardiff City-Region studies and related strategies

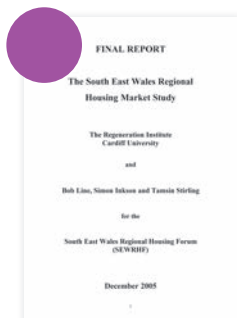
-  City-region
-  Sectors and Innovation
-  Planning
-  Housing
-  Transport
-  Skills
-  Green Infrastructure



Strategy for the Heads of the Valleys (WG)



Wales spatial plan (WG, revision)



The South East Wales Regional Housing Market Study (SEWRHF)



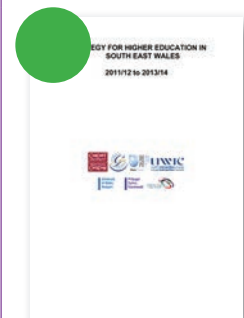
Transport (Wales) Act



Essex review – affordable housing (for WG)



Regional Transport Plan (SEWTA)



South East Wales Higher Education Strategy

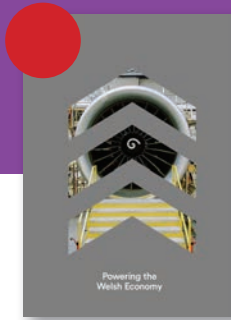
2005

2006

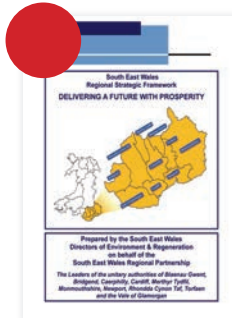
2008

2010

2011



Powering the Welsh Economy (CCRB)



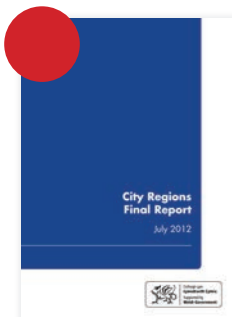
Delivering a future with prosperity (SEWDER)



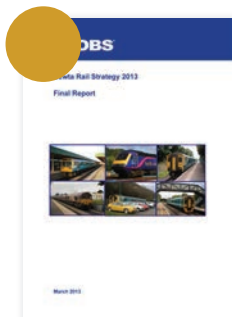
Baseline Economic Analysis for South East Wales (AECOM)



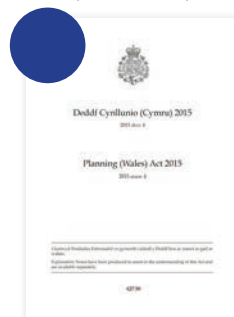
Britain's Western Powerhouse (Metro Dynamics)



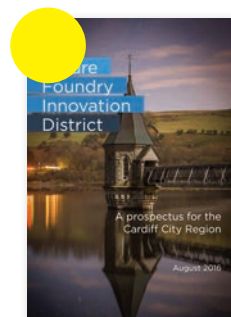
City Regions Report (task and finish group for WG)



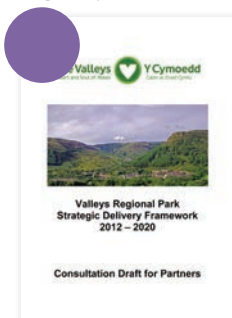
Rail strategy (SEWTA)



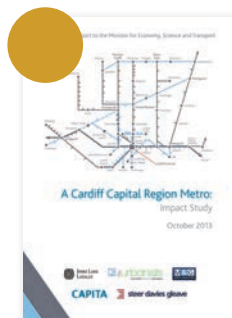
Planning (Wales) Act



Future Foundry (NESTA/city deal working group)



Valleys Regional Park Strategic Delivery Framework



Metro Impact Study (MBCG)



Future Need and Demand for Housing in Wales (Holmans for PPIW)



South east Wales employment and skills plan (LSkip)

2012

2013

2015

2016



## Sectors and Innovation

**AECOM's Baseline Economic Analysis**, prepared for SEWDER, outlines the structure and composition of the South East Wales economy. The report notes that Cardiff will be the "key driver of growth for [South East Wales]. Tapping into the growth opportunities to benefit the wider [South East Wales] city region will be critical...". The report also points to the importance of financial and professional services, and identifies the need for up-skilling amongst residents in the region to meet this demand.

The analysis identified Insurance, **ICT Software, ICT Hardware, Medical Equipment and Energy Related Manufacturing** as the sub-sectors that have the most promise for economic development in the region, based on their "growth potential ... economic importance and geographical spread across [South East Wales]". A set of actions that could strengthen such areas are noted, including **supply chain development for insurance and medical equipment, and university connections for ICT hardware and energy related manufacturing.**

**The Future Foundry** report was prepared to support thinking for the innovation work stream of the City Deal. The report argues that innovation will be critical to improve the region's lagging performance and proposes two innovation districts – a **"central innovation district"** in the centre of Cardiff and a **"Western Innovation Corridor"** reflecting a broader geography from Newport to Bridgend. The districts would be underpinned by three themes: **"wellness" (life sciences), "public test bed" (public sector innovation) and "atoms to apps" (big data, semiconductors).** The report points to the potential for an Innovation Investment Fund which, whilst owned by the 10 local authorities, would serve the function of funnelling private "risk" capital into innovation initiatives.

## Summary of AECOM SWOT analysis of South East Wales region, 2015<sup>10</sup>

Strengths (build upon)	Opportunities (pursue)
Manufacturing specialisms	Businesses with competitive niche
Diverse economic base with key clusters	Marketing and exploitation of key clusters
Valued local authority business support	Tailored business support to meet skills gaps
Three Enterprise Zones	Access to £127m funding to grow skilled jobs
Strong tourism offer	Develop tourism with stronger regional identity
Growing knowledge economy in Cardiff	Cardiff City Deal funding control
Strong employment rate and start-up rate	Help disadvantaged areas via social enterprise
Some strong R&D activity	Strategic cross-boundary collaboration
Existing and planned infrastructure investment	Greater regional access to job opportunities

Weaknesses (address)	Threats (minimise)
High share of low value added manufacturing	Skills mismatches lead to business relocations
Low skill levels, employers with skill gaps	Limited public resource for business support
Poor regional transport links and to London	Over-reliance on Cardiff – jobs hard to access
Slow economic recovery and rising disparities	Lack of access to finance for start-ups
Over-dependence on public sector jobs	Widening earnings disparity with rest of UK
Low competitiveness, entrepreneurship, wages	Three year business survival rates lagging UK
Low investment in strategic development sites	Enterprise Zones displacing jobs, not creating
Lack of business export activity	Lack of regional governance or strategy
Talent drain of graduates out of the region	Lack of critical mass of firms to build ecosystem
Business support duplication across region	M4 congestion restricts growth potential

## Skills

**The South East Wales Employment and Skills Plan (2016)** identifies five key regional sectors and proposes strategic actions to address skills. These include working with **city deal partners, seeking to support the development of a Mittelstand of medium-sized firms, encouraging entrepreneurship and working with schools.** The skills plan also seeks to match learning and training with employer requirements and seeks to ready supply chains for the labour market possibilities that might emerge through infrastructure investments.

A **strategy for higher education in South East Wales** was set out for the period 2011/12 to 2013/14. The vision seeks to, amongst other things: respond to learners and employers; widen access to higher education; and expand national/international links to the region.

## Green Infrastructure

Stemming in part from the **Turning Heads** strategy, the Valleys Regional Park (VRP) Strategic Delivery Framework (2012) supports the development of green infrastructure in the city-region. Its objectives include the **effective management of green space; town centre and rural community regeneration; improved social cohesion; improved health outcomes; and supporting community based food production.** European Regional Development Fund and Welsh Government match funding underpinned the initiative, which is an important part of the region's approach to natural resource management.

## Housing

Housing is critical to the functionality of city-region systems and the operation of labour markets in particular. The last report on the South East Wales housing system dates back to late 2005. Produced for the **South East Wales Regional Housing Forum (SEWHRF)** - which is now disbanded - the report identified 5 distinct housing market areas (HMAs): **“Heads of the Valleys; Mid Valleys; North of M4 corridor; three urban based areas - Bridgend/Porthcawl, Cardiff and Newport; and Rural Monmouthshire”.**

The authors, in defining the HMAs, show that such markets typically run east to west in the city-region as opposed to the administrative areas which are broadly configured north to south (particularly in the Valleys). The report noted that transport investments may change the nature of the HMAs, linking to the possible impact of Metro on regional housing markets.

A recent report for the Public Policy Institute for Wales - **Future Need and Demand for Housing in Wales** - draws attention to the large increases in households projected for Cardiff itself (over the period 2011-31, nearly 30% of all household growth in Wales, and an increase of 37% over the period). These contrast with small household increases outside the cities and even declining market demand projected for Blaenau Gwent (see Table).

Stock transfer to social landlords is a further institutional feature of the housing landscape, and local authority ballots have shown mixed results across the city-region. The Essex Review on affordable housing pointed to regulation and funding issues as concerns for the improvement of affordable housing provision.

### Future demand and need for housing in Welsh districts in 2011-2031<sup>11</sup>

District	Market sector		Social Sector		Total requirement/000s
	Requirement	Share	Requirement	Share	
Cardiff	33.7	72%	12.9	28%	46.6
Newport	7	65%	3.7	35%	10.7
Rhondda Cynon Taff	4.3	48%	4.6	52%	8.9
Bridgend	5.1	64%	2.9	36%	8.0
Vale of Glamorgan	6.1	85%	1.1	15%	7.2
Caerphilly	2.2	40%	3.3	60%	5.5
Torfaen	0.9	41%	1.5	68%	2.2
Monmouthshire	1.1	52%	1	48%	2.1
Merthyr Tydfil	0.9	47%	1	53%	1.9
Blaenau Gwent	-1.1	-58%	2	105%	1.9

The Commission has undertaken an international review of evidence from other city regions with similarities to Cardiff Capital Region, in order to answer certain key questions:

- What have been the core elements of successful city-regional development strategies?
- How have they addressed competitiveness and growth, and inclusion/poverty reduction?
- What role has transport infrastructure played in their development?
- What have been the effective forms of inter-municipal collaboration?
- What are the cycles and lengths of time over which successful city-regional economic development has occurred in other regions?

To address these questions, we have reviewed the experience of 5 international city-regions selected for their relevance to the Cardiff Capital Region:

	Population /million	Municipalities	Key Infrastructure Projects	Regional structures	Key regional strategies
Bilbao	0.95	35	Metro Sanitation	Bizkaia Province Bilbao Metropolis 30	Culture and Identity Polycentric development Entrepreneurship and re-skilling Smart city
Gothenburg	1.1	13	Rail and Road Tunnel Bridge over River Gota River City Project	Association of Local Authorities (GR) Business Region (non- profit association)	Sustainable development Planning Public transport corridors
Portland	1.5	25	MAX Light Rail	Metro Portland regional government	Land Use Planning Housing + Densification Nodal strategy – 2 <sup>nd</sup> centre
Greater Halifax	0.4	1 (amalgamated from 4)	Trade and Logistics (terminals, runways, parks)	Regional municipality Greater Halifax Partnership between business + 3 tiers of Gov	Economic Development Brand and profile Talent retention
Malmö	0.7	12	Øresund Bridge City Tunnel (rail)	Øresund Committee Øresund University	Innovation and Green Technology Cluster development Labour market integration
Cardiff Capital Region	1.5	10	Metro 2017	City Region Cabinet City Deal Transport Authority Growth Partnership Regional Business Council	New: Economic Development, Transport, Labour Market

The international examples of city-regions reviewed highlighted different ways that city-regional collaboration has been fostered through **multiple cycles**. In each case, regional collaboration has coincided with a **rise in population**, upgraded attempts to **reduce long term structural unemployment**, increased **job growth in internationally traded sectors**, increased **rate of entrepreneurship**, and **improved economic performance relative to the rest of the nation**. This cyclical character of development is exemplified by Bilbao as the chart below illustrates.

#### Why do other regions begin city-regional collaboration?

- A change of (or worsening) circumstances that breeds collective recognition of shared regional problems (whether economic, budgetary, infrastructural, social, environmental).
- Charismatic leadership from one or more regional politicians to highlight the inefficiencies of fragmentation and competition.
- An institutional reform or a policy shift from a higher tier of government that demands regional joint working and increases receptivity to new ideas.
- Sustained advocacy from business and civic groups on one or more key issues.
- The desire to implement regionally significant projects.

## Bilbao's three cycles of city-regional development



## Core elements of successful city-regional development strategies

The five cases point to 10 factors that contribute to the success of city-regional development strategies:

1. Shared commitment to population growth and an enhanced infrastructure and housing supply to manage this growth.
2. Agreed transport corridors and growth nodes that connect to the core city and each other.
3. Expansion and densification of the urban core, including significant new housing provision to meet the needs of different age groups, reduced car use and pollution, and increased vibrancy and quality of life.
4. Regional strategies that provide a rationale and a prospectus for targeted intensification and improved urban design in other key locations outside the urban core.
5. A clear assessment and understanding of firm networks and cluster activities.
6. Robust long-term scenario planning and strategic choices.
7. Clear accounting and visualisation of the benefits for the most remote or rural municipalities.
8. The mobilisation of citizen enthusiasm and consciousness of the regional dimension.
9. Municipalities have a strong incentive or obligation to comply with wider regional plans and targets.
10. A pipeline or sequence of projects that provide confidence both to investors and to municipalities that may benefit less from the first cycle of projects.

## The role of transport infrastructure in city-regional development

Large-scale infrastructure has played a transformative and integrative role in many regions that were previously quite fragmented. Metro rail projects, tram systems, bus rapid transit corridors, or regional airport and port upgrades, have been powerful in their ability to:

- Bring regional partners to the table and spur collaborative decision-making and awareness that each part of the region will benefit in time.
- Expand labour market access and reduce the mismatch between jobs and homes.
- Provide visible benefits and create confidence in the possibility of change.
- Become a source of pride and shared regional identity.
- Connect areas that are socially and politically disconnected.
- Unlock new land for strategic densification.
- Shape spatial development and the creation of complementary and secondary centres.

Cities that have been through one cycle of regional infrastructure-building usually **develop the appetite for subsequent cycles**. After 15-20 years, they often have built up the range of transport options that serve a wide range of household types, ages and incomes. Examples may include Gothenburg and Malmö (see charts).



## Gothenburg's three cycles of city-regional development



## Malmö's three cycles of city-regional development



### Competitiveness with inclusion

The international examples all highlight the challenge that many regions face to **overcome segregation and inequality in housing, labour market and education outcomes**. The international examples reviewed here highlight how regional co-ordination may enhance the focus on regional competitiveness as well as regional inclusion and cohesion. In terms of creating a **more inclusive development model**, regional co-ordination mechanisms in these five examples have made it more possible to:

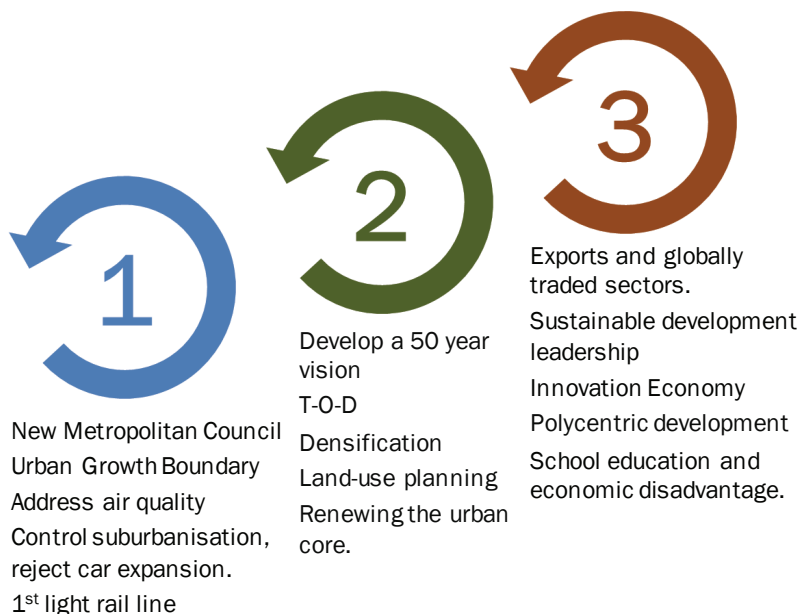
- Pursue more mixed-use development in the better connected urban areas, as part of a general focus on an inclusive built environment that appeals to both local authorities and to developers.
- Focus on skills mismatches and disparities that result from labour market restructuring.
- Establish new technology or innovation locations that leverage the skills and specialisations of the former industrial economy.
- Engage and incentivise large regional employers to become inclusive in their recruitment and internship practices.
- Provide substantial affordable housing in the major regeneration areas.
- Work collaboratively to expand social entrepreneurship, inclusive start-up funding and SME technology utilisation.
- Bid jointly to attract funding for lifelong learning projects.
- Join up approaches to school education and skills at key points in student development.
- Adopt a clear measurable framework for equity and inclusion.

### Effective forms of inter-municipal collaboration

Each of the reviewed regions have pursued **different models of regional governance**. Some (e.g. Portland, Halifax) have created a new regional authority, whether as an additional tier or via amalgamation, while others have built co-operation informally and created specialised delivery vehicles. For regions that cannot or choose not to reform the governance system, co-operation is often effectively built through regular 'rounds' of consultation and deliberation about the future, and scenario planning exercises. Though these coalitions lack binding authority, they become influential by **setting a regional agenda and partnering with other non-governmental actors and allies**. It is not uncommon for these voluntary associations to evolve into more statutory units of government over time and to create **capable shared delivery vehicles**.



## Portland's three cycles of city-regional development



- o To foster entrepreneurship and skills development;
- o To increase the investment rate in key infrastructure;
- o To initiate cross-border or multi-region collaboration and integration;
- Utilising the expertise of regional universities, in order to build a robust evidence base, address skills gaps and support a transition towards a higher value economy (green economy, advanced business services, design, technology).

### The cycles and timeframes for regional collaboration to succeed

Although there is no uniform cause or correlation, international experience suggests that many regions begin to experience a step change in economic development after **two cycles of collaboration, over 5-15 years of building stable regional frameworks and partnerships.**

The **time frame has been more accelerated in regions where an agenda for municipal co-operation coincides with wider government reform and with an injection of transport and other infrastructure investment.** The length of time has been slower and more incremental in regions where the initial governance reform has not fully overcome scepticism about the distribution of benefits, and where agreement about spatial development and growth locations has been slow to emerge.

## Halifax's three cycles of city-regional development



The examples illustrate that effective regional governance models appear to benefit from:

- Clear powers over transport, planning, land-use and economic development;
- Pooled assets and inventories of public land;
- The engagement and support of multiple tiers of government. Often it has been intermediate tiers of government with some fiscal independence and devolved responsibilities that can take ownership of certain regional projects and can help ensure returns are re-invested;
- Vehicles that bring together public and private sectors. Public-private agencies such as Bilbao Metropoli-30 and Greater Halifax Partnership have been critical for regions:

- o To look beyond political timescales and provide oversight over the long term;
- o To deliver a strategic plan;
- o To convene a diverse leadership function;
- o To create alignment between different stakeholders around common objectives;
- o To gather intelligence about the regional economy;
- o To lobby and advocate for necessary reform and investment projects;
- o To build a regional story and promote the region internationally;
- o To assemble and optimise the use of public land;
- o To adopt a less siloed regional perspective;

# PART 3 - REVIEW AND RECOMMENDATIONS

## 3.1 PROSPECTS FOR THE CARDIFF CAPITAL REGION

The Cardiff Capital Region has the potential to **develop into a prosperous capital city-region for Wales**, with multiple benefits for the Welsh economy and all the people of Wales. The Capital Region can be a decision making centre, a global gateway for capital, trade, and visitors, a knowledge hub, and a major population centre and business cluster for Wales, providing opportunities and resources for other regions to develop. There are many points of progress in the capital region over the past 20 years but more is needed in the next cycle to take it forward. In particular, an integrated economic strategy that is sequenced with increased investment in infrastructure and place renewal is now required. This should focus on:

- Improving inter-connectivity within the region to increase opportunities, choices, and mobility of people, jobs and investment, to foster a region with multiple locations of growth that play to those area's strengths.
- Investment in education, skills and employability to improve productivity and participation the economy.
- Enhancing the business climate for emerging sectors, enterprises and innovation that can spawn new sources of jobs and incomes into the longer-term future.

Such a strategy should be complemented by enhanced governance integration, confident promotion and story-telling, and leveraging of private sector and institutional investment.

**The Cardiff Capital Region City Deal provides a unique opportunity to develop a co-ordinated and integrated approach to the development of the region to the benefit of the current, and the coming, generations.** The Commission notes the commitment of all parties to work together towards a common goal. Much of the investment through the City Deal will be focused on improving internal connectivity within the region. Our report focuses on how to further strengthen the impact of that investment through actions that will help improve the prosperity of residents across the Cardiff Capital Region.

This will involve making coherent investment choices. It will also involve a targeted programme of investment that is designed to draw in additional resources from the public or private sector, as well as other possible investors. Experience elsewhere in the UK and internationally suggests that a **programme of activities focused on a common theme with a long term ambition** is more likely to be successful than a series of desirable but unconnected investments intended to meet some immediate demand.

The Cardiff Capital Region City Deal will need to take into account the **trends that are already visible across the region: an ageing population, a declining workforce and net out-migration of those aged 22-45.** As the review of previous studies in Part 2 observes, the issue of **population loss and demographic change is more prevalent in some parts of the city-region than others.** Equally, automation, digitisation and productivity improvements will reduce labour demand in several key employment sectors, including those in the public sector. This can be offset by working to improve the quality of the jobs that remain and encouraging new businesses to service emerging market segments. Across Wales, progressive carbon-reduction targets provide new opportunities for innovation and economic activity, but will also challenge many firms. In Part 3, we now review the evidence across different dimensions of the Cardiff Capital Region: Economy, Inclusion, Land and Spatial Development, Sustainability, Investment and Organisation. The core findings from this evidence inform our 10 recommendations.

## 3.2 ECONOMY

### GROWTH AND PRODUCTIVITY

A key determinant of GVA growth is job growth and increases in productivity. It is therefore important to understand the growth and productivity strengths and weaknesses of the Cardiff Capital Region and identify where and what interventions may be appropriate in response.

A number of key questions that have therefore been considered:

- To what extent is productivity or job growth a key determinant of the GVA gap between the Cardiff Capital Region and the UK average?
- What are the factors that would support a more productive economy and where does the Cardiff Capital Region need to improve?
- How can the Cardiff Capital Region most effectively and efficiently support job growth?

#### Evidence Review

GVA per capita for the Cardiff Capital Region lags both the UK average as well as the majority of city-regions across the UK, as previous studies have also attested (see Part 2). Much of the gap in performance can be attributed to productivity. If productivity were to be raised to the UK average<sup>12</sup> this would add approximately £7bn to the total economic output of the Cardiff Capital Region, equivalent to an increase in GVA per capita of almost £4,700 per person. Labour participation also has an impact, albeit on a smaller scale and if employment rates were to be equalised with the UK average this would mean an additional 35,000 in employment and £1.5bn added to the total economic output of the Cardiff Capital region, equivalent to around £1,000 per person.

#### Gross Value Added (Income Approach) at current basic prices 2014

	GVA PER CAPITA (£)	GVA TOTAL (£)
London	42,666	364,310
Gloucestershire, Wiltshire and Bristol/Bath area	25,720	62,099
United Kingdom	24,958	1,618,346
Greater Manchester	21,002	57,395
West Yorkshire	20,808	47,117
Tyneside	20,693	17,420
West Midlands	19,778	55,544
Merseyside	18,621	28,257
<b>Cardiff Capital Region</b>	<b>18,063</b>	<b>27,085</b>
Wales	17,573	54,336
South Yorkshire	17,462	23,850

Source: ONS

Within sector productivity is much more important than sector mix and a lack of 'high level' graduate skills in determining Cardiff's below average productivity<sup>13</sup>. In addressing this there is an imperative to **address skills deficiencies across the skills spectrum**, particularly in those with the lowest levels of skill. In addition, the lack of effective "economic mass" within Wales, in combination with relatively long travel times to the largest centre of economic mass in England, reduces the scope to exploit agglomeration economies<sup>14</sup>.

#### Qualification of those aged 16-64- Jan 2015-Dec 2015

	% with degree or equivalent		% with no qualifications
Greater Manchester	26.3	West Midlands	16.8
<b>Cardiff Capital Region</b>	<b>25.7</b>	Merseyside	11.9
West Yorkshire	24.0	West Yorkshire	11.0
Tyne and Wear	23.1	<b>Cardiff Capital Region</b>	<b>11.0</b>
Merseyside	22.6	Greater Manchester	10.3
West Midlands	22.4	South Yorkshire	10.3
South Yorkshire	21.9	Tyne and Wear	9.6

Whilst sector differentials do not explain productivity differentials, there is scope for the city-region to support employment growth in a range of sectors. Based on analysis of proportional employment in other city-regions in England (outside of London), if the Cardiff Capital Region were to employ proportionally the same level of workers across sectors this would lead to a significant uplift in employment in business and finance, professional services and ICT. There would also be a significant uplift in employment in wholesale activities.

### Cardiff Capital Region Job Gap vs Core City-Regions – 2015 BRES Data

Sector	Job Gap vs Core City-Region average
Business administration & support services	11,000
Wholesale	10,000
Transport & storage (inc. postal)	9,000
Professional, scientific & technical	9,000
Information & communication	5,500
Financial & insurance	900
Property	500

Source: BRES

This is further emphasised by the significant under-representation in Knowledge Intensive Business Services Employment in the Cardiff Capital Region, at just 11% of total jobs. This can have a negative impact on productivity and the competitiveness of the city-region economy.

### KIBS jobs share of total 2015

	KIBS jobs share of total
West of England LEP	19%
Greater Manchester CA	16%
West Yorkshire CA	15%
West Midlands CA	14%
Liverpool City Region CA	12%
Cardiff Capital Region	11%
Sheffield City Region CA	11%
North East CA	10%

Source: Centre for Cities

### Core Findings

In comparison with other city-regions, the Cardiff Capital Region lags behind the overall average level of economic output per head. This is mostly a result of relatively low levels of productivity, but is also partly determined by employment rates. **Increasing the region's productivity performance relative to the rest of the UK is a priority to achieve economic growth.**

Productivity differentials are attributed to differences in within-sector productivity rather than sector mix, the skills mix of the workforce (primarily those at the lower end of the skills spectrum) and a lack of exploitation of agglomeration effects. In terms of jobs growth there is an under-representation for the Cardiff Capital Region in Knowledge Intensive Business Services, where there remains opportunity for future growth, including through up skilling those further down the skills spectrum.

Addressing low productivity in low wage sectors that are also likely to continue to provide large numbers of jobs due to the demand and requirement for their services will also have a large impact on productivity. These cover areas such as social care, retail, hospitality and arts and entertainment<sup>15</sup>.

## Key Questions

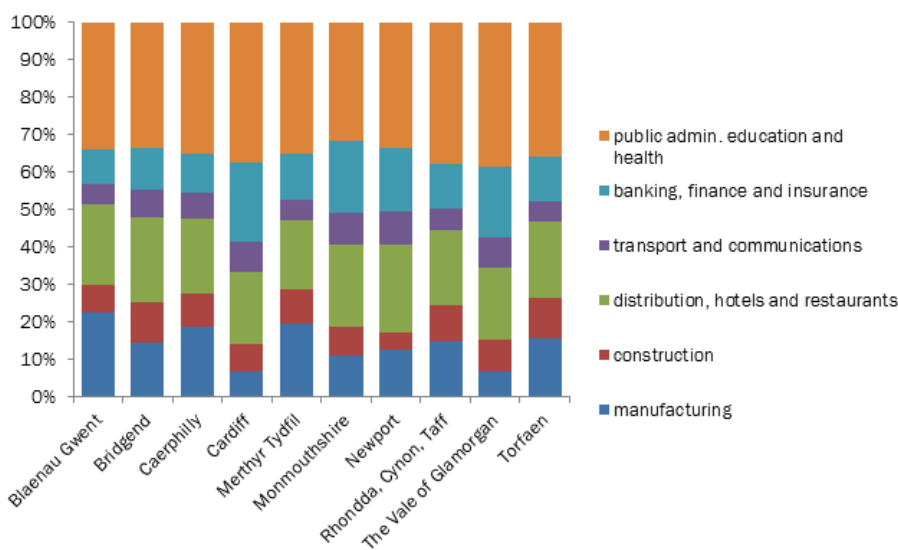
All city-regions possess particular sector strengths and weaknesses. Identifying opportunities for growth and sector support is one way of delivering more and better employment opportunities across the Cardiff Capital Region. There are, however, conflicting views as to whether ‘picking winners’ by sector is an efficient strategy and it is important to understand how a sector strategy may best be adopted in the Cardiff Capital Region.

- Which sectors are important for the future growth of the city-region?
- What is the best way to support sector growth?
- Should city deal prioritise single sectors, several, or all?

## Evidence Review

Across the city-region as a whole, there is a strong dependence on employment in the health, manufacturing and public service sectors, including education. Each can be a source of growth. However, for a variety of reasons, employment within these sectors will likely remain under pressure in coming years.

% employed in key industries (Jan 2015-Dec 2015)



Source: ONS

Recent analysis suggests a need to **develop more diversified economies** across most of the Cardiff Capital Region<sup>16</sup>. This is particularly so in areas with more urban economies (rather than rural areas where less complex economies are the norm). Across the Cardiff Capital Region there is just one sector<sup>17</sup> where employment levels markedly exceed the Welsh average (Financial and Professional Services).

It is notable that the city-region is home to a **higher proportion of large companies** than in many other city-regions, and that ‘anchor companies’ - large institutions tied to their location by their invested capital and/or their mission and relationships with employees - are found across the whole of the Cardiff Capital Region (with around half in Cardiff). Almost one third of these anchor companies are in Advanced Manufacturing, reflecting the region’s strong heritage in this area. A number of strong (and emergent) clusters of activity can be identified offering opportunities to develop regional value added through value-chain and supply-chain development.

There will also necessarily be **jobs that link to the ageing population** and despite public sector financial constraints there will continue to be demand for jobs in sectors such as care. This demand may become more pronounced in those areas where migration has augmented the workforce, meaning that it is possible there will be shortages in terms of available workers in many of these sectors in future.

In contrast, it is also important to note that within Wales as a whole, **the main source of quality employment for non-migrant graduates has been the public sector** (which employs approximately half of post-1992 young graduates who were born and live in Wales<sup>18</sup>). In the light of the reduced employment in the public sector, there is a need to encourage an **increase in demand for higher-skilled employment across the private sector**.

In terms of sector specialisms, as referred to in Part 2, AECOM’s Baseline Economic Analysis, prepared for SEWDER, points to Cardiff’s strong performance within the city-region, **the importance of financial and professional services**, and the need for up-skilling amongst residents in the region to meet this demand. There remains, however, a reliance on the public sector for graduate employment in the city-region. Recent work undertaken by the University of South Wales suggested that there are ten areas of specialism within the city-region where focussed action could support growth and deliver more jobs and increased activity. These sectors are listed above.

Sector Specialisms Summary

Automotive	Aerospace
Non Traditional Finance	Insurance
Pharmaceuticals	Medical Equipment
Energy Related Manufacturing	Recycling
ICT Hardware	ICT Software

Source: University of South Wales



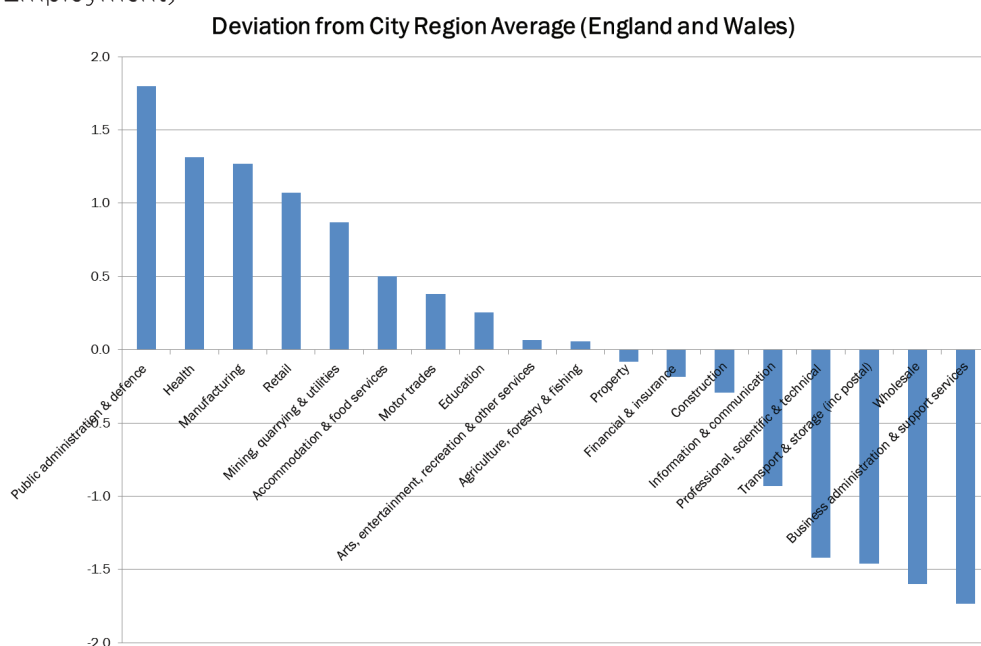
Significant investment and expertise in **Compound Semi-Conductors**, building on current industry strengths, expertise in higher education, and UK Government investment means that there is potential to build competitive strength in an export led industry cluster that would be anchored in Wales.

Another example where higher education strengths are linked with industries with growth potential is the **Software Academy in Newport**. Building on these strengths would again build a **competitive cluster for the Cardiff Capital Region with significant export potential**.

This is an example of an area where demand for skills could be augmented by retraining those currently in employment to support growth in the **software sector**, building on skills acquired elsewhere to provide graduate opportunities to those with technical expertise and experience but not necessarily the required qualifications. In doing so there is the opportunity to upskill those at the lower end of the skills spectrum in the workforce.

As highlighted above, there is also an under-representation of employment in some growing sectors, namely within **business administration, transport and ICT**.

Proportional Employment Comparisons with City-Region Average 2015 (Percentage Point Difference in Employment)



Source: Business Register and Employment Survey

### Core Findings

Overall, analysis of the Cardiff Capital Region sectors shows a reliance on public sector and low value employment, as well as an employment gap in some key sectors compared with other city-regions. Raising the employment rates in low employment areas of the region is a priority to achieve overall job growth for the city-region.

There are opportunities to support growth in sectors such as **Semi-Conductors, Software, Energy, Finance and Professional Services, Higher Education, Life Sciences, Aerospace (including MRO), Digital and Screen Industries, Tourism and Hospitality**. However evidence from other city-regions suggests that addressing fundamental demand drivers and business climate conditions should take precedence over concentrating support in specific sectors.

## Key Questions

**Increasing entrepreneurial activity and innovation** will help to support a more productive economy in the Cardiff Capital Region. It is important therefore to consider the strengths and weaknesses within these areas and the opportunities available. In particular it is important to understand:

- What are the key issues in the generation of new firms and enterprises in the city-region?
- What areas of entrepreneurial activity can best support a more productive economy and drive employment growth?
- How could the City Deal support a more innovative economy?

## Evidence Review

The Cardiff Capital Region contains **a highly regarded science base**. It is the home to three universities, including one of the most research-active in the UK. This provides a strong foundation for developing new technologies and potential new development paths.

There have been **three exercises in recent years designed to identify the strengths and opportunities to grow the innovation economy in the city-region**. Each identifies different but overlapping areas of future specialisation.

## Innovation themes in different policy documents

Future Foundry (Cardiff Capital Region)	Science and Innovation Audit (South West England and South East Wales)	Innovation Wales (pan-Wales)
<ul style="list-style-type: none"> <li>• Life-sciences, medtech, healthcare and clinical</li> <li>• Digital, big data, cyber and semiconductors</li> <li>• Urban, civic, government and social innovation</li> </ul>	<ul style="list-style-type: none"> <li>• Aerospace and Advanced Engineering</li> <li>• New energy systems</li> <li>• Digital Living</li> <li>• Next Generation Micro-electronics</li> <li>• Environmental and sustainability resilience</li> </ul>	<ul style="list-style-type: none"> <li>• Life Sciences and Health</li> <li>• Low Carbon Energy and Environment</li> <li>• Advanced Engineering and Materials</li> <li>• ICT and the Digital Economy</li> </ul>

Despite a skilled workforce and high performing universities, investment in **innovation has however remained low in the Cardiff Capital Region**. Innovate UK expenditure in Wales is less than a third of the average UK per head figure and government expenditure on R&D in Wales also stands at just 1% - a third of the expected pro-rata spend. Welsh businesses spent approximately £369 million on R&D activity which is lower than every part of the UK with the exception of the North East (£309 million).

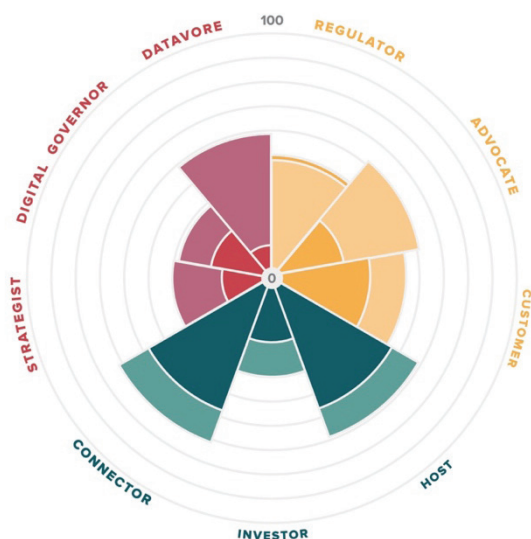
Alongside large companies, there is emerging a **thriving micro-business sector** in the Cardiff Capital Region. An ecology of micro-businesses is good for creativity, but can struggle to undertake R&D and innovation (owing to limited resources), provide opportunities for those just graduating to get initial experience, or bid for larger contracts (owing to scale constraints). Small companies also need opportunities to build their track record on bigger projects. Across the Cardiff Capital Region **there is a disproportionately low number of medium sized businesses, especially in the range of firms with around 30-100 employees**.

There are also **only seven publicly listed businesses headquartered in the Cardiff Capital Region**<sup>19</sup>, just 0.4% of the UK total according to the London Stock Exchange's Landmark website. Addressing the under representation of these business could help to develop a more competitive and productive business base for the Cardiff Capital Region.

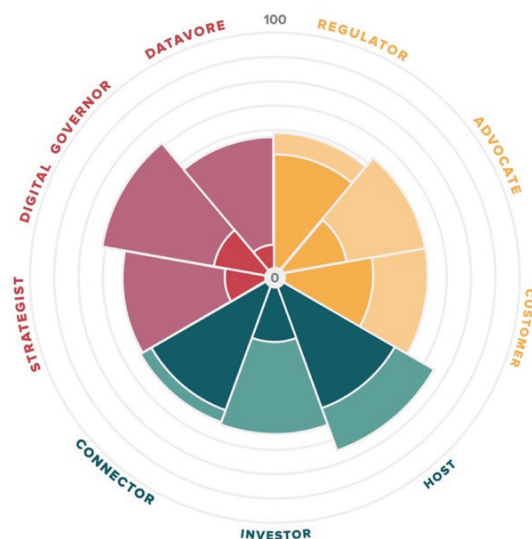
In terms of business finance, substantial evidence from our public events suggests some shortage of capital for investments in the sub-£1m category. It is suggested that it may be a bigger problem in Wales than elsewhere, partly because the potential sources of such funds are relatively small in number to begin with. In addition, banks have tightened their lending standards since the crisis. Anecdotal information also suggested that local business owners are keener on grant finance and may be less willing to offer equity stakes in their ventures. Generally however there is mixed evidence relating to the cause and effect of finance for businesses, with some **potential investors citing a lack of viable propositions, whilst businesses cite lack of available funds**. Improving the scale, quality, and consistency of business investment opportunities is a key priority.

Analysis of the wider policy context for supporting innovation in the Cardiff Capital Region, compared to selected other European and North American cities, suggests that the region performs poorly against most categories. The areas where it is stronger is that of 'regulator', 'connector' and 'host'. The categories of weaker performance suggests policy areas that might be strengthened as part of the City Deal and a wider economic strategy for the Cardiff Capital Region.

CCR vs European cities



CCR vs N. American cities



source: Future Foundry, p.20. CITIE Framework, developed with NESTA

The darker shaded areas represent the performance of the Cardiff Capital Region, whereas the lighter shaded areas are the comparator cities.

### Core Findings

The Cardiff Capital Region has clear science, **innovation and human capital assets** that may form the core of a more dynamic, higher value innovation economy. However the region experiences under-investment in R&D and innovation, and the governance of the innovation system is currently less co-ordinated than other peer city-regions. There is evidence to suggest that the city-region economy is reliant on micro-businesses, which whilst providing a significant contribution to the local economy, can also constrain levels of investment in innovative activity.

There is some evidence for a lack of available finance for business in the sub £1m category, though attributing causes is difficult. Support for businesses in established and emerging innovation sectors appears to **require longer term strategies** to ensure the availability of finance, enhance the business climate and simplify city-region governance.

## Key Questions

Tourism can support the city-region in terms of jobs and GVA, but also by regenerating and reinvigorating places, as well as improving quality of life by providing a range of recreational activities for city-region residents. It is important, therefore, to explore the potential of tourism to contribute to growth within the Cardiff Capital Region.

- How can tourism contribute to the future growth of the city-region?
- What can tourism contribute to spreading growth throughout the region?
- What other contributions can tourism make?

## Evidence Review

Data from statistics model STEAM highlights that tourism is worth £2.5bn to the Cardiff Capital Region economy, which attracts around 38 million visitors annually. 52% of the visitors and 45% of the economic impact is attributable to Cardiff.

Cardiff accounts for 64% of the city-region's total business visitors and 68% of international business visitors<sup>20</sup>. It is clear however that in a UK context there is significant room for **Cardiff to improve as a visitor and conference destination**. According to National Statistics data Cardiff lags behind the cities of Edinburgh, Manchester, Birmingham, Glasgow, Liverpool, Oxford, Bristol, Brighton and Cambridge in terms of visitors. Given that these cities often serve as the gateway to surrounding areas this clearly has a knock-on effect for Cardiff's neighbouring local authorities in terms of their ability to attract visitors.

There are a plethora of tourism opportunities across the entire Cardiff Capital Region, ranging from heritage attractions to cycling and mountain biking locations. To grow the visitor economy, the offer needs to be considered at the **city-region level, where accommodation, food and drink and attractions work together to maximise visitor numbers and economic impact**. Local or same day tourism is also a source of considerable employment opportunities within local communities, as well as providing services for people within the city-region.

**Green and blue infrastructures** (including upland areas, forests, parks, rivers and coastlines) play an important role, both as drivers of economic opportunities and in supporting more inclusive economic growth. Evidence suggests that green infrastructure can support urban tourism, **improve a region's image, help to attract and retain higher value industries and employees, as well as generate positive effects on health, wellbeing, climate mitigation and property values**<sup>21</sup>.

The region overall employs slightly less of its workforce in tourism related industries than both the Welsh and UK averages, though comparing favourably with other city-regions in the UK.

## Employment in Tourism Industries 2015

	Tourism Industries	%
Blaenau Gwent	2,000	10.6
Bridgend	5,000	8.4
Caerphilly	4,000	7.3
Cardiff	22,000	10.6
Merthyr Tydfil	2,000	9.4
Monmouthshire	4,500	12.7
Newport	5,000	7.1
Rhondda, Cynon, Taff	6,000	8.1
The Vale of Glamorgan	5,000	12.6
Torfaen	3,000	8.5

Source: STEAM

## Core Findings

There is an opportunity to develop more diversified tourism employment opportunities in the Cardiff Capital Region. This requires a co-ordinated approach that links the city in its role as a capital with the wider city-region.

The opportunities for the city-region are broad, ranging from the 'green and blue' infrastructure, to major events requiring a spatially differentiated focus that provides a coherent offer across the city-region.

Much of the demand for the tourism sector comes from within the city-region itself. Responding to this is not just an economic imperative, but also supports quality of life.

# ECONOMY - RECOMMENDATIONS

## RECOMMENDATION 1 – CARDIFF CAPITAL REGION ECONOMIC OBJECTIVES

The Economic Strategy should set clear objectives. These objectives proposed here are intentionally ambitious. There will be a need to balance the different aims.

### POPULATION

- **Successful city-regions attract population, and population growth provides increased revenues that underpin amenities and services, and reduce risks of high average dependency rates.** But attracting population is the result of getting other things right. Depth and range of job market, affordability of housing, range of liveability choices. Whilst the Commission does not advocate setting any specific targets, the Capital Region should aim to become an attractive place to live, and in the context of average increases in the UK population over the next 20 years **it should seek to keep pace with average population growth in the UK core cities.** To grow, the Cardiff Capital Region will need to focus on retaining people in the region as they develop their skills, keeping students after they graduate and matching them to job and enterprise opportunities, attracting more experienced workers later in their career and developing a more flexible housing market.

### PRODUCTIVITY

- **The Cardiff Capital Region should increase productivity to at least 90% of the UK average, as measured by output per hour worked.** Cardiff Capital Region is amongst the worst performing UK city-regions in terms of productivity and GVA per capita.
- **The Cardiff Capital Region should raise average hourly median earnings to 95% of the UK figure, with no local authority having average hourly median earnings of less than 90% of the UK average.** Earnings represent only one element of household income but are the component that can be most affected by City Deal investments.

### JOBS

- **The Cardiff Capital Region City Deal outlines that over its lifetime, local partners expect the City Deal to deliver up to 25,000 net new jobs.** Given Welsh Government population projections, this would increase the city-region employment rate from 70.5% to 73.8% - slightly above the current UK average. This will require a strong focus on improving access to opportunities and support for skills development in the areas with the lowest levels of employment rates.
- **The Cardiff Capital Region should seek to raise employment rates in all constituency areas to the current Cardiff Capital Region average of 70.5%** (excluding Central Cardiff where student numbers skew the data). This will require an additional 9,500 people moving out of unemployment or inactivity into employment.

### SKILLS

- **The Cardiff Capital Region should increase the percentage of adults with qualifications at all levels of the National Qualifications Framework.** Supporting skills development at all levels will increase opportunities for all residents in the city-region and contribute to improved productivity and support the delivery of the LSkiP Employment and Skills Plan.

### SUSTAINABILITY

- **The Cardiff Capital Region City Deal investment programme should be at least neutral in terms of CO2 emissions impact,** as part of a wider strategy to ensure that the City Deal investment is undertaken on an economically, socially and environmentally sustainable basis.

### POVERTY

- **The Cardiff Capital Region should reduce the percentage of people living in households in material deprivation across the city-region.** In addressing poverty, the City Deal will not only have a strong impact on individual well-being but also support a more sustainable economy.

## RECOMMENDATION 2 – ECONOMIC STRATEGY

The city-region should agree a long term economic strategy that supports a competitive, economically inclusive Cardiff Capital Region, playing to the strengths of many different locations within the region to increase overall opportunities, mobility, jobs and investment. The strategy should:

- Make the most of the Metro for fostering labour market participation and increasing integration of the city-region economy, and multiple points of growth. Identify other opportunities to improve connectivity within the region for people and businesses.
- Invest in education (from early years to university), skills and employability as the primary way in which individuals can access opportunities and firms can improve productivity; This will involve deploying resources flexibly in programmes of skills that are customised to the needs of employment sectors and different parts of the community.
- Leverage private sector and institutional investment to support the development of the city-region.
- Support all businesses – emerging and existing – to thrive over the long term through strategies to support innovation, ensuring the availability of finance, promoting the area more effectively and simplifying city-region governance.
- Develop a spatial economic strategy that recognises the diverse contributions of different locations within the city-region and the potential for complementary specialisation between them.
- Include a series of short, medium and long term targets on which the city-region should focus.

The strategy should build upon and integrate effective strategy formulation work that has gone before; including

- The Cardiff Capital Region Powering the Welsh Economy
- The City Regions Report
- The LSkiP Employment and Skills Plan
- Work undertaken on the spatial economy by SEWDER
- Work developed by the Metro Project



### RECOMMENDATION 3 – CITY DEAL INVESTMENT PRINCIPLES

Potential investment projects exceed the public funds available, and it is essential that public investment leverages significant private investment to support the city-region economy. With that in mind, City Deal projects need to demonstrate:

- Significant scale;
- A positive impact on GVA;
- A positive impact on jobs;
- An impact beyond the local boundary area of where the investment takes place and does not displace activity within the city-region
- Alignment with the proposed Metro investment, including investment that can unlock benefits of the Metro and address access constraints.

In addition, projects need to demonstrate a quantifiable impact on at least two of the following:

- Increasing employment rates (by constituency) in areas where employment rates are below the Cardiff Capital Region average.
- Increasing earnings in areas with below average earnings for the Cardiff Capital Region
- Supporting enterprise growth and productivity gains
- Supporting people out of employment into employment

**The Cardiff Capital Region should find ways to ‘bundle’ projects across the city-region to provide attractive investment opportunities at sufficient scale to be attractive to institutional investors.** Such investments are most likely to include transport and energy infrastructure, and housing projects, as discussed under the “Investment” section below.

Engagement with institutional investors at an early stage is an important element of using public funding in ways which are more likely to attract co-investment rather than substitute for it. It is recommended that a liaison mechanism be established with private investors to consider how to optimise co-investment in city-region priorities.

### RECOMMENDATION 4 – GROWTH SECTORS AND SPECIALISATION

The economic strategy should seek to build upon existing strengths and opportunities and to encourage emerging high value added and high employment sectors. There are multiple sectors with growth potential in the Cardiff Capital Region, including:

- Semi-Conductors
- Software
- Energy
- Finance and Professional Services
- Higher Education
- Life Sciences
- Aerospace (including MRO)
- Digital and Screen Industries
- Tourism and Hospitality.

Strategic sector specific investment opportunities will arise from time to time and should be considered on their merits.

We do not recommend taking a narrow sectoral approach to economic development in the city-region but rather to work harder to **improve the fundamentals of business climate** in terms of population attraction, skills, enterprise, and innovation capacity, business and investor friendliness, rate of investment in growth firms and infrastructure, and speed/clarity of decision making on major projects, land uses and external investment.

We recommend a strategy of improving the business and investment climate overall, coupled with **taking specific opportunities to back sectors at key moments of their development.** The City Deal should also look to how it can improve the environment for the provision of business support and advice, including the provision of commercial support.

### RECOMMENDATION 5 – SUPPORTING BUSINESS INVESTMENT

The Cardiff Capital Region should seek to co-ordinate the plethora of business support functions across the city-region to ensure that the region is investment ready. This would require a **strategic focus on working with the market** to lever additional support that will enable:

- Increased worker productivity
- Increased market penetration / market share
- Additional investment in R&D;
- No displacement of activity within the city-region;
- Alignment with Metro investment

City-region partners should also work in conjunction with Finance Wales and seek to optimise leverage from Finance Wales resources.

## 3.3 INCLUSION

### POVERTY

#### Key Questions

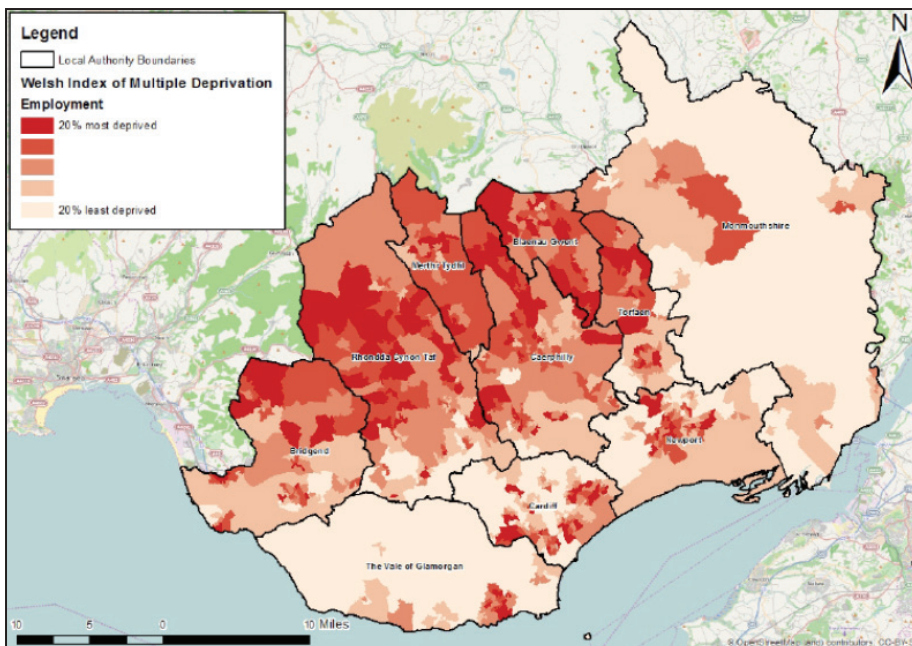
Addressing jobs and productivity will not automatically lead to better outcomes for all if we have not invested in removing barriers such as lack of skills, poor health or restricted travel. Improving accessibility to opportunities and increasing labour market participation is critical if the Cardiff Capital Region is to support an improved quality of life for all of its residents. A number of key questions that have therefore been considered are:

- How does the Cardiff Capital Region compare with other city-regions in terms of poverty, inclusion and participation?
- What are the factors that would support a more inclusive economy and where does the Cardiff Capital Region need to improve?
- How can the Cardiff Capital Region most effectively and efficiently improve labour market participation?

#### Evidence Review

Wards within the Cardiff Capital Region are amongst the most economically deprived in the UK. Addressing the needs of the residents of these wards will be crucial if the City Deal is to be judged a success over time.

#### WIMD (Wales Index of Multiple Deprivation) Employment Domain



Source: Welsh Government

There are clear patterns of poverty and deprivation across the Cardiff Capital Region as demonstrated by the Welsh Index of Multiple Deprivation (WIMD). Areas classified as amongst the most deprived areas are concentrated in the northern areas of the city-region, with pockets of deprivation also to be found in the dense urban areas.

**Labour market participation also varies significantly** across the Cardiff Capital Region. Inactivity in the area with the lowest labour market participation is more than double that of the area with the highest (Cardiff Central data is influenced by high student numbers).

Whilst physical accessibility has been documented as a key determinant of deprivation, skills are considered more significant in determining individual outcomes than geography. Analysis has shown that qualification level is a bigger influence on the employment rate than location - both within Wales and across England and Wales as a whole<sup>22</sup>.

Health is also a determinant of disengagement with the labour market, with a higher proportion of those inactive in the Cardiff Capital Region due to long term sickness than in all but one of the English Core City-regions.

#### Economic Inactivity by Constituency Jul 2015-Jun 2016

	% who are economically inactive - aged 16-64
Cardiff Central	36.1
Islwyn	29.1
Blaenau Gwent	28.3
Merthyr Tydfil and Rhymney	28.2
Newport East	27.6
Cardiff South and Penarth	27.1
Rhondda	26.4
Newport West	26.3
Cynon Valley	26.0
Cardiff West	25.4
Torfaen	24.7
Ogmore	24.6
Pontypridd	23.9
Vale of Glamorgan	22.9
Caerphilly	20.7
Monmouth	20.5
Bridgend	19.7
Cardiff North	17.7

Source: Annual Population Survey

## Economic Inactivity Jul 2015-Jun 2016 – Working Age

	% who are economically inactive	% of economically inactive looking after family/home	% of economically inactive long-term sick
Liverpool City Region CA	28.0	20.2	31.5
Cardiff Capital Region	25.2	19.0	30.3
Tees Valley CA	25.0	23.5	24.7
Sheffield City Region CA	24.8	26.6	26.7
North East CA	24.6	21.4	28.1
Greater Manchester CA	24.5	24.8	26.1
West Yorkshire CA	24.5	26.4	23.1
West of England LEP	19.4	22.1	19.7

Source: Annual Population Survey

Underemployment, low pay, low-skilled jobs (with limited training) all contribute to a rising incidence of in-work poverty<sup>23</sup>. The Joseph Rowntree Foundation estimates that poverty costs the Cardiff Capital Region at least £2.2 billion a year<sup>24</sup>.

The response from the Bevan Foundation noted that “although there is a childcare strategy for Wales, provision in Cardiff Capital Region is fragmented (geographically and across the age-range), information is patchy, and costs and the quality of provision vary”. A lack of affordable and available childcare in rural areas is also a barrier to employment<sup>25</sup>.

Roughly a quarter of employees in Cardiff Capital Region are not paid enough to enjoy a basic but acceptable standard of living, even after the inclusion of any in-work benefits to which they may be entitled<sup>26</sup>. Low pay is a key factor (along with short working hours and the work status of other household members) in low household incomes<sup>27</sup>. It should also be noted that increases in aggregate incomes have a greater economic impact if they are at the lower end of the income distribution scale<sup>28</sup>.

Over many decades the Valleys have experienced a cumulative loss of over 200,000 jobs<sup>29</sup>. While Cardiff can provide a focus for some employment activity, it cannot address all unemployment and inactivity across all of South East Wales. The evidence reviewed has highlighted the need to improve access to and the quality of careers advice, and to **improve the range and quality of apprenticeships**, which could have a significant impact on employability<sup>30</sup>.

### Core Findings

In comparison with other city-regions, the Cardiff Capital Region lags behind the overall average in terms of labour market participation. There are also clear disparities in outcomes for residents across the Cardiff Capital Region in terms of the Welsh Index of Multiple Deprivation, earnings and economic inactivity.

Whilst geography and physical access to opportunities are a factor in determining levels of deprivation, skills levels are a much clearer indicator at the individual level.

Addressing levels of inequality and raising income at the lower end of the earnings spectrum would have a significant impact in raising GVA per capita and productivity.

Promoting more inclusive growth to provide opportunities for greater inclusion and social cohesion will require concerted actions, aligned to wider development strategies, that<sup>31</sup>:

- **Improve connectivity and access to services for people in the poorest parts of the region.**
- **Raise living standards and conditions: tackle fuel and other forms of poverty, address inequalities in work-related income, and promote financial inclusion.**
- **Promote skills and employment: addressing inequities in the distribution of skills and promoting participation, job quality, security and progression.**

## Key Questions

Improving skills is fundamental to increasing productivity, raising income levels and supporting increased labour market participation. Inextricably linked to the skills of the city-region, job creation is also a fundamental element of delivering better opportunities for everyone and improving the city-region economy.

Some of the key questions to consider for the Cardiff Capital Region are:

- How does the city-region compare with others in terms of overall levels of workforce skills, and how are skills spread across the city-region?
- How do skills impact on productivity and participation?
- What opportunities are there for job creation and what are the potential interventions that could take place to support a more skilled workforce and greater levels of labour market participation?

## Evidence Review

As noted above, overall the Cardiff Capital Region performs comparatively well against other UK city-regions in terms of the proportion of its workforce with a degree or equivalent. However, the region performs around the average when compared to other city-regions in terms of the proportion of residents who hold no qualifications.

### Qualification of those aged 16-64- Jan 2015-Dec 2015

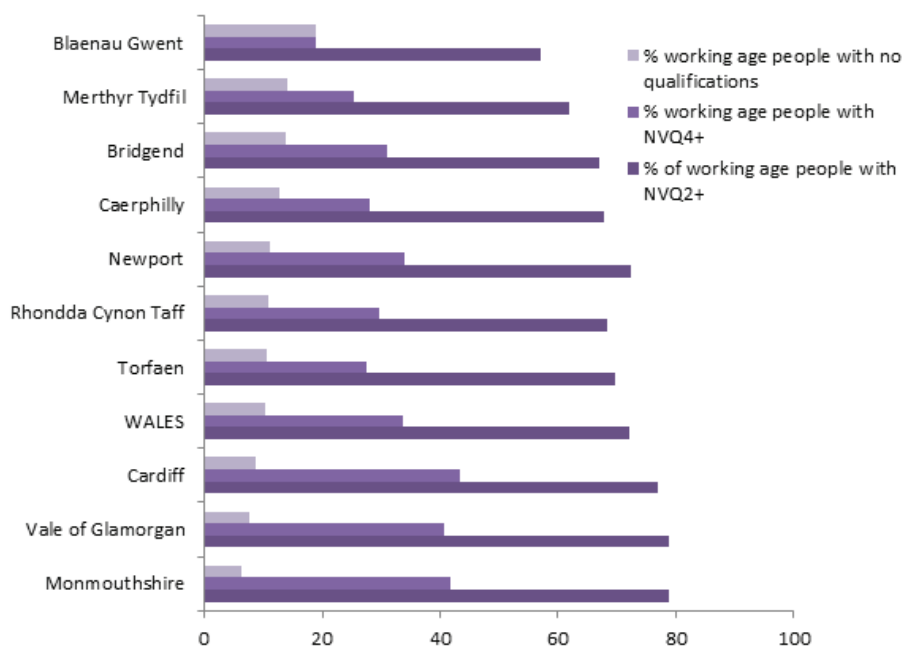
	% with degree or equivalent		% with no qualifications
Greater Manchester	26.3	West Midlands	16.8
<b>Cardiff Capital Region</b>	<b>25.7</b>	Merseyside	11.9
West Yorkshire	24.0	West Yorkshire	11.0
Tyne and Wear	23.1	<b>Cardiff Capital Region</b>	<b>11.0</b>
Merseyside	22.6	Greater Manchester	10.3
West Midlands	22.4	South Yorkshire	10.3
South Yorkshire	21.9	Tyne and Wear	9.6

Source: Annual Population Survey

The picture at the sub-region level however is very uneven. For example, the proportion of the working age population with no qualifications in Blaenau Gwent stands at 19%, compared with 6% in Monmouthshire. Similarly the proportion of those with qualifications of level 4 or higher in Blaenau Gwent is significantly less than the city-region average at 19% - less than half the figure for Cardiff, which stands at over 43%.

Furthermore, there are also differences in terms of qualification rates by age, and whilst educational results for school leavers (e.g. Key Stage 4) are improving, workforce qualifications are still low in many parts of the city-region. This illustrates the significance of maintaining provision of skills training for the adult population, who will remain a significant part of the workforce over the coming 20 years.

### Skills by local authority Area 2015



Source: Annual Population Survey



Cardiff Capital Region contains a very strong educational capacity, with internationally competitive higher education institutions and further education colleges. These provide courses to local residents and attract students from across the world. However the region struggles to retain much of its graduate labour, particularly in STEM (is Science, Technology, Engineering and Maths) subjects, and is not considered attractive to qualified labour educated outside of the region.

Research and stakeholder engagement by organisations such as LSkiP, has identified that, in recent years, skills and training delivery has been driven by learner demand, rather than strategic need, leading to a mismatch with employment opportunity. Improved links with employer demand would therefore help to improve overall competitiveness, and ensure that the skills profile of the Cardiff Capital Region is aligned with business needs.

Ensuring access to training and skills development is generally a key concern for many in the Cardiff Capital Region and the Commission endorses the need for locally-based approaches to build relationships between providers and people. In doing so the City Deal should also use the opportunity of the South East Wales Metro to promote the mobility of trainees around the Cardiff Capital Region. This could include the joining up of provision by providers across different sites, such as a greater use of the University of the Heads of the Valley.

The Joseph Rowntree Foundation recommends that services should reflect more effectively circumstances and opportunities in the local labour market and provide a more tailored, personal approach for those furthest from the labour market, including disabled people and those with long term health conditions. Such an approach can be delivered through correctly co-commissioning the new Work and Health Programme. As part of this, the Joseph Rowntree Foundation also recommends that all basic skills needs should be met by 2030, which would require a doubling of participation in programmes for digital skills, literacy, numeracy and language<sup>32</sup>.

Work Based Learning (WBL) and apprenticeships will continue to be important in ensuring learning and training is accessible in work. Provision for the over 40s will be required with the significant numbers of replacement jobs forecast<sup>33</sup>.

The City Deal itself should also be viewed as an opportunity to create employment given that the £1.2bn fund, with expected further private sector leverage, will result in significant capital investment. Linking job opportunities with skills provision is an integral element of ensuring the City Deal has the greatest impact on the local labour market. It is also recognised that there is a significant role for further education to play in upskilling those towards the lower end of the skills spectrum as well as providing opportunities for continued adult learning and education.

### Core Findings

Concentrations of low workforce skills in the city-region, and a high reliance on a narrow set of sectors, requires that skills development respond to strategic need and current and future demand by:

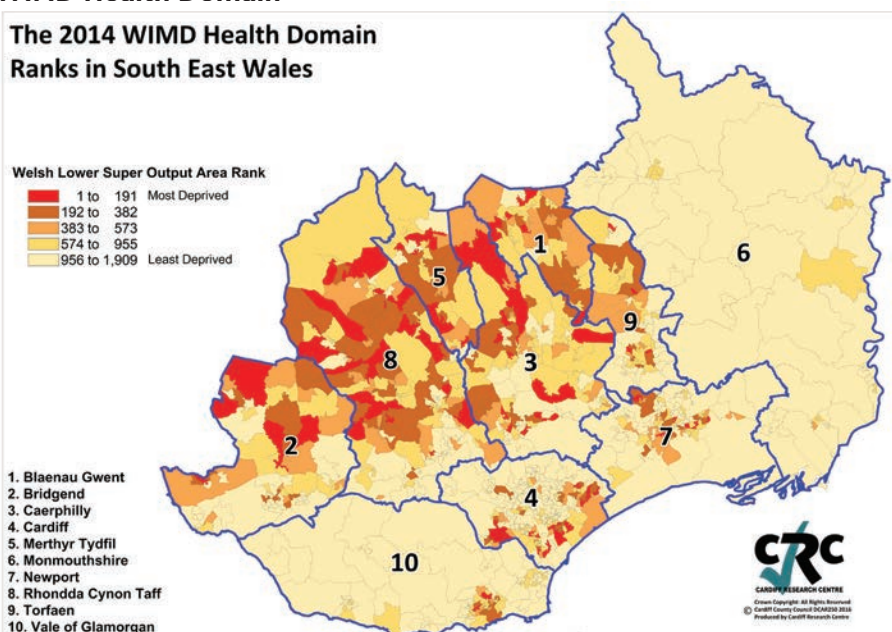
- Providing skills that meet the needs of opportunity sectors and the potential arising from infrastructure investment;
- Meeting the skills needs of the foundational economy;
- Improving skills utilisation amongst employers and tackling under-utilisation, both to realise the benefits of available skills but also to promote retention of a skilled labour force;
- Promoting STEM (Science, Technology, Engineering and Mathematics) skills;
- Building and strengthening employer engagement;

Improving the careers advice available across the Cardiff Capital Region is necessary to support more informed choices relating to employment opportunities and ensuring employer needs are understood by learners.

### HEALTH AND GEOGRAPHY

Other issues that influence economic outcomes in the city-region include health outcomes, and access to services. There are clear differences in health outcomes performance across South East Wales that are not determined by local authority area. Poor health outcomes are concentrated heavily in the northern areas of the city-region, with some pockets in inner-city areas.

#### WIMD Health Domain



Many of these issues are also related to quality of place. WIMD analysis also shows significant differences in performance in terms of access to services and physical environment. Whilst employment and income are a key element of the WIMD other quality of life determinants cannot also be ignored.

Further consideration of spatial issues is addressed in the following section.

Source: WIMD



# INCLUSION - RECOMMENDATIONS

## RECOMMENDATION 6 - SKILLS & EMPLOYABILITY

Investment in developing the skills of the current and future workforce of the Capital Region is a priority for the Cardiff Capital Region City Deal and vital to improve both competitiveness and inclusion. The Cardiff Capital Region should therefore:

- Task the proposed Employment and Skills Board with working with employers and education providers to ensure that provision is aligned amongst all relevant skills provision outside schools and higher education and that skills investment is complementary to the economic strategy of the city-region.
- Task the Learning and Skills Partnership and then the Employment and Skills Board to coordinate current funding streams to invest in skills and support people from all ages into work and improve outcomes for those in work.
- Focus on provision of education and training for adults, including parents of school age children who play a major part in reducing inter-generational poverty.
- Require all Capital Region funded capital projects to support a minimum number of apprenticeships, dependent on the size and scale of the project.
- Invest in good quality careers advice in schools from year 8 onwards, linking careers advice to the strategic need of the region

## RECOMMENDATION 7 - POVERTY

In seeking to increase employment rates and participation the Cardiff Capital Region City Deal should also seek to ensure that investment helps to address social and physical exclusion. Primarily this should be through improving accessibility to employment opportunities, but it should also reflect the fact that many people will be some way from entering the labour market and require more appropriate support. In doing this the Cardiff Capital Region should seek to:

- Improve transport links between areas of high deprivation and areas of opportunity.
- Ensure that those living in areas of high deprivation are able to access opportunities to upskill and access relevant public services that will support their transition to employment.

## 3.4 SUSTAINABLE DEVELOPMENT

### POPULATION AND FUTURE GENERATIONS

#### Key Questions

Sustainability and the consideration of future generations underpin all elements of the Cardiff Capital Region strategy and City Deal and should therefore not be considered in isolation. Yet there are some specific considerations that should be addressed in considering future economic strategy, namely:

- How sustainable is population growth across the Cardiff Capital Region?
- What are the specific demographic challenges that will be faced by the Capital region?
- What are the environmental considerations of the City Deal?

#### Evidence Review

A key consideration is the impact future population growth, or lack of it, could have on a variety of issues within communities. According to Welsh Government projections, the Cardiff Capital Region population is expected to grow by around 7% between 2016 and 2036, equivalent to just under 100,000 additional people living within the city-region. As highlighted in Parts 1 and 2, there are **considerable spatial variations across the city-region**, with the majority of population growth focussed in Cardiff. Many of the local authorities across the region are expected to show negligible (or in some cases negative) population growth.

#### Welsh Government Population Projections

	2016	2036	2016-2036
Cardiff	360,491	433,371	20%
Newport	147,749	157,391	7%
Cardiff Capital Region	1,509,496	1,606,090	7%
Bridgend	142,038	148,005	4%
Rhondda Cynon Taf	237,626	245,812	3%
Caerphilly	180,481	182,485	1%
Vale of Glamorgan	127,985	128,715	1%
Monmouthshire	92,639	93,166	1%
Torfaen	91,799	91,709	0%
Merthyr Tydfil	59,139	58,476	-1%
Blaenau Gwent	69,549	66,960	-4%

Source: Welsh Government

Population growth is divided by age as well as geography. By 2036 projections suggest that almost a quarter of the city-region's population will be of retirement age or older, up from 18% in 2016. All areas will see a substantial increase and this will result in different demands for services as well as infrastructure.

#### Welsh Government Population Projections – those aged 65+

	2016	2036
Bridgend	20%	28%
Vale of Glamorgan	21%	29%
Cardiff	14%	18%
Rhondda Cynon Taf	19%	24%
Merthyr Tydfil	19%	26%
Caerphilly	19%	26%
Blaenau Gwent	20%	27%
Torfaen	20%	28%
Monmouthshire	24%	36%
Newport	18%	23%
Cardiff Capital Region	18%	24%

Source: Welsh Government

# SPATIAL DEVELOPMENT

## Key Questions

The Cardiff Capital Region is not homogeneous; it consists of **diverse places each with distinctive histories, strengths, challenges and opportunities**. The Commission has heard much on this point. We are also aware that future development trends will place different pressures on different places. The region's economic history and its current economic circumstances have been shaped very directly by its physical geography. Transport and trading links are important influences on economic development. The coastal plain in the south – from Bridgend through to Newport – is well linked by land, sea and air. The rural communities around Monmouth historically were also easily accessible by road and partly navigable by river.

**The Valleys are relatively less accessible.** Populations were originally attracted by the development of local deposits of iron ore, and then coal, during the industrial revolution. These natural resources have however long since been either exhausted or have become uneconomic to extract, leaving the relatively isolated local communities more difficult to sustain. Digital connectivity – even when more complete – can only partially address these real challenges. In responding to these issues, some of the key questions to consider are:

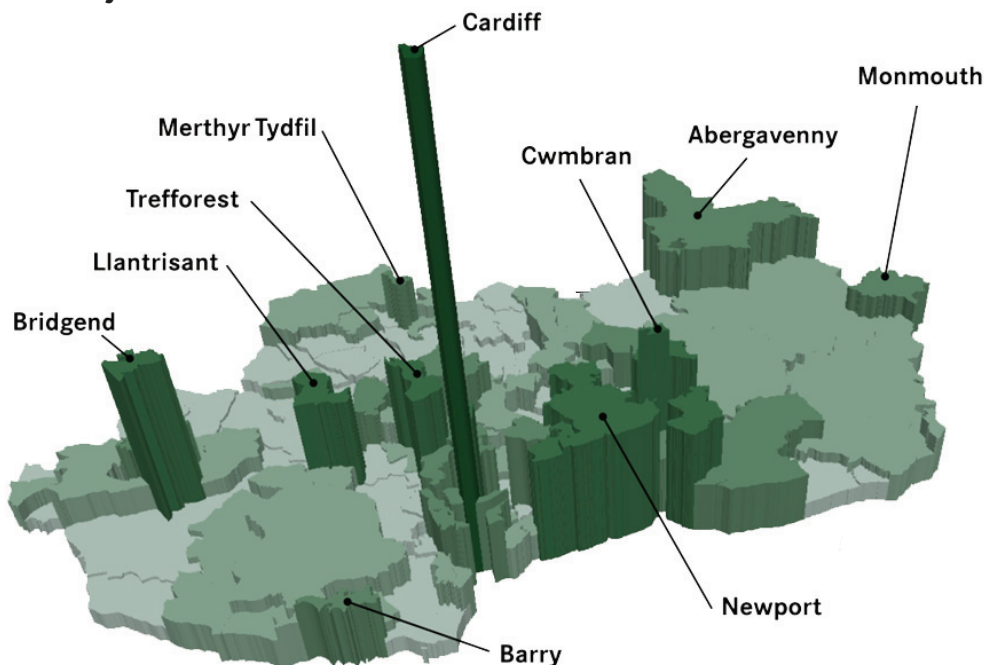
- What is the emerging character of the city-region's spatial economy?
- How can the spatial economy develop so that there are more points of growth without undermining existing centres?
- What is needed in addition to the Metro project to aid spatial development?

## Evidence Review

As observed in in Part 1's review of recent evidence, in the coming 20 years the number of households (note this is different to population) in the Cardiff Capital Region is projected to increase by around 13%<sup>34</sup>. By far the greatest increase is projected for the cities of Cardiff (31%) and Newport (16%). Blaenau Gwent is the only local authority area where a decline in the number of households is forecast (-1%). Job creation across the region has not been evenly distributed in recent years, having been heavily concentrated in Cardiff in terms of the number of jobs created. Notably the city has also been the focus of the knowledge intensive business services sector. Many of the spatial employment patterns illustrate the importance of agglomeration or clustering to specific sectors<sup>35</sup>, namely:

- Media services
- Hotels and restaurants
- Transport services
- Finance and insurance
- Business and management consultancy

## Total Jobs by MSOA area



Source: Centre for Cities

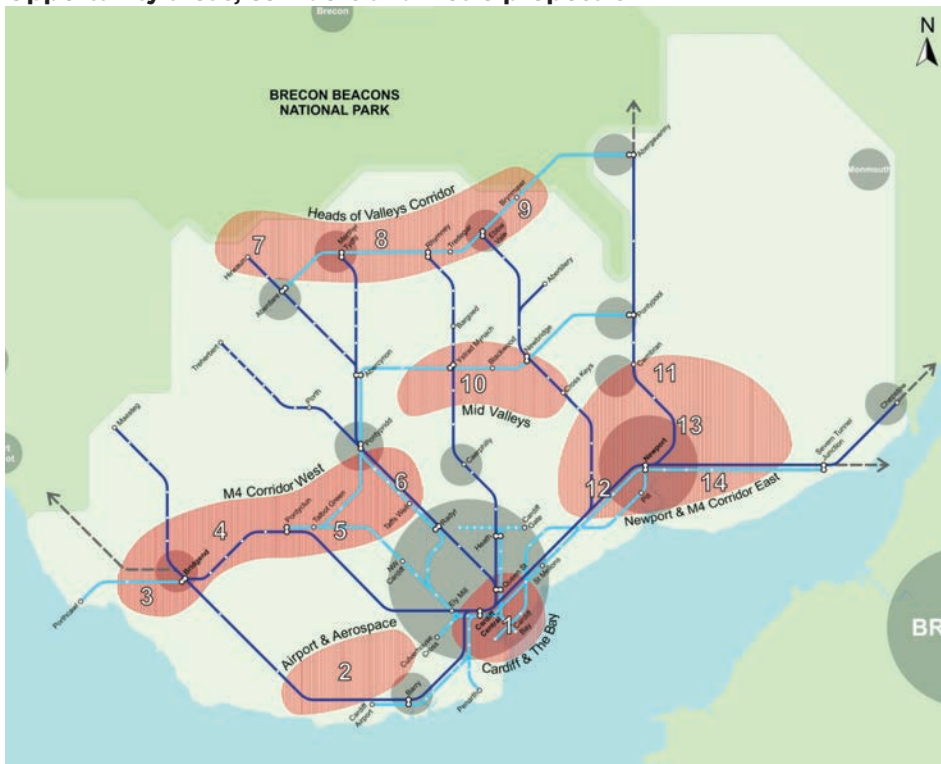
This is not to say, however, that opportunities can only be created in city centre areas. The greatest level of proportional employment growth across the region in recent years has been experienced in Merthyr Tydfil. There are also significant clusters of employment across the city-region in sectors such as advanced manufacturing that are driving productivity growth and supporting **wider supply chain development for the Cardiff Capital Region**. This is reflected in the fact that over a quarter of a million working residents in the city-region commute out of their local authority area for work. Whilst Cardiff is the biggest draw it only accounts for just over a third of outward commuting. Commuting distances and costs are important – especially for those on low incomes. We should recognise that while jobs cannot all be developed in the immediate area of populations, neither can we expect all workers to commute significant distances. Conversely, there is also a clear need to build on and develop agglomeration effects for the region.

## Commuting Statistics by Local Authority

	Total number of working residents	Total number of people working in the authority	Number of people working in home authority	Number of people commuting out of the authority	Number of people commuting into the authority
Bridgend	63,500	61,500	43,700	19,900	17,800
Vale of Glamorgan	58,800	42,800	28,500	30,300	14,300
Cardiff	164,800	214,700	130,900	33,900	83,800
Rhondda Cynon Taf	105,200	79,100	61,000	44,200	18,100
Merthyr Tydfil	24,900	24,500	14,700	10,200	9,800
Caerphilly	76,300	56,200	37,300	39,000	18,900
Blaenau Gwent	28,600	20,100	14,600	14,000	5,500
Torfaen	40,400	36,800	22,700	17,600	14,100
Monmouthshire	44,800	43,900	26,100	18,700	17,800
Newport	64,100	72,800	39,700	24,400	33,100
Cardiff Capital Region (SUM)	671,400	652,400	419,200	252,200	233,200

Source: StatsWales

## Opportunity areas, corridors and Metro proposals



Source: Findings of a workshop of local authority economic development officers from the ten local authorities.

Work has already been undertaken in identifying key centres and corridors as core locations for growth, several of which have been proposed in evidence received. The approach taken in the Manchester City Region offers a model against which to benchmark action in the Cardiff Capital Region<sup>36</sup>. The Strategic Development Plan will, wherever possible, focus activities on or around the transport hubs developed through the South East Wales Metro and other key connectivity corridors. The Commission notes that a basis for this exists in the collective work of officers from the ten local authorities, who identify broad corridors and areas of opportunity across the Cardiff Capital Region<sup>37</sup>.

### Core Findings

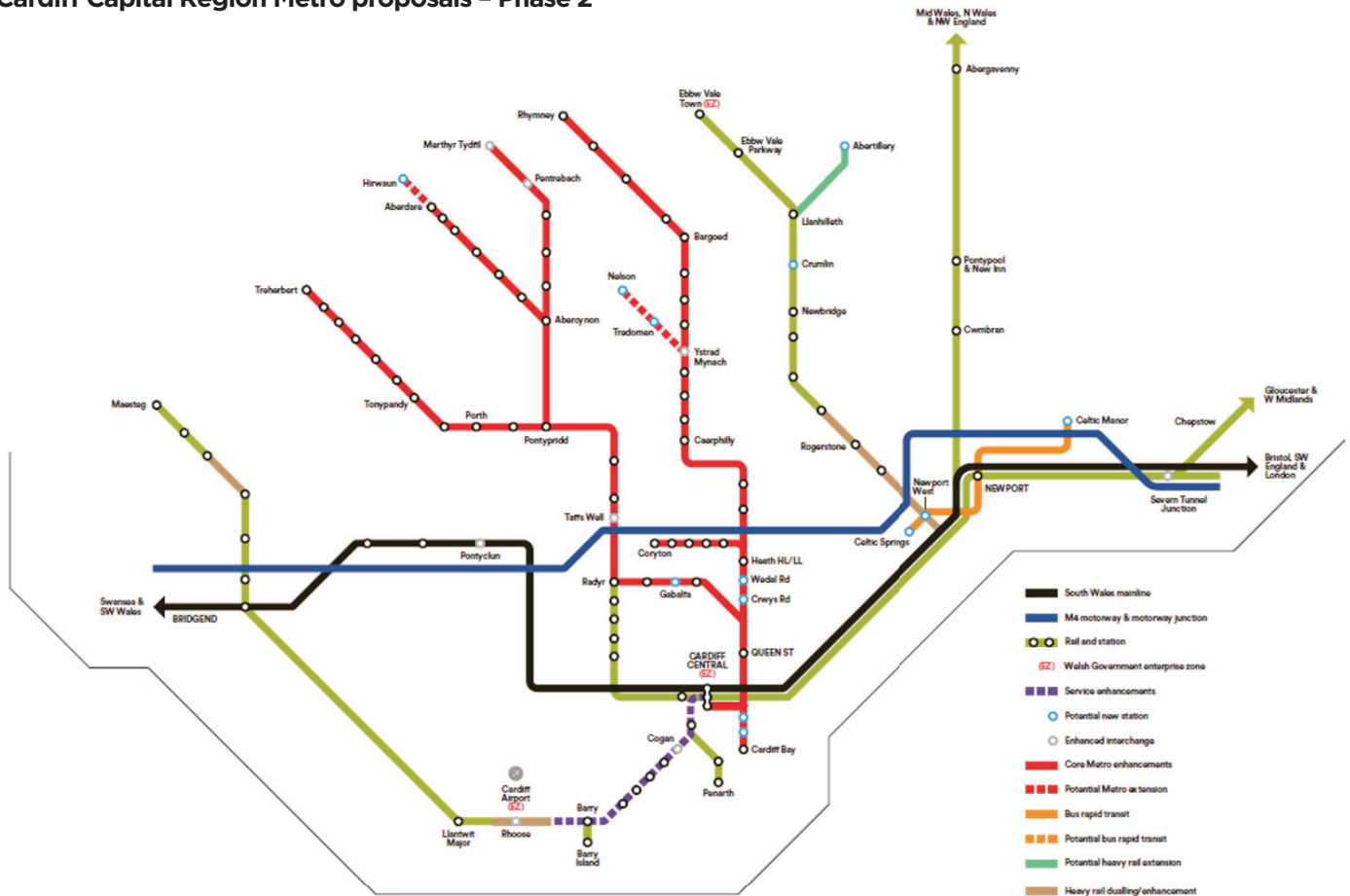
With differences in economic performance and outcomes across the city-region there is a clear need to ensure that the region is organised spatially in a way that maximises the benefits for residents. This approach, however, must be rooted in the need to reflect strengths and opportunities of areas, as well as transport investment. It is also important to dispel the commonly-held “zero sum” attitude across much of the region, a tendency to believe that one area’s gain has to be another’s loss.

Acknowledging the nature of the real physical challenges faced by these communities also underlines the potential importance of better transport links within the region as a means of linking and unifying it, whilst also recognising that transport improvements by themselves will not solve all of the city-region’s economic issues.

# TRANSPORT

The South East Wales Metro will make a significant contribution to improving transport connectivity in the Cardiff Capital Region. All parties recognise that it is **crucial that this acts as more than simply a transport project**. It has the opportunity to unlock potential development sites, provide training and employment, improve access to employment and training opportunities, access to leisure and tourism uses and support wider cultural and housing benefits. It also provides a significant opportunity to deliver a substantial contribution to carbon reduction targets in the Cardiff Capital Region, and improving quality of life for residents. It is important, therefore to understand how transport (both Metro and non-Metro) can act as a catalyst for the city-region.

## Cardiff Capital Region Metro proposals - Phase 2



Source: Metro Information Brochure

## Evidence Review

Reducing journey times and increasing the accessibility and availability of different choices of transport will help to increase economic mass, bringing the benefits of agglomeration in terms of productivity and also effectively delivering a larger market for both business and labour. Road improvements alone would not necessarily help those distant from the labour market in accessing job opportunities, as there is a clear correlation between long term unemployment and access to a car.

The role of **airports and ports** and the impact they can have in supporting growth industries needs to be considered as part of the future transport infrastructure. Evidence suggests that Cardiff International Airport's connectivity in particular is a constraint on growth and should be a priority for any economic development strategy for the region.



**Cardiff Airport** also has the potential to drive wider economic development and quality of life improvements, as part of the **Cardiff Airport and St. Athan Enterprise Zone**. For example, over 20% of the UK's maintenance, repair and overhaul (MRO) of commercial aircraft is carried out within 20 miles of Cardiff Airport. **Aston Martin** has chosen the Enterprise Zone as the site of its new Centre of Excellence, manufacturing its new DBX crossover vehicle in Wales.

Many people will continue to want and seek job opportunities relatively close to home, notwithstanding the benefits of improved public transport, for reasons of time, cost and managing other commitments<sup>38</sup>. In the survey undertaken for the Commission, 35% of residents in the region stated that proximity to friends and family was one of the three main factors influencing their choice to live in their current neighbourhood, compared to just 14% who highlighted availability of public transport<sup>39</sup>. Even with reduced journey times there will remain areas of the South Wales Valleys where travel times and associated cost to centres of population remain excessive for anyone considering a long commute for low paid employment. It was also highlighted that many of the most disadvantaged areas in the South Wales Valleys are those that are some distance from rail/Metro stations.

There is also a need to appreciate that public transport will not be the panacea to resolving all transport issues. The (comparatively) low population density of the city-region and in its multi-directional commuting flows, means that road based (and largely private) transport will still be important in the near future.

There is a clear need for transport to be integrated, especially across bus and rail services, if it is to have an impact. In many cases commuting to Cardiff from northern valley areas proves difficult as bus services do not necessarily operate late in the evening, meaning that the commuting 'window' is limited for those travelling exclusively by public transport<sup>40</sup>. In order to operate new routes and enhanced frequencies on existing routes, around 1,000 new jobs could be created both in public facing roles such as drivers, but also in the vital administrative and maintenance functions<sup>41</sup>.

**Investment in tourism needs to dovetail with transport investment.** Where tourism propositions are based on scale they must be located in appropriate locations. Furthermore, tourism also needs to adopt a complementary and not competitive approach within the city-region if it is to maximise its impact. This approach also needs to be cognisant of the fact that public transport use within the city region is highest amongst residents for leisure uses.

What do you use public transport for?	%
Leisure	57%
Shopping	46%
Visiting family & friends	19%
Travelling to work	18%
Other	15%
Travelling whilst at work	11%
Travelling to education	3%
Don't use	8%
*RESPONDENTS COULD SELECT MORE THAN ONE ANSWER	

Source: Growth and Competitiveness Commission Resident Survey

A substantial programme of investment in addition to the Metro is currently underway, or proposed, affecting transport routes serving the Cardiff Capital Region. These include:

- Underway
  - A465 (Heads of the Valley) dualling and improvements
  - Electrification of GWR mainline services from Cardiff to London
- Proposed
  - M4 relief road (under review and subject to inquiry)
  - Reduction in Severn Bridge Tolls (proposed halving from 2018)
  - Improvements to 'Five Mile Lane' to improve access to Cardiff International Airport

### Core Findings

Increased connectivity and multi-modality in the Cardiff Capital Region transport system will create recognised benefits for productivity and employment. Aside from expanding opportunities to commute to Cardiff, it is also a priority to support other locations of economic activity, including Cardiff International Airport.

Much is demanded of the South East Wales Metro and many hopes are attached to it. The Metro system should form the basis for the strategic plan for new investments in land and property development. Transport nodes should form the focus of investment in hubs to promote innovation, co-working spaces and the development of new enterprises and employment opportunities. Housing investments should be related to accessibility through the Metro system.

Ensuring that investment is focussed on the Metro development will help to increase the overall investment rate, providing for a greater impact in terms of GVA.

Environmental considerations and opportunities are also important if the Welsh Government is to meet its emissions targets. In terms of CO2 emissions, the Cardiff Capital Region performs better than the UK and Welsh averages, which generally reflects differences in industry emissions rather than domestic and transport emissions. There are currently a range of opportunities relating to energy infrastructure being considered by a number of parties across the city-region. These build on the resources afforded by the city-region. Potential opportunities identified during the evidence gathering exercise include:

- Delivery of smart energy research and innovation.
- Investment in storage to harmonise generation from renewables and sell at peak prices.
- Building new low carbon energy generation capacity.
- Retrofit of current building stock.
- Connection of locally generated power to local need to give fuel security and avoid national grid charges.
- Creating a regional energy company.

## CO2 Emissions per Capita

	Per Capita Emissions	Industry per Capita	Domestic Total	Transport Total
Vale of Glamorgan	10.1	6.2	2.0	1.7
Newport	9.7	4.8	2.0	2.9
Wales	9.6	5.7	2.2	1.9
Monmouthshire	8.6	2.5	2.3	3.7
UK	7.0	3.1	2.1	1.9
Bridgend	6.9	3.0	2.0	2.0
Cardiff Capital Region	6.7	2.8	2.0	1.9
Cardiff	6.1	2.5	1.8	1.8
Torfaen	6.0	2.6	1.9	1.4
Rhondda Cynon Taf	5.5	1.7	2.1	1.8
Caerphilly	5.3	1.9	2.1	1.3
Merthyr Tydfil	5.2	1.7	2.1	1.5
Blaenau Gwent	5.1	2.0	2.2	1.1

Source: National Statistics

## Core Findings

The Cardiff Capital Region is predicted to see only limited population growth, but the expected growth is anticipated to be focussed on the city areas, with some areas likely to experience population decline. The needs of an ageing population have to be fully considered in terms of service delivery and infrastructure investment.

Carbon emissions are not higher in the Cardiff Capital Region than the Wales and UK average. However, the imperative to focus on continually reducing carbon emissions is unambiguous. The development of improved public transport, through investment such as the Metro, should support the reduction of carbon emissions, whilst also addressing issues of congestion.

# SPATIAL DEVELOPMENT - RECOMMENDATIONS

## RECOMMENDATION 8 – STRATEGIC SPATIAL DEVELOPMENT

**The Cardiff Capital Region should develop a spatial perspective to complement its economic strategy.** This will require a clear timetable for the introduction of a longer term Strategic Development Plan that complements the Economic Development Plan, helps to realise objectives around improving transport, future spatial character of the region, housing and land use, and sets out how the public will be fully involved and consulted. In the interim, a Strategic Vision should be developed as a short-term step.

This spatial development perspective should act as a future growth map for the Capital Region and define the key roles of potential of:

- Cardiff and Newport as established hubs of business, commerce and institutions, each playing to their particular strengths
- Cardiff Airport and the associated Enterprise Zones.
- The re-emerging towns such as Bridgend, Barry, Caerphilly and Pontypridd that are in transition to accommodating high value added activity, renewed resident populations and university expansions.
- The Valleys and rural towns which are becoming increasing important centres for local services, amenities and the foundational economy, and are developing their roles in tourism and leisure.

It should also address the important potential that anchor institutions, strategic assets and key infrastructures can play in the development of the region. These should include but not be limited to:

- Ports
- Universities
- Hospitals
- Major cultural institutions
- Major railway stations
- Natural parks and coastline
- Energy infrastructure

This should also seek to inform City Deal investment. Any capital investment in site regeneration for employment purposes should be prioritised on the major locations across the city-region identified above.

## RECOMMENDATION 9 – INVESTING IN ENERGY

**The Cardiff Capital Region should consider the opportunities afforded by its energy assets,** as well as seek to reduce the leakage of income from the area linked to its natural assets. This will require co-ordinated activity amongst the key stakeholders across the city-region, including business and higher education. In doing so a strategy should be developed and agreed amongst all key stakeholders to both maximise the return on investment and impact on city-region residents in terms of quality of life. To do this the Cardiff Capital Region should:

- Develop a Cardiff Capital Region Smart Energy strategy that looks at demand and supply issues across the city-region. This should look to build upon both innovation in appropriate sectors, as well as co-ordinate investment opportunities in infrastructure
- Explore with city-region partners the potential for the development of a local energy company that could ensure security of supply within the city-region for the future, as well as preventing leakage of income from investment. This would require further detailed work to understand the full implications and means of governance.

## RECOMMENDATION 10 – METRO AND PLACEMAKING

The Cardiff Capital Region should build upon the opportunities emerging from the development of the Metro to improve the quality of places to live, work and visit.

This should take the form of detailed planning of station and terminus areas and consider the scope to use better connectivity to create better places, which provide services and amenities to citizens and are able to support renewal and tourism.

## 3.5 INVESTMENT INFRASTRUCTURE

### Key Questions

Increasing the levels of private sector investment has been identified in the City Deal document as a key objective. The Deal's success in mobilising private institutional investment – life assurance and pension funds, unit trusts, venture capital and private equity groups, hedge funds – will depend on the level, predictability and longevity of prospective returns, and on the scale of the available investment opportunities. The key questions are:

- What approach to investment is required to raise growth levels?
- What criteria should be used to assess investment choices?
- How can public investment best leverage private sector co-investment?

### Evidence Review

Infrastructure investment across the Cardiff Capital Region has lagged behind much of the rest of the UK. Whilst the Metro and other transport schemes are integral to this there are other areas such as commercial and residential property and digital infrastructure that are also critical to the future of the city-region.

Digital infrastructure is also a key component of a competitive economy. However, evidence suggests that in South East Wales whilst there is still a need for continued investment in digital connectivity, there is a tendency not to capitalise on the benefits of the current infrastructure. Data provided by BT highlights that just over 23% of those with access to superfast broadband actually use it. There also remains a gap in terms of the provision of superfast broadband across the region.

It was highlighted during Commission sessions that the speed of decision-making can be a real issue in leveraging private investment. In particular there was a fear that the Cardiff Capital Region was losing out on investment to other areas as a result of slow decision making processes and the involvement of a wide range of decision makers in the decision making process.

The potential impact of the CCR Deal will be amplified materially if private sector institutional investment is forthcoming, whether on a stand-alone commercial basis or in partnership with public sector funding. Not all private sector investors are necessarily risk-takers. Managers of defined benefit pension funds, and of some life assurance schemes, need predictable returns to match explicit long term liabilities. Meanwhile, the public sector is not necessarily always risk averse. Many new developments in technology – including much of the initial impetus for the internet and for much research into aerospace and life sciences – can be traced back to government.

### Core Findings

If the region's public sector partners are able to bear some of the uncertainty, then, prospective risk-adjusted returns can be made more attractive for potential institutional investors. Individual institutional investors are quite capable of investing substantial amounts in specific projects if those projects seem likely to meet their investment aims.

In addition to the increased importance of liability-driven investing, the current investment climate is one in which nominal interest rates and bond yields are historically low, there is a limited supply of predictable, explicitly long term investments, and there is a pronounced general risk aversion even among less constrained investors.

It would be expected, therefore, that there would be substantial private sector interest in the long term, relatively stable income generated by the Deal's infrastructure projects, for example, particularly if construction and/or operating risk can be muted by public sector involvement. Components of the Deal that could satisfy these requirements might include:

- Transport infrastructure: investment in and around the Metro project and airport.
- Large-scale energy projects.
- Real estate linked to housing associations, higher education, public sector bodies and/or development zones.

## Key Questions

Housing plays a significant role in place shaping, determining quality of life and the local economy. Housebuilding and improvement can also be an important source of employment generation. It is important therefore to understand the impact and potential of housing as a driver of these benefits in the Cardiff Capital Region. A number of key questions have therefore been considered:

- How significant is the gap between demand and supply across the region?
- What are the barriers to development of housing within the region?
- How can we ensure that “place making” and a focus on people is achieved in the Housebuilding plan?

## Evidence Review

The rising number of households in the Cardiff Capital Region, and changes in its spatial distribution, will require the provision of a substantial number of new homes. Equally, there is a need for the modification and improvement of the existing housing stock. Welsh Government policies set a strong context for this<sup>42</sup>, with a role for public authorities, private developers, investment and lending institutions and Registered Social Landlords. The carbon reduction targets established by Welsh Government alongside the ageing trends of the population provide additional impetus to investments in the development of the existing housing stock.

In recent years there has been a significant variation in the growth of housing stock across the Cardiff Capital Region, with around a third of the total new provision of housing since 2000 located in Cardiff.

## Dwelling stock estimates by local authority

	2000-01	2014-15	Change '00/01 to '14/15
Wales	1,274,500	1,405,959	131,459
Bridgend	55,255	62,924	7,669
Vale of Glamorgan	50,979	56,194	5,215
Cardiff	127,270	149,962	22,692
Rhondda Cynon Taf	99,190	106,791	7,601
Merthyr Tydfil	24,567	26,593	2,026
Caerphilly	72,011	78,503	6,492
Blaenau Gwent	31,385	32,367	982
Torfaen	38,726	40,963	2,237
Monmouthshire	36,737	41,019	4,282
Newport	58,543	65,192	6,649
Cardiff Capital Region	594,663	660,508	65,845

Source: Welsh Government

More recently new builds have been focussed on the coastal local authorities in the Cardiff Capital Region leaving the Valleys region with a growing issue of lack of supply.

## New Housing Completions

	2013-14 Annual	2014-15 Annual	2015-16 Annual
Coastal area	1854	2549	2791
Valleys area	1034	1238	753
Cardiff Capital Region	2888	3787	3544

Source: Welsh Government



These trends also reflect the fact that the average price of housing varies significantly across the Cardiff Capital Region with some areas experiencing stronger house price growth than others in recent years. This affects the ability of homeowners to benefit from asset growth, affects mobility and potentially impedes the ability of entrants to the market to purchase homes near to where they wish to live. It can also reflect variations in the desirability of locations, as well as the quantity and quality of the housing stock available. There is also considerable evidence relating to market conditions inhibiting housing development in northern areas of the South Wales valleys.

A number of stakeholders in the city-region have stressed the importance of linking new housing development to the South East Wales Metro, overcoming the fragmentation of decision-making within the Cardiff Capital Region and promoting the development of the Cardiff Capital Region as an integrated live-work space. This is further exacerbated by the lack of co-ordination in the Local Development Plan process. Throughout the evidence gathering process, there was an overwhelming call for the development of a Cardiff Capital Region Strategic Development Plan. This would provide the strategic framework for housing development across the region, integrated with the necessary infrastructure and service provision and would result in the region having more success in attracting greater diversity in housebuilding across tenure types and locations.

### Local Authority LDP Summary

Local Authority	Date of Adoption	Period since 2005
Vale of Glamorgan	2017*not yet adopted.	12 years
Cardiff	2016	11 years
Bridgend	2013	8 years
RCT	2011 Plan review started	6 years
Merthyr Tydfil	2011 Plan review started	6 years
Neath Port Talbot	2016	11 years
Caerphilly	2010 Plan review started/ stopped	5 years
Blaenau Gwent	2012 Plan review	7 years
Monmouthshire	2014	9 years
Torfaen	2013 Plan Review	8 years
Newport	2015	10 years
Blaenau Gwent	2012 Plan Review	7 years
	Average time	8 years

Source: Home Builders Federation

The evidence suggests that the planning process is currently viewed as overbearing and disincentivising to housebuilders. This results in a fragmented approach to housebuilding, with smaller scale developments being the norm and scale developments seen as difficult to deliver. This in turn is limiting the flow of investment-funding into housebuilding in Wales, an approach that has proven successful in other UK city-regions.

There was recognition that housing associations and local authorities, some of whom have restarted their own housebuilding programmes, are playing a pivotal role in the delivery of housing within the Cardiff Capital Region to date with some innovative models being tested across the region. The evidence also suggests that investment funding would be available to deliver a housing agenda across the Cardiff Capital Region, in areas where scale and long term yield could be delivered. This could be encouraged through the region taking a proactive stance in its Housing plan.

### Core Findings

There is a requirement to ensure that housing development is not concentrated too narrowly in specific parts of the Cardiff Capital Region, so that the benefits of housebuilding are not solely focussed on the coastal areas.

There is a clear need for acceleration in the volume of housebuilding right across the region. The introduction of a Strategic Development Plan will help ensure that proposed housebuilding is integrated with other physical infrastructure such as the Metro to ensure that placemaking is achieved. Local authorities need to continue to maintain appropriate LDPs in order that development continues at pace.

Delivery of scale housing projects could facilitate institutional investment in the city-region and this could be achieved through the use of innovative finance bonds or joint ventures. Any development needs to consider how different housing tenures can be delivered, to ensure that, where there is demand, different income groups can access affordable housing in desirable places for each stage of their lives.

There is an opportunity to consider how energy efficiency and the needs of older people are planned in from the outset whether that is to changes in existing housing stock or new builds.

# INVESTMENT - RECOMMENDATIONS

## RECOMMENDATION 11 – HOUSING AND ECONOMIC REGENERATION

The housing market is a key element of how the labour market functions and makes an important contribution to the social mix within the city-region. Labour productivity is underpinned by affordable and well connected housing and mixed income communities can support the drive to bring jobs closer to people and tackle concentrated poverty and disadvantage.

A step change in housing investment and development is required across all parts of the region and across the different tenures of housing. A Cardiff Capital Region Housing Plan must integrate into the Strategic Spatial Development Plan. The housing objectives are to build enough homes to keep up with the population growth of the region and, critically, to ensure that those new homes are built with appropriate infrastructure links and community/placemaking objectives delivered.

For this to be achieved, the following are required:

- In the development of a Strategic Vision and, in time, a Strategic Development Plan for the area, the city-region should seek support for the Welsh Government to build a clearer vision or the evolution of the national housing market that supports new forms and quality of supply and tenure.
- To have effective decision making on housing development now, the Cardiff Capital Region should refresh where possible Local Development Plans in line with the Strategic Vision and, in time, the Strategic Development Plan, to foster a region-focussed approach rather than local approaches to home building.
- Welsh Government should speed up the release of land and investment in remediation of land, to ensure housing land is available and “ready to build.”
- Ensure housing development and planning are prioritised near Metro locations and is of sufficient scale, density and appeal to encourage investment from private institutions in well planned new districts around stations.
- Cardiff Capital Region should simplify the planning process and utilise incentives rather than penalties to encourage house builders to build in areas where the geography/quality of land poses challenges to build.
- Cardiff Capital Region should develop a plan for redundant housing stock to regenerate communities and provide a mix of tenures available to residents.
- Cardiff Capital Region should consider the creation of a Housing Bond to encourage investment finance into housebuilding within the region.
- LAs should consider developing a joint stock housing company to drive additional supply.

## 3.6 ORGANISATION: GOVERNANCE AND LEADERSHIP

The City Deal will involve a wide-ranging governance arrangement involving the public and private sectors. The following bodies are mooted:

- **Cardiff Capital Region Cabinet**, comprised of the 10 Local Authorities - this will form the ultimate decision-making body in the governance structure. It has the status of a Joint Committee and will monitor the performance of the City Deal.
- **Cardiff Capital Region Economic Growth Partnership**, established to bring together business, higher education and local government. It will be responsible for setting the overarching city-region economic development strategy.
- **Independent Growth and Competitiveness Commission**, to review activities related to the City Deal, examine the challenges and opportunities for economic growth and make recommendations as to how the Cardiff Capital Region can achieve its full growth potential.
- **Cardiff Capital Region Business Organisation**, to provide a clear voice to influence and shape business support programmes.
- **Cardiff Capital Region Skills and Employment Board**, to strengthen the existing Learning, Skills and Innovation Partnership.
- An **Integrated Delivery Unit** for regionally significant aspects of economic development.
- **Cardiff Capital Region Transport Authority**, a non-statutory body to co-ordinate transport planning and investment in partnership with Welsh Government.
- **A Joint Programme Management Team** is referenced in the City Deal, the

role and function of which is not specified.

In addition, Local Authority partners have suggested a **Cardiff Innovation Capital Regional Development Corporation**<sup>43</sup>, whilst, in a separate development, the Welsh Government has also announced a **Ministerial Task Force for the South Wales Valleys**, which will consider the needs of the Valley areas in both the Cardiff Capital Region and Swansea Bay City Region.

Submissions to the Commission highlight the strength of the governance arrangements proposed for the Cardiff Capital Region City Deal. Evidence received by the Commission also stresses that the City Deal provides an important opportunity to translate this governance into action. Implementation of actions on the ground is now seen to be critical to the future of the Cardiff Capital Region.

# GOVERNANCE AND LEADERSHIP RECCOMENDATIONS

## RECOMMENDATION 12 – PROMOTING THE CAPITAL REGION

**The identity of the region is not yet well established** or communicated. Currently only 33% of surveyed residents are confident that they know what the Capital Region is<sup>44</sup>. The region has many assets and attributes that should be better understood and known to citizens, external investors and mobile sources of jobs and skilled people.

City-regions must work hard to forge a clear identity and a strong reputation as a good place to visit, live, invest, locate and trade with. The Capital Region needs a **single point of leadership and coordination on city-region promotion** in contested markets such as tourism, FDI, trade development, airline routes, hosting of events, festivals, film shoots, TV production, international and UK students, institutional investment and congresses.

This activity should be organised to benefit from partnership between the Welsh Government, regional business organisations, and local government through the proposed **Regional Economic Growth Partnership**.

## RECOMMENDATION 13 – ORGANISING THE CAPITAL REGION

**The Cardiff Capital Region Cabinet should quickly establish itself as the primary strategic decision making body for the city-region and build a strong partnership with WAG to ensure that Local and Welsh Government act in tandem, as the City Deal requires.**

**This means that the CCR Cabinet should integrate appropriate strategic activities in Economic Development, Spatial Development, Transport, and Skills and Employment within a single framework of authority and reporting, and avoid fragmented initiatives.**

The CCR Cabinet should agree how to use existing capabilities to deliver city-region priorities and charge an efficient delivery unit with supporting the delivery of the City Deal process. The Cabinet should consult the Minister for Economic Development on the preferred arrangements for participation of the Welsh Government in these efforts immediately.

It should also agree a communications strategy to communicate the City Deal, economic strategy, the City Deal plans and to clarify governance arrangements for everyone across the city-region, which continues to be somewhat confusing for the uninitiated.

**The agreed Regional Economic Growth Partnership should be rapidly established.** It should have staff sufficient to deliver operations that build on current capacity of partners in the city-region. It should lead on promotion and branding of the city-region and work closely with other business organisations to coordinate local, regional and national efforts.

- <sup>1</sup> <http://gov.wales/topics/businessandconomy/growing-the-economy/city-regions/?lang=en>;  
[http://www.lskip.wales/downloads/160731\\_LSkip\\_EandS\\_Plan\\_with\\_cover\\_English.pdf](http://www.lskip.wales/downloads/160731_LSkip_EandS_Plan_with_cover_English.pdf);  
<http://gov.wales/docs/det/publications/150306cardiffcapitalregionen.pdf>;  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/508268/Cardiff\\_Capital\\_Region\\_City\\_Deal.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508268/Cardiff_Capital_Region_City_Deal.pdf)
- <sup>2</sup> <http://gov.wales/topics/transport/public/metro/?lang=en>
- <sup>3</sup> ONS data provided for CCR
- <sup>4</sup> ONS data provided for CCR
- <sup>5</sup> ONS data
- <sup>6</sup> ONS 12th October 2016
- <sup>7</sup> LSE Growth Commission (full ref?)
- <sup>8</sup> Welsh Government (2016) Taking Wales Forward.
- <sup>9</sup> Such as the Aberthaw power station in the Vale of Glamorgan, or Ford's engine-plant in Bridgend
- <sup>10</sup> <http://www.rctcbc.gov.uk/EN/Council/CouncillorsCommitteesandMeetings/Meetings/Cabinet/2015/12/15/Reports/AgendaItem2BaselineEconomicAnalysis.pdf>
- <sup>11</sup> <https://sites.cardiff.ac.uk/ppiw/files/2015/10/Future-Need-and-Demand-for-Housing-in-Wales.pdf>
- <sup>12</sup> Based on APS employment data
- <sup>13</sup> Understanding Core Cities' Productivity Gaps
- <sup>14</sup> Understanding productivity variations between Wales and the rest of the UK. Report to the Economic Research Advisory Panel, Welsh Assembly Government. University of the West of England, Bristol and the University of Bath. Update in progress.
- <sup>15</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>16</sup> <http://www.nesta.org.uk/blog/complex-places-complex-times-analysis-complexity-uk-local-economies-and-their-future-evolution>
- <sup>17</sup> Welsh Government identifies 9 priority sectors which together account for 43% of employment in Cardiff Capital Region.
- <sup>18</sup> WISERD Report (Wales Institute of Social & Economic Research, Data & Methods, 2011)
- <sup>19</sup> <http://www.londonstockexchange.com/exchange/prices-and-markets/stocks/landmark/wales.html?landmark=WAL&nameCode=&initial=&page=1>
- <sup>20</sup> GB Tourism Survey, International Passenger Survey
- <sup>21</sup> See e.g. Mayor of London, Natural Capital: investing in a Green Infrastructure for a Future London, 2015
- <sup>22</sup> Welsh Economic Performance: A Challenge, not a Mystery - Jonathan Price
- <sup>23</sup> Joseph Rowntree Foundation (2014) <https://www.jrf.org.uk/sites/default/files/jrf/files-research/poverty-jobs-worklessness-summary.pdf>
- <sup>24</sup> Based on the Wales' 'Barnett share' of the UK cost being £4.4 billion and Cardiff Capital Region's being 50% of the Wales total; Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>25</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by Monmouthshire County Borough Council
- <sup>26</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>27</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>28</sup> For example the Office for Budget Responsibility estimates the multiplier effect of increases in benefit spending (which mostly goes to low income households) to be twice that of the cuts in personal taxes and National Insurance (which mostly goes to median and high income households).
- <sup>29</sup> Evidence provided by Professor Steve Fothergill, CRESR, Sheffield Hallam University and National Director, Industrial Communities Alliance
- <sup>30</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>31</sup> See RSA Inclusive Growth Commission
- <sup>32</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>33</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by Monmouthshire County Borough Council
- <sup>34</sup> StatsWales (2016) Population Projections
- <sup>35</sup> Investigating the link between productivity and agglomeration for UK industries, Dr Daniel J. Graham, Centre for Transport Studies, Imperial College London
- <sup>36</sup> <http://ontheplatform.org.uk/article/making-places-greater-manchesters-spatial-framework>
- <sup>37</sup> Slidepack provided by SEWDER
- <sup>38</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>39</sup> Based on survey undertaken for the Commission
- <sup>40</sup> Submission to Cardiff Capital Region Commission on Growth and Competitiveness by the Bevan Foundation and Joseph Rowntree Foundation
- <sup>41</sup> LTA
- <sup>42</sup> Vibrant and Viable Places
- <sup>43</sup> Future Foundry Innovation District: A prospectus for the Cardiff City Region. April 2016
- <sup>44</sup> Based on a survey undertaken for the Commission





---

Cardiff  
Capital  
Region  
**City Deal**

---

**Growth &  
Competitiveness  
Commission**

# APPENDIX C

Date: 19.01.17

DATED

2017

---

- (1) BLAENAU GWENT COUNTY BOROUGH COUNCIL
- (2) BRIDGEND COUNTY BOROUGH COUNCIL
- (3) CAERPHILLY COUNTY BOROUGH COUNCIL
- (4) THE COUNTY COUNCIL OF THE CITY AND COUNTY OF  
CARDIFF
- (5) MERTHYR TYDFIL COUNTY BOROUGH COUNCIL
- (6) MONMOUTHSHIRE COUNTY COUNCIL
- (7) NEWPORT CITY COUNCIL
- (8) RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL
- (9) TORFAEN COUNTY BOROUGH COUNCIL
- (10) THE VALE OF GLAMORGAN COUNCIL

---

**JOINT WORKING AGREEMENT**  
in relation to the delivery of the Cardiff Capital Region City Deal

---



## CONTENTS

### Clause

1	DEFINITIONS AND INTERPRETATION	5
2	COMMENCEMENT, DURATION AND TERMINATION	10
3	PRINCIPLES AND KEY OBJECTIVES	11
4	THE CITY OF CARDIFF COUNCIL AS THE ACCOUNTABLE BODY	13
5	DUTIES OF THE ACCOUNTABLE BODY	13
6	DUTIES OF THE OTHER COUNCILS	13
7	BUSINES PLANS AND PROGRESS MONITORING	14
8	CARDIFF CAPITAL REGION WIDER INVESTMENT FUND(S)	16
9	DECISION MAKING	16
10	JOINT COMMITTEE	17
11	PROGRAMME BOARD AND REGIONAL PROGRAMME DIRECTOR	20
12	COMMITMENT OF THE COUNCILS AND CONTRIBUTIONS	20
13	MITIGATION	25
14	LIABILITY OF THE COUNCILS	25
15	WITHDRAWAL	26
16	CONSEQUENCES OF TERMINATION	28
17	INTELLECTUAL PROPERTY	29
18	CONFIDENTIALITY AND ANNOUNCEMENTS	30
19	CONTRACTS (THIRD PARTY RIGHTS)	30
20	DISPUTE RESOLUTION	30
21	DATA PROTECTION	31
22	FREEDOM OF INFORMATION AND ENVIRONMENT INFORMATION	33
23	NOTICES	34
24	GOVERNING LAW	34
25	ASSIGNMENTS	34

26	WAIVER	35
27	ENTIRE AGREEMENT	35
28	COUNTERPARTS	35
29	RELATIONSHIP OF COUNCILS	35
30	STATUTORY RESPONSIBILITIES	35
	SCHEDULE 1 - DELEGATIONS POLICY	36
	Schedule 2- TERMS OF REFERENCE	39
	PART 1 - JOINT COMMITTEE TERMS OF REFERENCE	39
	PART 2 - PROGRAMME BOARD TERMS OF REFERENCE	41
	SCHEDULE 3 - COUNCILS' AND REGIONAL PROGRAMME DIRECTOR'S DETAILS	42
	SCHEDULE 4 – HEADS OF EXPENDITURE	43
	SCHEDULE 5 – ACCOUNTING PERIODS	44
	SCHEDULE 6 – LIABILITY REPORT	45
	SCHEDULE 7 - CITY DEAL	46
	SCHEDULE 8 - ASSURANCE FRAMEWORK	60
	SCHEDULE 9 - IMPLEMENTATION PLAN	92
	SCHEDULE 10 - IMPLEMENTATION PLAN	92



**BETWEEN**

- (1) **BLAENAU GWENT COUNTY BOROUGH COUNCIL** of Municipal Offices, Civic Centre, Ebbw Vale, Gwent, NP23 6XB ("**Blaenau Gwent Council**");
- (2) **BRIDGEND COUNTY BOROUGH COUNCIL** of Civic Offices, Angel Street, Bridgend, CF31 4WB ("**Bridgend Council**");
- (3) **CAERPHILLY COUNTY BOROUGH COUNCIL** of Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG ("**Caerphilly Council**");
- (4) **THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF** of County Hall, Atlantic Wharf, Cardiff, CF10 4UW (the "**City of Cardiff Council**");
- (5) **MERTHYR TYDFIL COUNTY BOROUGH COUNCIL** of Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN ("**Merthyr Tydfil Council**");
- (6) **MONMOUTHSHIRE COUNTY COUNCIL** of County Hall, The Rhadyr, Usk, NP15 1GA ("**Monmouthshire Council**");
- (7) **NEWPORT CITY COUNCIL** of Civic Centre, Newport, NP20 4UR ("**Newport Council**");
- (8) **RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL** of The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX ("**Rhondda Cynon Taff Council**");
- (9) **TORFAEN COUNTY BOROUGH COUNCIL** of Civic Centre, Pontypool, NP4 6YB ("**Torfaen Council**"); and
- (10) **THE VALE OF GLAMORGAN COUNCIL** of Civic Offices, Holton Road, Barry, CF63 4RU ("**Vale of Glamorgan**"),

(together referred to as "**the Councils**" and individually as a "**Council**")

**BACKGROUND**

- (A) The Councils have agreed to work together and enter into this Agreement to formalise their respective roles and responsibilities in order to discharge the Councils' obligations in relation to the Cardiff Capital Region City Deal. For the avoidance of doubt, the South East Wales Metro Scheme is being financed and procured directly by the Welsh Government outside of this Agreement and the Councils are not assuming any obligations or liabilities whatsoever in respect of the South East Wales Metro Scheme.
- (B) The Councils have agreed to create a Joint Committee with a robust governance arrangement that will be responsible for overseeing and co-ordinating the discharge of the Councils' obligations in relation to the City Deal. The Joint Committee shall, amongst other matters, be responsible for the establishment of and management of the Cardiff Capital Region Wider Investment Fund(s) and delivery of key projects, in each case, as determined by the Joint Committee from time to time.
- (C) The Councils have agreed to appoint the City of Cardiff Council to act as the Accountable Body for and on behalf of the Councils and to discharge the Councils' obligations in relation to the City Deal pursuant to and in accordance with this Agreement.

- (D) The Councils wish to enter into this Agreement and deliver the City Deal pursuant to the powers conferred on them by Sections 101, 102, 111 and 113 of the Local Government Act 1972, Section 1 of the Local Authority (Goods & Services) Act 1970, Section 25 of the Local Government (Wales) Act 1994, Section 2, 19 and 20 of the Local Government Act 2000, Section 9 of the Local Government Wales Measure 2009 and all other enabling powers now vested in the Councils.

## 1. DEFINITIONS AND INTERPRETATION

- 1.1 In this Agreement and the Recitals, unless, the context otherwise requires the following terms shall have the meaning given to them below:-

<b>"Accountable Body"</b>	means the Council appointed under Clause 4 (Accountable Body) who shall be responsible for receiving and spending funds for and on behalf of the Councils in relation to the City Deal in accordance with the funding condition relating thereto and whose duties are set out under Clause 5 (Duties of the Accountable Body)
<b>"Accounting Period"</b>	means those periods set out in Schedule 6 (Accounting Periods) as may be amended from time to time in accordance with the terms of this Agreement
<b>"Affordability Envelope"</b>	means the overall costs and investment by each Council pursuant to their proportion of the Councils' Contribution under this Agreement over the 25 (twenty five) year evaluation period, which shall not exceed in aggregate £210,800,000 (two hundred and ten million eight hundred thousand pounds) and shall include, without limitation, all interest, inflation and UK Government cost to carry and shall be updated and will be reflected within the terms of the JWA Business Plan (as part of its approval by the Councils) to include, amongst other matters, the annual spend profile for each Council
<b>"Annual Budget"</b>	means the approved annual budget of the Accountable Body held for and on behalf of the Councils and as set out in Clause 12.4 (Annual Budget) in relation to the payment of any Joint Committee Costs in accordance with this Agreement
<b>"Annual Business Plan"</b>	means each business plan referred to in Clause 7.3 (Annual Business Plans) in relation to the annual spend for approved project(s) to be implemented in that Accounting Period in relation to the City Deal (and the manner and form of such implementation), as the same may be prepared, varied or updated from time to time in accordance with the provisions of this Agreement
<b>"Assurance Framework"</b>	means the Councils' systems, processes and protocols to assess the governance, risk management and control processes of the Councils for the discharge of their obligations in relation to the City Deal attached at 0 (Assurance Framework) of this Agreement

<b>"Business Day"</b>	means any day other than a Saturday or Sunday or a public or bank holiday in England and/or Wales
<b>"Cardiff Capital Region"</b>	comprises of the ten administrative areas of Blaenau Gwent Council, Bridgend Council, Caerphilly Council, the City of Cardiff Council, Merthyr Tydfil Council, Monmouthshire Council, Newport Council, Rhondda Cynon Taff Council, Torfaen Council and the Vale of Glamorgan Council
<b>"Cardiff Capital Region Wider Investment Fund"</b>	means the fund or funds to be established by the Councils from time to time in accordance with the terms of this Agreement in pursuance of the City Deal objectives
<b>"CDEL"</b>	means capital departmental expenditure limits
<b>"CEDR"</b>	means the Centre for Dispute Resolution
<b>"City Deal"</b>	means the agreement between the Welsh Government, the UK Government and the Councils dated 15 March 2016 and appended at Schedule 7 (City Deal) to this Agreement
<b>"Commencement Date"</b>	means the date of this Agreement
<b>"Conditions Longstop Date"</b>	means as defined in Clause 2.3 (Conditions Subsequent)
<b>"Confidential Information"</b>	all know-how and other information whether commercial, financial, technical or otherwise relating to the business, affairs or methods of all or any Council, which is contained in or discernible in any form whatsoever (including without limitation software, data, drawings, films, documents and computer-readable media) whether or not marked or designated as confidential or proprietary or which is disclosed orally or by demonstration and which is described at the time of disclosure as confidential or is clearly so from its content or the context of disclosure
<b>"Council Contribution"</b>	means the funding provided by the Councils as set out in Clause 12.5.1(b) (Council Contribution)
<b>"Decision Period"</b>	means the period of twenty (20) Business Days from the date of the Liability Report or such other time as is unanimously agreed by all the Councils
<b>"DPA"</b>	means the Data Protection Act 1998
<b>"Gateway Review"</b>	means the five (5) yearly examination of programmes and projects by HMT to assess the progress and likelihood of the Councils' successful delivery of the City Deal (excluding the South East Wales Metro Scheme)
<b>"HMT"</b>	means Her Majesty's Treasury, a ministerial department of the UK Government

<b>"HMT Contribution"</b>	means the funding provided by HMT as set out in Clause 12.5.2 (HMT Contribution)
<b>"HMT Funding Conditions"</b>	means as defined in Clause 12.5.2 (HMT Contribution)
<b>"Implementation Plan"</b>	means the agreed implementation plan setting out, amongst other things, the process for agreeing and prioritising projects to be procured pursuant to the City Deal and as attached at 0 (Implementation Plan) to this Agreement
<b>"Intellectual Property"</b>	any and all patents, trade marks, trade names, copyright, moral rights, rights in design, rights in databases, know-how and all or other intellectual property rights whether or not registered or capable of registration and whether subsisting in the United Kingdom or any other part of the world together with all or any goodwill relating to them and the right to apply for registration of them
<b>"Internal Costs"</b>	means as defined in paragraph 1.1 of Schedule 4 (Heads of Expenditure) (and shall, for the avoidance of doubt, not include any revenue costs or capital investment relating to the implementation of any project pursuant to an Annual Business Plan) and excluding Joint Committee Costs
<b>"IP Material"</b>	the Intellectual Property in the Material
<b>"Joint Committee"</b>	means the joint committee set up by the Councils pursuant to Clause 10 (Joint Committee) of this Agreement
<b>"Joint Committee Costs"</b>	means as defined in paragraph 1.2 of Schedule 4 (Heads of Expenditure) (and shall, for the avoidance of doubt, not include any revenue costs or capital investment relating to the implementation of any project pursuant to an Annual Business Plan) and excluding any Internal Costs (save for the Internal Costs of the Accountable Body which shall be accounted for as Joint Committee Costs)
<b>"Joint Committee Meeting"</b>	means a meeting of the Joint Committee duly convened in accordance with Clause 10 (Joint Committee)

<b>"JWA Business Plan"</b>	means the strategy which defines the regional objectives including the high level programme to be agreed as a "Matter Reserved To The Councils" which shall include, amongst other matters, (i) the indicative investment programme for the "Programme Themes" (as such Programme Themes are defined under the Implementation Plan) and any agreed strategic projects together with the indicative spend profile for the wider investment fund (comprising of the HMT Contribution and the Council Contribution in the aggregate sum of £495,000,000 (four hundred and ninety-five million) in relation thereto and (ii) the matters set out in Clause 7.1.4 (JWA Business Plan), in order to discharge the Councils' obligations in relation to the City Deal
<b>"Liability Report"</b>	means a report prepared by the Accountable Body (or such other Council nominated under Clause 15.3 (Withdrawal)) acting reasonably setting out the financial and resource commitments of the relevant Council under Clause 15 (Withdrawal) or 16 (Consequences of Termination) including the items set out in Schedule 6 (Liability Report)
<b>"Local Authority"</b>	a principal council (as defined in Section 270 of the Local Government Act 1972) or any body of government in Wales established as a successor of a principal councils
<b>"Lock In Period"</b>	means the period expiring on the later of: <ul style="list-style-type: none"> <li>(a) five (5) years from the Commencement Date; and</li> <li>(b) the completion of HMT's first five (5) year Gateway Review</li> </ul>
<b>"Material"</b>	all data, text, graphics, images and other materials or documents created, used or supplied by a Council in connection with this Agreement unless before the first use or supply, the Council notifies the other Councils that the data, text supplied is not to be covered by this definition
<b>"Personal Data"</b>	means the personal data as defined in the DPA
<b>"Programme Board"</b>	means as defined in Clause 11.1.1 (Programme Board and Regional Programme Director)
<b>"Programme Themes"</b>	shall have the meaning given to it under the Implementation Plan
<b>"Proportionate Basis"</b>	means the relevant proportion for each Council by reference to their respective percentage contribution as set out in Clause 12.5.3 (Councils' Contribution)
<b>"RDEL"</b>	means resource departmental expenditure limits



<b>"Regional Programme Director"</b>	means the person so appointed from time to time by the Joint Committee to represent the interests of all the Councils in respect of their operational requirements for the City Deal and who shall be called the "Regional Programme Director" working under the direction of the Joint Committee and within the scope of delegation set out in Schedule 1 (Delegations Policy) (provided that any interim arrangements for the recruitment and/or employment of such Regional Programme Director agreed prior to the date of this Agreement shall continue until such time as the Accountable Body is able to effect such appointment)
<b>"South East Wales Metro Scheme"</b>	means:-  (a) the delivery of the Valley Lines Electrification Programme; and  (b) the wider Metro Scheme,  both of which are more particularly defined in Section 4 (South East Wales Metro) of the City Deal
<b>"Spending Review"</b>	means the announcement of the Spring Budget 2017 by HMT scheduled to be on Wednesday 8 March 2017
<b>"Translation Costs"</b>	means costs incurred by the Accountable Body in complying with any applicable legislation relating to its obligations under this Agreement

## 1.2 Interpretation

In this Agreement, except where the context otherwise requires:-

- 1.2.1 the singular includes the plural and vice versa;
- 1.2.2 a reference to any clause, sub-clause, paragraph, Schedule, recital or annex is, except where expressly stated to the contrary, a reference to such clause, sub-clause, paragraph, schedule, recital or annex of and to this Agreement;
- 1.2.3 any reference to this Agreement or to any other document shall include any permitted variation, amendment or supplement to such document;
- 1.2.4 any reference to legislation shall be construed as a reference to any legislation as amended, replaced, consolidated or re-enacted;
- 1.2.5 a reference to a public organisation (to include, for the avoidance of doubt, any Council) shall be deemed to include a reference to any successor to such public organisation or any organisation or entity which has taken over either or both functions and responsibilities of such public organisation;
- 1.2.6 a reference to a person includes firms, partnerships and corporations and their successors and permitted assignees or transferees;
- 1.2.7 the schedule, clause, sub-clause and (where provided) paragraph headings and captions in the body of this Agreement do not form part of this Agreement and shall not be taken into account in its construction or interpretation;

- 1.2.8 words preceding "include", "includes", "including" and "included" shall be construed without limitation by the words which follow those words; and
- 1.2.9 any reference to the title of an officer or any of the Councils shall include any person holding such office from time to time by the same or any title substituted thereafter or such other officer of the relevant Council as that Council may from time to time appoint to carry out the duties of the officer referred to.

### 1.3 **Schedules**

The Schedules to this Agreement form part of this Agreement.

## 2. **COMMENCEMENT, DURATION AND TERMINATION**

### 2.1 **Duration of the Agreement**

This Agreement shall continue in full force and effect from the Commencement Date until the earlier of the following dates:-

- 2.1.1 the condition subsequent set out in Clause 2.3 (Condition Subsequent) are not satisfied or otherwise waived in writing by the Councils as a "Joint Committee Matter" with the prior agreement of the Accountable Body (in consultation with the other Councils) prior to the Conditions Longstop Date;
- 2.1.2 all the Councils agree in writing to its termination; or
- 2.1.3 there is only one (1) remaining Council who has not withdrawn from this Agreement in accordance with Clause 15 (Withdrawal).

### 2.2 **Termination**

Without prejudice to any other rights or remedies, this Agreement may be terminated in relation to any Council ("**Defaulter**") by the other Councils ("**Non-Defaulting Councils**") acting unanimously in giving written notice to the Defaulter effective on receipt where the Defaulter materially breaches any of the provisions of this Agreement and in the case of a breach capable of remedy fails to remedy the same within thirty (30) Business Days (or such other period as agreed by the Non-Defaulting Councils) of being notified of each breach in writing by the Non-Defaulting Councils and being required to remedy the same.

### 2.3 **Conditions Subsequent**

The Councils shall approve the terms of any Welsh Government funding conditions relating to the HMT Contribution as a "Joint Committee Matter" within six (6) months of the Commencement Date or by such other date as agreed by the Councils (with any such extension to be approved as a "Joint Committee Matter") with the prior agreement of the Accountable Body (in consultation with the other Councils) ("**Conditions Longstop Date**").

### 2.4 **Initial Project Investments**

The Parties agree and acknowledge that, notwithstanding Clause 2.3 (Conditions Subsequent) and the requirement for the Councils to agree and adopt the JWA Business Plan, the Joint Committee shall with effect from the date of this Agreement be authorised to commit up to £50,000,000 (fifty million pounds) of the HMT Contribution during the 12 month period following the date of this Agreement (or such additional period as agreed by the Councils as a Joint Committee Matter) for and on behalf of the Councils on projects approved pursuant to the terms of the Assurance Framework and the Annual Business Plan.

### 3. **PRINCIPLES AND KEY OBJECTIVES**

3.1 The Councils intend this Agreement to be legally binding.

3.2 The Councils agree to work together to discharge the Councils' obligations in relation to the City Deal pursuant to and in accordance with this Agreement.

3.3 Without prejudice to the terms of this Agreement, the Councils agree that they shall conduct their relationship in accordance with the objectives and principles set out below and shall agree the number and scope of projects to be developed in order to provide an **overall regional benefit to the Cardiff Capital Region**.

#### 3.4 **Objectives**

Without prejudice to the terms of this Agreement, the Councils agree that they will conduct their relationship in accordance with the following objectives:-

3.4.1 **Connecting the Cardiff Capital Region**, its communities, businesses, jobs, facilities and services;

3.4.2 **Investing in innovation and the digital network**, creating and nurturing new high growth businesses, increasing investment in research and development, and providing the skills that businesses need now and in the future;

3.4.3 **Developing a skilled workforce and tackling unemployment**, improving the co-ordination of skills and employment support, increasing the number of people moving into work, increasing the number of people undertaking an apprenticeship or other relevant skills provision, and giving people the skills they need;

3.4.4 **Supporting enterprise and business growth**, improving the co-ordination of local and national business support arrangements, identifying barriers to growth, supporting spatial and sectoral priorities and targeting emerging opportunities for driving economic performance;

3.4.5 **Housing development and regeneration**, delivering a strategic approach to housing, regeneration, and economic growth to create an accessible, liveable, 'work-life integrated' and highly connected Cardiff Capital Region; and

3.4.6 **Developing greater city-region governance across the Cardiff Capital Region**, exploring future options for moving to even stronger and effective governance.

#### 3.5 **Principles**

Without prejudice to the terms of this Agreement, the Councils agree that they will conduct their relationship in accordance with the following principles:-

##### 3.5.1 **Openness and Trust**

In relation to this Agreement the Councils will be open and trusting in their dealings with each other, make information and analysis available to each other, discuss and develop ideas openly and contribute fully to all aspects of making the joint working successful. Whilst respecting the mutual need for commercial confidentiality, the Councils will willingly embrace a commitment to transparency in their dealings and in particular a need to comply with statutory access to information requirements including the Environmental Information Regulations 2004 and the Freedom of Information Act 2000 and

supporting codes of practice. The Councils will be aware of the need for and respect matters of commercial confidentiality and potential sensitivity;

#### **3.5.2 Commitment and Drive**

The Councils will be fully committed to working jointly, will seek to fully motivate employees and will address the challenges of delivering the City Deal with enthusiasm and a determination to succeed;

#### **3.5.3 Skills and Creativity**

The Councils recognise that each brings complimentary skills and knowledge which they will apply creatively to achieving the Councils' objectives, continuity, resolution of difficulties and the development of the joint working relationship and the personnel working within it. It is recognised that this will involve the appreciation and adoption of common values;

#### **3.5.4 Effective Relationships**

The roles and responsibilities of each Council will be clear with relationships developed at the appropriate levels within each organisation with direct and easy access to each other's representatives;

#### **3.5.5 Developing and Adaptive**

The Councils recognise that they are engaged in what could be a long term business relationship which needs to develop and adapt and will use reasonable endeavours to develop and maintain an effective joint process to ensure that the relationship develops appropriately and in line with these principles and objectives;

#### **3.5.6 Reputation and Standing**

The Councils agree that, in relation to this Agreement and the City Deal generally, they shall pay the utmost regard to the standing and reputation of one another, and act with regard to each Council's own employer and member codes of conduct and shall not do or fail to do anything which may bring the standing or reputation of any other Council into disrepute or attract adverse publicity to any other Council;

#### **3.5.7 Reasonableness of Decision Making**

The Councils agree that all decisions made in relation to this Agreement and the City Deal generally shall be made by them acting reasonably and in good faith;

#### **3.5.8 Necessary Consents**

Each Council hereby represents to the other Councils that it has obtained all necessary consents sufficient to ensure the delegation of functions and responsibilities provided for by this Agreement; and

#### **3.5.9 Members and Officers Commitments**

Each Council shall use its reasonable endeavours to procure that their respective members and officers who are involved in the City Deal shall at all times act in the best interests of the City Deal, and act with regard to each Council's own employer and member codes of conduct, devote sufficient

resources to deliver the City Deal and respond in a timely manner to all relevant requests from the other Councils.

#### **4. THE CITY OF CARDIFF COUNCIL AS THE ACCOUNTABLE BODY**

- 4.1 The Councils (acting severally) have agreed, with effect from the Commencement Date, the City of Cardiff Council will act as the Accountable Body responsible for discharging the Councils' obligations in relation to the City Deal pursuant to and in accordance with this Agreement for and on behalf of the Councils and the City of Cardiff Council agrees to act in that capacity subject to and in accordance with the terms and conditions of this Agreement.
- 4.2 If the Accountable Body defaults and the Agreement is terminated in respect of it pursuant to Clause 2.2 (Commencement, Duration and Termination) or the Accountable Body withdraws pursuant to Clause 15 (Withdrawal), then the replacement Accountable Body will be appointed by the Joint Committee and the withdrawing or, as applicable, defaulting Accountable Body will not have the right to vote in regard to any such appointment.
- 4.3 Where a replacement Accountable Body is appointed pursuant to Clause 4.2 above, any reference to the City of Cardiff Council (in its capacity as the initial Accountable Body) shall be read with reference to the replacement Accountable Body.
- 4.4 The Accountable Body shall act as the Accountable Body and shall receive any HMT Contribution from the Welsh Government for and on behalf of the Councils and shall hold and manage such HMT Contribution in accordance with the terms of this Agreement.

#### **5. DUTIES OF THE ACCOUNTABLE BODY**

- 5.1 For the duration of this Agreement, the Accountable Body shall:
- 5.1.1 act diligently and in good faith in all its dealings with the other Councils and it shall use its reasonable endeavours to discharge the Councils' obligations in relation to the City Deal pursuant to and in accordance with this Agreement and all applicable legislation including but not limited to:-
- (a) the Well-being of Future Generations (Wales) Act 2015;
  - (b) Welsh Language (Wales) Measure 2011; and
  - (c) the Welsh Language Standards;
- 5.1.2 act as the primary interface (on behalf of itself and the other Councils) with the Welsh Government, the UK Government and the European Regional Development Fund and any other body necessary to discharge the Councils' obligations in relation to the City Deal; and
- 5.1.3 act as the Accountable Body to hold any funds received directly from the Welsh Government, the UK Government (if any), the European Regional Development Fund (if any), the Councils and/or any other sources (if any) in relation to the City Deal and only to use and release such funds as agreed in accordance with the terms of such funding and this Agreement.

#### **6. DUTIES OF THE OTHER COUNCILS**

- 6.1 For the duration of this Agreement, the other Councils shall act diligently and in good faith in all their dealings with the Accountable Body and shall use their respective reasonable endeavours to assist the Accountable Body to discharge the Councils'



obligations in relation to the City Deal pursuant to and in accordance with this Agreement and all applicable legislation.

- 6.2 It is acknowledged and agreed that the obligations and liabilities of each Council shall bind any successor authority in the event of any local government re-organisation.

## **7. BUSINESS PLANS AND PROGRESS MONITORING**

### **7.1 JWA Business Plan**

7.1.1 The Joint Committee shall, no later than twelve (12) months after the Commencement Date, prepare (or procure the preparation of), finalise (acting in the best interests of the Joint Committee) and recommend for agreement and adoption by the Councils the draft JWA Business Plan which shall comply with the provisions of Clause 7.1.4 below. The intention is to create an overarching five (5) year JWA Business Plan that, amongst other matters, shall set out the Councils objectives and priorities for the delivery of the City Deal that is updated annually.

7.1.2 The decision to approve and adopt the JWA Business Plan shall be a "Matter Reserved To The Councils".

7.1.3 The Councils shall use their respective reasonable endeavours to seek to agree such draft JWA Business Plan (making any amendments they may unanimously agree) and to adopt it as the formal JWA Business Plan within 60 (sixty) Business Days of the date it is first circulated to the Councils or such other date as agreed between the Councils.

7.1.4 The JWA Business Plan shall, amongst other matters, address the following:

- (a) the updated Affordability Envelope;
- (b) the methodology for agreeing the nature, scope and prioritisation of projects to be developed for the overall benefit of the Cardiff Capital Region (in accordance with the terms of the Implementation Plan);
- (c) the methodology and responsibility for any external audits in relation to this Agreement;
- (d) the methodology and responsibility of any performance monitoring along with any performance indicators to enable the Joint Committee to measure progress against the JWA Business Plan; and
- (e) any revenue and capital monitoring reports to be prepared for the Joint Committee and the frequency of such reports.

### **7.2 Updated JWA Business Plan**

7.2.1 The Joint Committee shall, no earlier than three (3) months and no later than one (1) month before the end of the relevant Accounting Period, prepare (or procure the preparation of), finalise, agree (acting in the best interests of the Joint Committee) and recommend for adoption to the Joint Committee a draft updated JWA Business Plan for the proceeding five years which shall comply with the provisions of Clause 7.1.4 above.

7.2.2 The decision to approve and adopt any updated JWA Business Plan shall be a "Joint Committee Matter" save to the extent that any such update amounts

to a material change to the prevailing JWA Business Plan and, in which case, the decision to approve and adopt such updated JWA Business Plan shall be a "Matter Reserved To The Councils".

- 7.2.3 The Joint Committee or the Councils (as applicable) shall use its reasonable endeavours to seek to agree such draft JWA Business Plan (making any amendments they may agree by majority) and to adopt it as the formal JWA Business Plan within 60 (sixty) Business Days of the date it is first circulated to the Joint Committee or such other date as agreed by the Councils.
- 7.2.4 The updated JWA Business Plan agreed pursuant to Clause 7.2.3 (with such amendments thereto as may be agreed by the Joint Committee or as a "Matter Reserved To The Councils" (as applicable)) shall replace the then current JWA Business Plan as the formal JWA Business Plan upon the later of:
- (a) the expiry of the then current JWA Business Plan; and
  - (b) the date of the Joint Committee' approval to it in accordance with Clause 10 (Joint Committee) or, as applicable, the date the updated JWA Business Plan is approved by the Councils as a "Matter Reserved To The Councils").
- 7.2.5 Subject to Clause 7.5, until such time as it is replaced in accordance with Clause 7.2.3, the JWA Business Plan that has most recently been adopted as the formal JWA Business Plan shall continue to be the formal binding JWA Business Plan.
- 7.2.6 Where the draft JWA Business Plan circulated under Clause 7.2.1 has not been approved by the Joint Committee or the Councils (as applicable) by the date six (6) calendar months following the date it is first circulated to the Joint Committee, the matter shall be deemed to be a JC Unresolved Matter and Clause 10.13 (Joint Committee) shall apply or where such approval is to be granted as a "Matter Reserved To The Councils", the JWA Business Plan shall be deemed not to have been approved following such six (6) calendar month period.

### 7.3 **Annual Business Plans**

- 7.3.1 The Joint Committee anticipates discharging the obligations of the Councils in relation to the City Deal through a number of projects and in respect of each Accounting Period the Regional Programme Director shall procure the preparation of, and (no later than 90 (ninety) Business Days prior to the envisaged commencement of the relevant Accounting Period) procure the circulation to the Joint Committee of a draft Annual Business Plan in relation to the annual spend for approved project(s) to be implemented in that Accounting Period in relation to the City Deal.
- 7.3.2 Within 30 (thirty) Business Days of the date of circulation of a draft Annual Business Plan in relation to an Accounting Period a Joint Committee Meeting shall be convened in accordance with Clause 10 (Joint Committee) for the consideration of and (if the Joint Committee so agrees) approval of the draft Annual Business Plan.
- 7.3.3 The Regional Programme Director shall convene a Joint Committee Meeting in accordance with Clause 10 (Joint Committee) to discuss the continued suitability of an Annual Business Plan and any required amendments thereto on or around the date 30 (thirty) Business Days prior to the envisaged date of commencement of the relevant Accounting Period. Any such

amendments must be approved by the Joint Committee pursuant to Clause 7.3.2 in order to become effective.

- 7.3.4 Where the draft Annual Business Plan circulated under Clause 7.3.1 has not been approved by the Joint Committee by the date six (6) calendar months following the date it is first circulated to the Joint Committee, the matter shall be deemed to be a JC Unresolved Matter and Clause 10.13 (Joint Committee) shall apply.

#### **7.4 Progress Monitoring**

- 7.4.1 Progress against each JWA Business Plan and Annual Business Plan shall be regularly reviewed at the Joint Committee Meetings.
- 7.4.2 If, at any Joint Committee Meeting, any of the elected members or deputy (as applicable) in their reasonable opinion, believe that there has been a material failure of the Councils to comply with a relevant JWA Business Plan and/or Annual Business Plan, the Joint Committee shall discuss appropriate action to immediately rectify the relevant failure and/or mitigate the effects of such failure as far as possible.
- 7.4.3 Subject to Clause 7.4.3, any variations to the JWA Business Plan or an Annual Business Plan shall be effective only if approved by the Joint Committee in accordance with Clause 10 (Joint Committee).

#### **7.5 Incorporation of Annual Business Plans into the JWA Business Plan**

Upon a draft Annual Business Plan being approved in accordance with this Clause 7, or an approved Annual Business Plan being validly varied or updated in accordance with this Clause 7, the JWA Business Plan shall be deemed to have been amended on and with effect from the date of the same insofar as such amendments to the JWA Business Plan are necessary in order to ensure that the JWA Business Plan is fully consistent, and does not conflict, with the Annual Business Plan. The contents of the Annual Business Plan shall be deemed to have been consolidated into the JWA Business Plan automatically from time to time in accordance with this Clause 7.4.3.

### **8. CARDIFF CAPITAL REGION WIDER INVESTMENT FUND(S)**

- 8.1 The Councils agree that one of the key initial projects to be developed in relation to the City Deal is the establishment and management of the Cardiff Capital Region Wider Investment Fund(s).
- 8.2 The Regional Programme Director shall procure the preparation of an Annual Business Plan for the development of the Cardiff Capital Region Wider Investment Fund(s), in accordance with Clause 7 (Business Plans and Progress Monitoring), to determine, amongst other matters, the following:-
- 8.2.1 the legal structure of the Cardiff Capital Region Wider Investment Fund and whether it shall comprise of a single or series of funds;
- 8.2.2 the investment criteria and investment policy;
- 8.2.3 the governance structure for the investment board;
- 8.2.4 the approach to performance reporting and the interplay with the Gateway Review; and
- 8.2.5 the procedure for the appointment of a fund manager.

### **9. DECISION MAKING**

- 9.1 In terms of the need for decisions and other actions to be taken and carried out during the term of this Agreement, the Councils have identified the following three categories together with the means by which they will be taken:-
- 9.1.1 **"Regional Programme Director Matter"** - being a matter which it is expected that the Regional Programme Director will be able to make a decision upon and have the power to bind the Joint Committee in doing so;
  - 9.1.2 **"Joint Committee Matter"** – being a matter which it is expected the elected member (or appropriate deputy) of each Council appointed pursuant to Clause 10.4 (Joint Committee) will be able to make a decision upon and have the power to bind the Council it represents in doing so;
  - 9.1.3 **"Matter Reserved To The Councils"** – being a matter which will have to be referred to each Council for and, for the avoidance of doubt, that matter requiring a decision would not be dealt with by the elected members appointed to the Joint Committee until the unanimous decision shall have been agreed by all of the Councils,

and in each case, such matters are identified in Schedule 1 (Delegations Policy).

## 10. **JOINT COMMITTEE**

- 10.1 The Councils shall form the joint committee ("**Joint Committee**") for the purpose of overseeing and co-ordinating the discharge of the Councils' obligations in relation to the City Deal and to carry out the functions set out in Schedule 2 (Joint Committee Terms of Reference) and the Joint Committee shall be known as the "Cardiff Capital Region Joint Cabinet", "Joint Cabinet" or "Regional Cabinet" (as the context requires).
- 10.2 The Joint Committee may carry out such other functions as the Councils determine from time to time and approve as a "Matter Reserved To The Councils".
- 10.3 The Joint Committee shall not have power to approve any "Matter Reserved To The Councils" pursuant of Clause 9.1.3 ("**Matter Reserved To The Councils**").
- 10.4 Each Council shall appoint one (1) elected member representative to the Joint Committee. The Chairperson of the Joint Committee shall be an elected member representative of a Council appointed to the Joint Committee and shall rotate amongst the Councils on an annual basis.
- 10.5 Each Council shall be entitled from time to time to appoint a deputy for its representative but such deputy (in each case) shall only be entitled to attend meetings of the Joint Committee in the absence of his or her corresponding principal.
- 10.6 Each Council shall be entitled to invite appropriate third parties to observe Joint Committee Meetings and such third parties shall be entitled to take part in such Joint Committee Meetings at the discretion of the Chairperson of the Joint Committee. Such observers shall not have a vote.
- 10.7 The Regional Programme Director shall attend the Joint Committee meetings but shall not have the right to vote on any Joint Committee Matters.
- 10.8 Each Council may, at their discretion, replace their representatives (and their respective deputies) appointed to the Joint Committee, provided that:-
- 10.8.1 at all times, they have representatives appointed to the Joint Committee in accordance with the roles identified in Schedule 2 (Joint Committee Terms of Reference); and

- 10.8.2 any such replacement shall have no lesser status or authority than that set out in Schedule 2 (Joint Committee Terms of Reference) unless otherwise agreed by the Councils.
- 10.9 The Joint Committee shall meet on at least a quarterly basis during the second Accounting Period and thereafter as and when required in accordance with the timetable for the City Deal and, in any event, at appropriate times and on reasonable notice (to be issued through the Regional Programme Director) to carry out the Joint Committee Matters referred to in Schedule 1 (Delegations Policy) and in carrying out such activities.
- 10.10 The Regional Programme Director shall circulate a meeting agenda and any relevant information wherever possible at least five (5) Business Days prior to the Joint Committee meeting and any representative may add to the meeting agenda (i) prior to the Joint Committee meeting by written request to the Regional Programme Director and/or (ii) by request to the Chairperson at the start of the Joint Committee meeting.
- 10.11 The quorum necessary for a Joint Committee meeting shall be an elected member or appropriate deputy appointed pursuant to Clause 10.5 (Joint Committee) from at least seven (7) of the Councils at the relevant time.
- 10.12 At meetings of the Joint Committee each elected member or appropriate deputy appointed pursuant to Clause 10.5 (Joint Committee) above from each Council shall have one vote. The Chairperson shall be granted a casting vote provided always that the Councils agree and acknowledge that the Chairperson shall not under any circumstances exercise such casting vote. Decisions at meetings of the Joint Committee will be taken by a majority vote of a quorate meeting. The Regional Programme Director shall not have a vote.
- 10.13 If, at a meeting of the Joint Committee, a matter is not determined pursuant to Clause 10.12 above, that matter ("**JC Unresolved Matter**") shall be deferred for consideration at the next Joint Committee meeting which shall be convened within ten (10) Business Days of that meeting. If at the reconvened Joint Committee meeting the JC Unresolved Matter is not determined, the JC Unresolved Matter shall become a "Matter Reserved To The Councils" and shall be deferred for consideration by each Council. Each Council shall each use its reasonable endeavours to convene a full Council meeting of its councillors as soon as reasonably practicable and in any event within three (3) weeks of the Joint Committee Meeting. Where a JC Unresolved Matter is referred to each Council as a "Matter Reserved to each Council" and is not approved unanimously by each Council, the JC Unresolved Matter shall not be agreed and shall not be implemented by the Joint Committee.
- 10.14 Each Council shall provide all information reasonably required upon request by the Joint Committee to the Regional Programme Director and shall comply with any decisions of the Joint Committee to request such information.
- 10.15 Each Council shall consult with the other Councils to ensure the diligent progress of the day to day matters relating to the discharge of the Councils' obligations in relation to the City Deal.
- 10.16 Where a Council wishes to provide any information and/or serve a notice or demand on the Joint Committee, this should be served on the Regional Programme Director in accordance with Clause 23.3 (Notices). The Regional Programme Director shall keep a record of all information, notices and demands received and shall update each representative promptly.
- 10.17 The Councils agree and acknowledge that the Joint Committee shall adopt the Accountable Body's prevailing contract standing orders, financial procedure rules, codes of conduct and such other applicable policies and procedures for and behalf of the Councils in the discharge of its obligations under this Agreement.



## 10.18 **Joint Committee May Delegate**

10.18.1 The Joint Committee may delegate any of the powers which are conferred on them under this Agreement:

- (a) to such person, sub-committee or group;
- (b) to such an extent;
- (c) in relation to such matters; and
- (d) on such terms and conditions,

as they think fit from time to time.

10.18.2 The Joint Committee may allow that such delegation shall automatically authorise further delegation of the Joint Committee's powers by any person to whom they are delegated provided that the Joint Committee specifically states this within such delegation authority.

10.18.3 The Joint Committee may revoke any delegation in whole or part, or alter its terms and conditions at any time.

## 10.19 **Sub-Committees**

10.19.1 The Joint Committee shall establish as soon as reasonably practicable the following sub-committees or groups:

- (a) Programme Management Office;
- (b) Programme Board;
- (c) Regional Transport Authority;
- (d) Regional Business Organisation;
- (e) Regional Skills and Employment Board; and
- (f) Regional Economic Growth Partnership.

10.19.2 The Councils shall work together to create and agree terms of reference for, to the extent permissible by law, a Joint Audit Committee and a Joint Scrutiny Committee.

10.19.3 It is acknowledged and agreed by the Councils that the sub-committees or groups referred to in Clauses 10.19.1 and 10.19.2:

- (a) shall undertake a number of functions including but not limited to audit, scrutiny and/or consultation services pursuant to their terms of reference; and
- (b) shall not have any delegated decision making powers (unless otherwise expressly granted by the Joint Committee).

10.19.4 Sub-committees or groups to which the Joint Committee delegates any of its powers must follow procedures which are based as far as they are applicable on those provisions of this Agreement which govern the taking of decisions by the Joint Committee.

10.19.5 The Joint Committee shall establish the membership, rules of procedure or terms of reference for all or any such sub-committees or groups to, amongst other matters, clarify their respective role and scope of delegation which shall be approved by the Joint Committee.

10.19.6 The Joint Committee may create additional sub-committees or sub-groups as it sees fit from time to time.

## 11. **PROGRAMME BOARD AND REGIONAL PROGRAMME DIRECTOR**

### 11.1 **Constitution and Authority of the Programme Board**

11.1.1 The Councils shall form the programme board ("**Programme Board**") for the purpose of implementing the City Deal and the day-to-day management of the Councils' obligations in relation to the City Deal and to carry out the functions set out in Schedule 3 (Programme Board Terms of Reference).

11.1.2 The Programme Board shall not have any decision making powers pursuant to this Agreement.

11.1.3 Each Council shall appoint one senior officer representative (which may include the chief executive or equivalent) to the Programme Board and such other representatives as the Joint Committee may determine from time to time. The chairperson shall be the Regional Programme Director or such other representatives as the Joint Committee may determine from time to time.

11.1.4 Each Council shall be entitled from time to time to appoint a deputy for its senior officer and such deputy (in each case) shall be entitled to attend meetings of the Programme Board in place of its senior officer.

11.1.5 The Councils shall, at their discretion, replace their representatives (and their respective deputies) appointed to the Programme Board provided that such replacement shall be on the same basis as the original appointed and provided further that no senior officer of the Programme Board shall be removed or replaced by any Council without that Council giving prior written notice as soon as reasonably practicable and in any event within ten (10) Business Days of its intention to remove or replace that representative.

11.1.6 The Programme Board shall meet as and when required in accordance with the timetable for the City Deal and, in any event, at appropriate times and on reasonable notice (to be issued through the Regional Programme Director).

### 11.2 **Regional Programme Director**

11.2.1 The Regional Programme Director shall attend the Joint Committee meetings but shall not have the right to vote on any Joint Committee Matters.

11.2.2 The Regional Programme Director shall have decision making powers delegated to them personally (and not the Programme Board) pursuant to Schedule 1 (Delegations Policy).

11.2.3 Where the Regional Programme Director exercises any decision making powers, the Regional Programme Director shall first consult with the Chairperson of the Joint Committee and the relevant Joint Committee portfolio lead.

## 12. **COMMITMENT OF THE COUNCILS AND CONTRIBUTIONS**

## 12.1 **General**

Subject to Clause 15.11.3 (Withdrawal), the Councils agree and undertake to commit to the City Deal in accordance with the terms of this Agreement and not to commission and/or undertake any procurement and/or project that seeks or would procure the delivery of all or any part of the City Deal outside the terms of this Agreement.

## 12.2 **Internal Costs**

12.2.1 Subject to Clauses 12.2.2 and 12.2.3 (Internal Costs), the Internal Costs incurred by each Council shall be borne by the Council providing that internal resource.

12.2.2 The Councils hereby agree that if one of the Councils believes it is likely to incur disproportionate Internal Costs that matter shall be referred to the Joint Committee for a decision as to whether such costs will be disproportionate and whether any contributions should be made to this cost by the other Councils.

12.2.3 The Parties agree and acknowledge that Internal Costs incurred by the Accountable Body in relation to the City Deal shall be accounted for as Joint Committee Costs and shall be allocated amongst the Councils in accordance with Clause 12.3.1 (Joint Committee Costs).

## 12.3 **Joint Committee Costs**

12.3.1 Any Joint Committee Costs incurred by the Joint Committee shall be shared on a Proportionate Basis between the Councils pursuant to this Agreement.

12.3.2 Each Council shall be required to prepare accounts including details of any Joint Committee Costs incurred pursuant to Schedule 4 (Heads of Expenditure) ("**the Accounts**") in respect of each Accounting Period and for such further and/or other accounting periods as the Joint Committee shall determine and which shall be incorporated into Schedule 5 (Accounting Periods). For the avoidance of doubt, such Accounts shall not include any revenue costs or capital investment requirements in relation to the implementation of any project pursuant to an Annual Business Plan and shall solely relate to the operational and management costs of the Joint Committee.

12.3.3 Each Council shall:-

- (a) in the Accounts make true and complete entries of all relevant payments made by it during the previous Accounting Period;
- (b) within one (1) month of the end of each Accounting Period, each Council shall provide to the Accountable Body unaudited Accounts for such Accounting Period together with certification that such Accounts comply with this Clause 12 (Commitment of the Councils and Contributions);
- (c) nominate an individual to be responsible for ensuring that Council's own compliance with this Clause 12 (Commitment of the Councils and Contributions) and the name, address and telephone number of each individual nominated pursuant to this Clause 12.3.3(c) (Commitment of the Councils and Contributions) shall be notified to the other Councils in accordance with Clause 23 (Notices); and
- (d) if an individual nominated by a Council pursuant to Clause 12.3.3(c) (Commitment of the Councils and Contributions)

changes, that Council shall notify the other Councils forthwith of the replacement nominees.

- 12.3.4 The Accountable Body shall:
- (a) within ten (10) Business Days of receipt of the Accounts submitted by the other Councils in accordance with Clause 12.3.3(b) prepare a reconciliation statement identifying the payments made by each Council and the balance due from or owing to each; and
  - (b) within twenty (20) Business Days of the preparation of the reconciliation statement send out a copy of the reconciliation statement together with either a balancing invoice or, subject to Clause 12.3.4(b), credit payments to each Council.
- 12.3.5 The Accountable Body shall not be obliged to make any payments due under this Agreement until the Accountable Body is in receipt of funds from the Joint Committee pursuant to this Clause 12.3.
- 12.3.6 A Council receiving an invoice for payment shall pay it in full within twenty (20) Business Days. Any error in a balancing invoice must be notified to the Accountable Body within five (5) Business Days of such balancing invoice being sent out. An amended balancing invoice will be issued by the Accountable Body and the Council receiving such an invoice shall pay it in full within twenty (20) Business Days.
- 12.3.7 The Councils hereby agree that if one of the Councils carries out any work or incurs any cost or expenses to carry out any work or to incur any cost or expense that is not within the budget or scope of work set out in the JWA Business Plan, that matter shall be referred by the Regional Programme Director to the Joint Committee for a decision as to whether such work, cost or expense is part of the City Deal or whether such work, cost or expense should be the entire responsibility of the Council so carrying it out or requesting it (as the case may be).

## 12.4 Annual Budget

- 12.4.1 The Annual Budget shall be:
- (a) in the initial period (2017-2018) prior to receipt of any HMT Contribution by the Accountable Body, £1,000,000 (one million pounds); and
  - (b) in all other cases, the Annual Budget approved by the Joint Committee for that Accounting Period provided that the Annual Budget shall not exceed the previous Annual Budget by more than 5% (five per cent),

and the Councils shall each contribute towards the Annual Budget on a Proportionate Basis and such contribution shall be in addition to the Councils' Contribution.

- 12.4.2 Where the actual aggregate Joint Committee Costs are likely to exceed the Annual Budget by more than 5% (five per cent) such additional costs shall be met through the wider investment fund (comprising of the HMT Contribution and the Councils Contribution).

## 12.5 Contributions

### 12.5.1 Total contribution

It is acknowledged and agreed by the Councils that the discharge of the Councils' obligations in relation to the City Deal pursuant to this Agreement shall be funded as follows:

- (a) up to £375,000,000 (three hundred and seventy five million pounds) from HMT ("**HMT Contribution**");
- (b) up to £120,000,000 (one hundred and twenty million pounds) in aggregate from the Councils ("**Councils' Contribution**") and the Councils agree and acknowledge that such Councils' Contributions shall be subject to additional costs up to the Affordability Envelope (as such costs are defined therein); and
- (c) each Council's contribution towards the Annual Budget, on a Proportionate Basis, pursuant to Clause 12.4 (Annual Budget).

### 12.5.2 HMT Contribution

- (a) Subject to Clause 12.5.2(b), it is acknowledged and agreed by the Councils that HMT's contribution shall be provided to the Welsh Government to transfer to the Accountable Body for and on behalf of the Joint Committee in the following tranches:-
  - (i) years 2016-17 to 2020-21 in the sum of £10,000,000 (ten million pounds) resource (RDEL) funding per year;
  - (ii) years 2021-22 to 2030-31 in the sum of £22,000,000 (twenty two million pounds) capital (CDEL) funding per year;
  - (iii) years 2031-32 to 2035-36 in the sum of £21,000,000 (twenty one million pounds) capital (CDEL) funding per year.
- (b) It is acknowledged and agreed by the Councils that:
  - (i) the South East Wales Metro Scheme is being financed and procured directly by the Welsh Government outside of this Agreement;
  - (ii) the HMT Contribution does not include any contribution towards the South East Wales Metro Scheme;
  - (iii) this Agreement does not include any obligations or liabilities on the Councils in respect of the South East Wales Metro Scheme; and
  - (iv) the Councils shall agree with HMT, as part of the Gateway Reviews, whether it wishes such performance assessment to have regard to wider regional benefit of or disregard the South East Wales Metro Scheme; and
  - (v) the Councils shall agree with HMT before HMT's next Spending Review whether a proportion of the forthcoming HMT Contribution may be provided as resource (RDEL) funding in place of the current capital (CDEL) funding allocation and such agreement shall be



approved by the Councils pursuant to this Agreement as a "Joint Committee Matter".

(c) It is acknowledged and understood by the Councils that the HMT Contribution is subject to the following funding conditions:-

- (i) approval of the Assurance Framework (which the Councils have approved and attached at Schedule 8 (Assurance Framework) to this Agreement);
- (ii) approval of and entry into this Agreement;
- (iii) satisfying the five (5) yearly Gateway Reviews by HMT and it is acknowledged and agreed that the form of the Gateway Reviews including, but not limited to, any sanctions if key targets are not met shall be agreed with HMT and approved by the Councils pursuant to this Agreement as a "Joint Committee Matter";
- (iv) any Welsh Government funding conditions to be proposed by the Welsh Government and approved pursuant to this Agreement by the Councils as a "Joint Committee Matter" pursuant to Clause 2.3 (Conditions Subsequent); and
- (v) approval of the Implementation Plan (which the Councils have approved and attached at 0 (Implementation Plan) to this Agreement),

together the "**HMT Funding Conditions**".

(d) Each Council acknowledges and agrees that:

- (i) it accepts the HMT Funding Conditions and that it shall be bound by those conditions and shall not through any act or omission place any other Council including, but not limited to, the Accountable Body in breach of any of those conditions; and
- (ii) any Welsh Government funding conditions remain to be agreed and if and when any such conditions are agreed pursuant to Clause 2.3 (Conditions Subsequent), each Council shall be bound by those conditions and shall not through any act or omission place any other Council including, but not limited to the Accountable Body in breach of any of those conditions.

### 12.5.3 Councils' Contribution

(a) Subject to Clause 12.5.3(b), each Council shall contribute towards the aggregate Councils' Contribution in the following proportion:

<b>Councils</b>	<b>Proportion of Contribution</b>
Blaenau Gwent	4.6%

Bridgend	9.4%
Caerphilly	12.0%
Cardiff	23.7%
Merthyr Tydfil	3.9%
Monmouthshire	6.1%
Newport	9.8%
Rhondda Cynon Taff	15.8%
Torfaen	6.1%
Vale of Glamorgan	8.5%
<b>Total</b>	<b>100%</b>

(b) It is acknowledged and agreed that the Affordability Envelope for the Councils has been approved by the Councils as at the date of this Agreement and that any decision to increase the Affordability Envelope shall be a "Matter Reserved To The Councils".

#### 12.5.4 **Audit**

Each Council shall permit all records referred to in this Agreement to be examined and copied from time to time by the Accountable Body, or any representatives of the Accountable Body or any other representatives who reasonably require access to the same in order to undertake any audit of the funds received and spent pursuant to this Agreement.

#### 12.5.5 **Retention of Records**

The accounts referred to in this Clause 12 (Commitment of the Councils and Contributions) shall be retained for a period of at least ten (10) years after delivery of the City Deal pursuant to this Agreement.

### 13. **MITIGATION**

Each Council shall at all time take all reasonable steps to minimise and mitigate any loss for which the relevant Council is entitled to bring a claim against the other Council(s) pursuant to this Agreement.

### 14. **LIABILITY OF THE COUNCILS**

14.1 The Accountable Body shall indemnify and keep indemnified each of the other Councils to this Agreement against any losses, claims, expenses, actions, demands, costs and liability suffered by that Council to the extent arising from any wilful default or breach by the Accountable Body of its obligations under this Agreement (and wilful in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of the Accountable Body or matters arising from any negligent act or omission in relation to such obligations).

14.2 No claim shall be made against the Accountable Body to recover any loss or damage which may be incurred by reason of or arising out of the carrying out by the

Accountable Body of its obligations under this Agreement unless and to the extent such loss or damage arises from a wilful default or breach by the Accountable Body under Clause 14.1 (Liability of Councils).

- 14.3 Each of the other Councils (acting severally) shall indemnify and keep indemnified the Accountable Body against all losses, claims, expenses, actions, demands, costs and liabilities which the Accountable Body may incur by reason of or arising out of the carrying out by the Accountable Body of its obligations under this Agreement for that Council or arising from any wilful default or breach by a Council of its obligations under this Agreement (and wilful in this context shall, for the avoidance of doubt, not include matters which are outside the reasonable control of that Council or matters arising from any negligent act or omission in relation to such obligations) unless and to the extent that the same result from any breach by the Accountable Body of any such obligations.
- 14.4 The Councils agree and acknowledge that the amount to be paid to the Accountable Body by any of the other Councils under Clause 14.3 (Liability of Councils) shall be borne by each of the Councils to the extent of its responsibility, however in the event that the responsibility is a shared one between the Councils (so that it is not reasonably practicable to ascertain the exact responsibility between the Councils) then the amount to be paid shall be divided between the Councils on a Proportionate Basis.
- 14.5 In the event of a claim under this Clause 14 (Liability of Councils) in which it is not reasonably practicable to determine the extent of responsibility as between the Councils (including the Accountable Body), then the amount shall be divided amongst the Councils (including the Accountable Body) on a Proportionate Basis. For the avoidance of doubt, any claim arising otherwise than through the wilful default or breach by the Accountable Body or the other Councils shall be divided amongst the Councils (including the Accountable Body) on a Proportionate Basis.
- 14.6 A Council who receives a claim for losses, expenses, actions, demands, costs and liabilities shall notify and provide details of such claim as soon as is reasonably practicable the other Councils.
- 14.7 No Council shall be indemnified in accordance with this Clause 14 (Liability of Councils) unless it has given notice in accordance with Clause 14.6 (Liability of Councils) to the other Council against whom it will be enforcing its right to an indemnity under this Agreement.
- 14.8 Each Council ("**Indemnifier**") shall not be responsible or be obliged to indemnify the other Councils (including the Accountable Body) ("**Beneficiary**") to the extent that any insurances maintained by the Beneficiary at the relevant time provide an indemnity against the loss giving rise to such claim and to the extent that the Beneficiary recovers under such policy of insurance (save that the Indemnifier shall be responsible for the deductible under any such policy of insurance and any amount over the maximum amount insured under such policy of insurance).

## 15. **WITHDRAWAL**

- 15.1 Subject to Clause 15.2 (Withdrawal), any Council (including the Accountable Body) may at any time during this Agreement, withdraw from this Agreement in accordance with this Clause 15 (Withdrawal).
- 15.2 No Council may withdraw from this Agreement during the Lock In Period and, following such Lock In Period, the provisions of this Clause 15 shall apply.
- 15.3 Save where Clause 15.6 applies, if an Authority wishes to withdraw from the City Deal and this Agreement, it shall provide at least twelve (12) months written notice of its intention to withdraw to all the other Councils ("**Withdrawal Notice**").

- 15.4 No sooner than nine (9) months after the date of the Withdrawal Notice and no later than ten (10) months after the date of the Withdrawal Notice, the Accountable Body (or such other Council as nominated by the Joint Committee in the event that the Accountable Body issues the Withdrawal Notice) shall provide to all the Councils a Liability Report which shall be discussed by the Joint Committee at its next meeting or a specially convened meeting if the next meeting falls more than two (2) weeks after the issue of the Liability Report.
- 15.5 It is acknowledged and agreed that:
- 15.5.1 the Liability Report shall contain, as a minimum, the withdrawing Councils committed costs and liabilities up to the next Gateway Review and the withdrawing Councils committed costs and liabilities on all current projects which shall include all drawdowns of the Councils Contribution that the withdrawing Council has committed to but not yet withdrawn (whether that drawdown occurs before or after the Council formally withdraws from the City Deal and this Agreement pursuant to this Clause 15 (Withdrawal)); and
- 15.5.2 in relation to row 1 of the Liability Report in Schedule 7 (Liability Report), the withdrawing Council shall be liable to pay the higher of its committed contribution and liabilities;
- (a) up to the next Gateway Review; or
- (b) on all current projects.
- 15.6 Within the Decision Period each Council which has issued a Withdrawal Notice to the Regional Programme Director shall indicate either:-
- 15.6.1 that it withdraws from the City Deal and this Agreement; or
- 15.6.2 that it wishes to continue as a party to the City Deal and this Agreement.
- 15.7 Where further Councils (in addition to the Council issuing the Withdrawal Notice) indicate their wish to withdraw from the City Deal and this Agreement, then the provisions of Clause 15.3 (Withdrawal) shall apply to such Councils and a new Liability Report shall be prepared in respect of each of these Councils that have indicated their intention to withdraw and the provisions of Clause 15.6 (Withdrawal) shall apply.
- 15.8 Where a Council does not indicate its intentions as required by Clause 15.6 (Withdrawal) then it shall at the expiry of the Decision Period be taken to have indicated that they wish to continue as a party to the City Deal and this Agreement.
- 15.9 Any Council serving a Withdrawal Notice pursuant to Clause 15.3 or indicates that it withdraws from the City Deal and this Agreement pursuant to Clause 15.6 shall have the right to retract such Withdrawal Notice or indication that it withdraws at any point prior to the date of its withdrawal.
- 15.10 Where a Council indicates that it wishes to withdraw from the City Deal and this Agreement, then:-
- 15.10.1 the Council who shall have indicated its wish to withdraw shall pay all amounts due to be paid by it in accordance with the Liability Report and comply with its obligations under this Agreement up to the date of its withdrawal including making any payments of any expenditure referred to in Schedule 5 (Heads of Expenditure) as at that date;
- 15.10.2 the Council who shall have indicated its wish to withdraw shall be responsible for a proportion of any third party costs (which have been substantiated by the Joint Committee); and

- 15.10.3 if in the event of such a withdrawal the discharge of the Councils' obligations in relation to the City Deal is delayed then the Council who shall have indicated its wish to withdraw may be responsible for a proportion of the costs of delay to the other Councils or any costs or fines which may directly result. Such proportion will be decided by the Joint Committee and the withdrawing Council shall not be entitled to vote in this decision..
- 15.11 Where a Council withdraws from the City Deal and this Agreement in accordance with this Clause 15 (Withdrawal):
- 15.11.1 any capital asset acquired and/or secured and/or owned and provided by such withdrawing Council for the purposes of the City Deal will remain in the ownership of the withdrawing Council and the withdrawing Council will reimburse the remaining Councils their respective contributions (if any) together with any reasonable costs incurred as a result of the withdrawal or default;
- 15.11.2 the other Councils may elect to continue or discontinue with any procurement and/or project forming part of the City Deal in the administrative area of the withdrawing Council;
- 15.11.3 the withdrawing Council may elect to independently pursue the procurement of any project within its administrative area which was identified as part of the City Deal provided that it does so at its own cost without any access to any of the HMT Contribution or Councils' Contribution pursuant to this Agreement;
- 15.11.4 unless agreed otherwise by the remaining Councils, the Council who shall have indicated its wish to withdraw from the City Deal shall not remove its appointees to the Joint Committee for a period of not less than three (3) months commencing on the date of such Council's withdrawal, provided that the costs associated with those appointees to the Joint Committee shall be borne by the remaining Councils on a Proportionate Basis; and
- 15.11.5 save for the obligations set out in Clause 12 (Commitment of the Councils and Contributions), Clause 14 (Liability of the Councils), this Clause 15 (Withdrawal) and Clause 18 (Confidentiality and Announcements), the withdrawing Council shall be released from its respective obligations described in this Agreement from the date of withdrawal.

## 16. CONSEQUENCES OF TERMINATION

- 16.1 If the Agreement is terminated in accordance with Clause 2.2 (Termination), save for the obligations set out in Clause 12 (Commitment of the Councils and Contributions), Clause 14 (Liability of the Councils), this Clause 16 (Consequences of Termination) and Clause 18 (Confidentiality and Announcements), the Councils shall be released from their respective obligations described in this Agreement.
- 16.2 Where this Agreement is terminated in respect of that Council in accordance with Clause 2.2 (Termination):
- 16.2.1 any capital asset acquired and/or secured and/or owned and provided by such Defaulter for the purposes of the City Deal will remain in the ownership of the Defaulter and the Defaulter will reimburse the remaining Councils their respective contributions (if any) together with any reasonable costs incurred as a result of the withdrawal or default;
- 16.2.2 the other Councils may elect to continue or discontinue with any procurement and/or project forming part of the City Deal; and



- 16.2.3 the Defaulting Council may elect to independently pursue the procurement of any project within its administrative area which was identified as part of the City Deal provided that it does so at its own cost without any access to any of the HMT Contribution or Councils' Contribution pursuant to this Agreement.
- 16.3 The Councils acknowledge and agree that:-
- 16.3.1 the City Deal has been modelled on the basis of participation by all the Councils and that there are considerable economic benefits to be achieved as a result of such joint working; and
- 16.3.2 accordingly, in the event that this Agreement is terminated in relation to any Council pursuant to Clause 2.2 (Termination) such Defaulter shall be liable to the Non-Defaulting Council or Councils for their reasonable and properly incurred costs in relation to the City Deal as set out in Clause 15.5 (Withdrawal) and Schedule 6 (Liability Report).

## 17. **INTELLECTUAL PROPERTY**

- 17.1 Each Council will retain all Intellectual Property in its Material.
- 17.2 Each Council will grant all of the other Councils a non exclusive, perpetual, non-transferable and royalty free licence to use, modify, amend and develop its IP Material for the discharge the Councils' obligations in relation to the City Deal and any other purpose resulting from the City Deal whether or not the party granting the licence remains a party to this Agreement.
- 17.3 Without prejudice to Clause 17.1 (Intellectual Property), if more than one Council owns or has a legal or beneficial right or interest in any aspect of the IP Material for any reason (including without limitation that no one Council can demonstrate that it independently supplied or created the relevant IP Material without the help of one or more of the other Councils), each of the Councils who contributed to the relevant IP Material will grant to all other Councils to this Agreement a non-exclusive, perpetual, non-transferable and royalty free licence to use and exploit such IP Material as if all the other Councils were the sole owner under the Copyright Design and Patents Act 1988 or any other relevant statute or rule of law.
- 17.4 For the avoidance of doubt, any entity or person who is at the date of this Agreement a party to this Agreement and who has licensed any Intellectual Property under this Agreement will have a non-exclusive, perpetual right to continue to use the licensed Intellectual Property.
- 17.5 Each Council warrants that it has or will have the necessary rights to grant the licences set out in Clause 17.2 (Intellectual Property) and 17.3 (Intellectual Property) in respect of the IP Material to be licensed.
- 17.6 Each Council agrees to execute such further documents and take such actions or do such things as may be reasonably requested by any other Councils (and at the expense of the Council(s) making the request) to give full effect to the terms of this Agreement.

## 18. **CONFIDENTIALITY AND ANNOUNCEMENTS**

- 18.1 Each Council ("**Covenanter**") shall, both during the currency of this Agreement and at all times following its termination or expiry, keep private and confidential and shall not use or disclose (whether for its own benefit or that of any third party) any Confidential Information about the business of and/or belonging to any other Council or third party which has come to its attention as a result of or in connection with this Agreement.
- 18.2 The obligation set out in Clause 18.1 (Confidentiality and Announcements) shall not relate to information which:-
- 18.2.1 comes into the public domain or is subsequently disclosed to the public (other than through default on the part of the Covenanter or any other person to whom the Covenanter is permitted to disclose such information under this Agreement); or
  - 18.2.2 is required to be disclosed by law; or
  - 18.2.3 was already in the possession of the Covenanter (without restrictions as to its use) on the date of receipt; or
  - 18.2.4 is required or recommended by the rules of any governmental or regulatory authority including any guidance from time to time as to openness and disclosure of information by public bodies; or
  - 18.2.5 is necessary to be disclosed to provide relevant information to any insurer or insurance broker in connection with obtaining any insurance required by this Agreement.
- 18.3 Where disclosure is permitted under Clause 18.2.3 (Confidentiality and Announcements) or 18.2.4 (Confidentiality and Announcements), the recipient of the information shall be subject to a similar obligation of confidentiality as that contained in this Clause 18 (Confidentiality and Announcements) and the disclosing Council shall make this known to the recipient of the information.
- 18.4 No Council shall make any public statement or issue any press release or publish any other public document relating, connected with or arising out of this Agreement or any other agreement relating to the City Deal without the prior written consent of the other Councils.

## 19. **CONTRACTS (THIRD PARTY RIGHTS)**

The Councils as parties to this Agreement do not intend that any of its terms will be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a party to it.

## 20. **DISPUTE RESOLUTION**

- 20.1 Any dispute arising in relation to any aspect of this Agreement shall be resolved in accordance with this Clause 20 (Dispute Resolution). The Councils undertake and agree to pursue a positive approach towards dispute resolution which seeks (in the context of this partnership) to identify a solution which avoids legal proceedings and maintains a strong working relationship between the Councils.
- 20.2 In the event of any dispute or difference between the Councils relating to this Agreement (whether this may be a matter of contractual interpretation or otherwise) then save in relation to disputes or disagreements relating to a Matter Reserved To The Councils, the matter shall be dealt with as follows by referral in the first instance to the Joint Committee who shall meet within ten (10) Business Days of notification of

the occurrence of such dispute and attempt to resolve the disputed matter in good faith.

- 20.3 In relation to a dispute or disagreement relating to a Matter Reserved To The Councils, or if the Joint Committee fails to resolve a dispute or disagreement within five (5) Business Days of meeting pursuant to Clause 20.2 (Dispute Resolution), or fails to meet in accordance with the timescales set out in Clause 20.2 (Dispute Resolution), then the Councils in dispute or the Joint Committee (as the case may be) may refer the matter for resolution to:-
- 20.3.1 the Chief Executive(a) or Council Leader(s) (as appropriate) of the Councils;  
or
  - 20.3.2 mediation by such party as the Councils may agree; or
  - 20.3.3 the exclusive jurisdiction of the Courts of England and Wales otherwise.
- 20.4 Any dispute and/or disagreement to be determined by the Chief Executive(s) or Council Leaders (as appropriate), mediation or the Courts of England and Wales or such other body as agreed by the Councils (as the case may be) under this Agreement shall be promptly referred for determination to them.
- 20.5 The Councils shall on request promptly supply to the Chief Executive(s) or Council Leaders or mediator or the Courts of England and Wales (as the case may be) all such assistance, documents and information as may be required for the purpose of determination and the Councils shall use its reasonable endeavours to procure the prompt determination of such reference.
- 20.6 If a mediator is appointed to determine in dispute pursuant to Clause 20.3 (Dispute Resolution), then the mediator shall be deemed to act as an expert and not as an arbitrator and his determination shall (in the absence of manifest error) be conclusive and binding upon the Councils.
- 20.7 The costs of the resolution of any dispute and/or disagreement between the Councils under this Agreement shall be borne by the Councils on a Proportionate Basis to the dispute in question save as may be otherwise directed by the Chief Executive(s) or Council Leaders (as appropriate), the mediator or the Courts of England and Wales (as the case may be).

## 21. DATA PROTECTION

- 21.1 In relation to all Personal Data, each Council shall at all times comply with the DPA, (as a data controller if necessary) which includes (but is not limited to) maintaining a valid and up to date registration or notification under the DPA covering the data processing activities to be performed in connection with the City Deal.
- 21.2 Each Council:
- 21.2.1 shall process Personal Data belonging to any other Council only on the instructions of that Council (subject to compliance with applicable law);
  - 21.2.2 shall only undertake processing of Personal Data reasonably required in connection with the City Deal and shall not transfer any Personal Data to any country or territory outside the European Economic Area; and
  - 21.2.3 shall use its reasonable endeavours to procure that all relevant sub-contractors and third parties comply with this Clause 21.2 (Data Protection). For the avoidance of doubt a relevant sub-contractor is one which processes Personal Data belonging to the one or any of the Councils.

- 21.3 The Councils shall not disclose Personal Data to any third parties other than:
- 21.3.1 to employees and sub-contractors and third parties to whom such disclosure is reasonably necessary in order for the Councils to discharge the Councils' obligations in relation to the City Deal; or
  - 21.3.2 to the extent required under a court order or to comply with any applicable laws including (but not limited to) any statute, bye law, European Directive or regulation.

provided that any disclosure to any sub-contractor or any third parties under Clause 21.3.1 (Data Protection) shall be made subject to written terms substantially the same as, and no less stringent than, the terms contained in this Clause 21 (Data Protection) and that the Councils shall give notice in writing to all other Councils of any disclosure of Personal Data belonging to them which they or a sub-contractor or third parties are required to make under Clause 21.3.2 (Data Protection) immediately they are aware of such a requirement.

- 21.3.3 The Councils shall bring into effect and maintain and shall use its reasonable endeavours to ensure that all relevant sub-contractors and any third parties have in effect and maintain all reasonable technical and organisational measures necessary to prevent unauthorised or unlawful processing of Personal Data and accidental loss or destruction of, or damage to, Personal Data including but not limited to taking reasonable steps to ensure the reliability and probity of any employee or agent of a relevant sub contractor or any third parties having access to the Personal Data.
  - 21.3.4 Any Council may, at reasonable intervals, request a written description of the technical and organisational methods employed by any other Council and the relevant sub-contractors referred to in Clause 21.2.3 (Data Protection) Within five (5) Business Days of such a request, the Council requested to do so shall supply written particulars of all such measures as it is maintaining detailed to a reasonable level such that the requesting Council can determine whether or not, in connection with the Personal Data, it is compliant with the DPA. All Councils shall use its reasonable endeavours to ensure that the sub-contractors and any third parties also comply with such request from any other Council.
- 21.4 All Councils shall ensure that any Personal Data they obtain and provide to any other Council has been lawfully obtained and complies with the DPA and that the use thereof in accordance with this Agreement shall not breach any of the provisions of the DPA.
- 21.5 If:-
- 21.5.1 under the DPA any Council is required to provide information to a data subject (as defined in the DPA) in relation to Personal Data when such data is in the possession or under control of any other Council; and
  - 21.5.2 the required Council informs the controlling Council in writing that this is the case,
- then the controlling Council shall guarantee reasonable and prompt co-operation to the required Council in meeting its obligations under the DPA including making copies of the relevant Personal Data to the extent the same are in its possession.
- 21.6 Each Council shall provide the other as soon as reasonably practicable, with such information in relation to Personal Data and their processing as the other Council may reasonably request in writing and the party asked to provide the relevant data may reasonably be able to provide in order for the other Council to:-

- 21.6.1 comply with its obligations under this Clause and the DPA; and
- 21.6.2 assess whether the processing of the relevant Personal Data in connection with this Agreement is breaching or may breach the DPA in a manner which is material and not effectively sanctioned by any guidance statement issued by the Information Commissioner.
- 21.7 The Councils shall each take reasonable precautions (having regard to the nature of their respective obligations under this Agreement) to preserve the integrity of any Personal Data.
- 21.8 The Councils shall continually review any existing information sharing protocols being used in relation to the City Deal to ensure they remain relevant to the City Deal and to identify which Personal Data needs to be processed and on what basis to ensure compliance with this Clause 21 (Data Protection).

**22. FREEDOM OF INFORMATION AND ENVIRONMENT INFORMATION**

- 22.1 Each Council acknowledges that the other Councils are subject to the requirements of the Freedom of Information Act 2000 (“**FOIA**”) and the Environmental Information Regulations 2004 (“**EIR**”) and the Councils shall comply with the Accountable Body's policy on FOIA in respect of these information disclosure obligations to the extent they relate to the City Deal.
- 22.2 Where a Council receives a request for information under either the FOIA or the EIR in relation to information which it is holding on behalf of any of the other Councils in relation to the City Deal, it shall:
  - 22.2.1 transfer the request for information to the Accountable Body as soon as practicable after receipt and in any event within two (2) Business Days of receiving a request for information;
  - 22.2.2 provide the Accountable Body with a copy of all information in its possession or power in the form the Accountable Body reasonably requires within ten (10) Business Days (or such longer period as the Accountable Body may specify) of the Accountable Body requesting that information; and
  - 22.2.3 provide all necessary assistance as reasonably requested by the Accountable Body to enable the Accountable Body to respond to a request for information within the time for compliance set out in the FOIA or the EIR.
- 22.3 The Councils agree and acknowledge that the Accountable Body shall be responsible for co-ordinating any response on behalf of the relevant Councils to the extent they relate to the City Deal and all costs incurred shall be accounted for as Joint Committee Costs.
- 22.4 The Accountable Body shall be responsible for determining in their absolute discretion whether any information requested under the FOIA or the EIR:
  - 22.4.1 is exempt from disclosure under the FOIA or the EIR;
  - 22.4.2 is to be disclosed in response to a request for information.
- 22.5 Each Council acknowledges that the Accountable Body may be obliged under the FOIA or the EIR to disclose information:
  - 22.5.1 without consulting with the other Councils where it has not been practicable to achieve such consultation; or



22.5.2 following consultation with the other Councils and having taken their views into account.

## 23. **NOTICES**

23.1 Any notice or demand in connection with this Agreement to any Council shall be in writing and may be delivered by hand, prepaid first class post, special delivery post or email, addressed to the recipient at the address as the case may be set out in Schedule 3 (Councils' and Regional Programme Director's Details) or such other recipient address as may be notified in writing from time to time by any of the parties to this Agreement to all the other Councils to this Agreement.

23.2 Any notice or demand in connection with this Agreement to the Joint Committee shall be in writing and may be delivered by hand, prepaid first class post, special delivery post or email, addressed to the Regional Programme Director at the address as the case may be as set out in Schedule 3 (Councils' and Regional Programme Director's Details) or such other recipient address as may be notified in writing from time to time by the Regional Programme Director to all the Councils to this Agreement.

23.3 The notice or demand shall be deemed to have been duly served:-

23.3.1 if delivered by hand, when left at the proper address for service;

23.3.2 if given or made by prepaid first class post or special delivery post, forty-eight (48) hours after being posted (excluding days other than Business Days);

23.3.3 if given or made by email, at the time of transmission,

provided that, where in the case of delivery by hand or email such delivery or transmission occurs either after 4.00pm on a Business Day or on a day other than a Business Day service shall be deemed to occur at 9.00am on the next following Business Day.

23.4 For the avoidance of doubt, where proceedings to which the Civil Procedure Rules apply have been issued, the provisions of the Civil Procedure Rules must be complied with in respect of the service of documents in connection with those proceedings.

## 24. **GOVERNING LAW**

This Agreement and any non-contractual obligations arising out of or in connection with it shall be governed by and construed in all respects in accordance with the laws of England and Wales. Subject to Clause 20 (Dispute Resolution), the English and Welsh Courts shall have exclusive jurisdiction to settle any disputes which may arise out of or in connection with this Agreement.

## 25. **ASSIGNMENTS**

25.1 The rights and obligations of the Councils under this Agreement shall not be assigned, novated or otherwise transferred (whether by virtue of any legislation or any scheme pursuant to any legislation or otherwise) to any person other than to any public body (being a single entity) acquiring the whole of the Agreement and having the legal capacity, power and authority to become a party to and to perform the obligations of the relevant Council under this Agreement being:

25.1.1 a Minister of the Crown pursuant to an Order under the Ministers of the Crown Act 1975; or

25.1.2 any Local Authority which has sufficient financial standing or financial resources to perform the obligations of the relevant Council under this Agreement.

26. **WAIVER**

26.1 No failure or delay by any Council to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same or some other right, power or remedy unless a waiver is given in writing by that Council.

26.2 Each Council shall pay their own costs incurred in connection with the preparation, execution, completion and implementation of this Agreement.

27. **ENTIRE AGREEMENT**

This Agreement contains all the terms which the parties have agreed in relation to the subject of this Agreement and supersedes any prior written or oral agreements, representations or understandings between the Councils relating to such subject matter. No Council has been induced to enter into this Agreement or any of these documents by statement or promise which they do not contain, save that this Clause shall not exclude any liability which one Council would otherwise have to the other in respect of any statements made fraudulently by that Council.

28. **COUNTERPARTS**

This Agreement may be executed in any number of counterparts each of which so executed shall be an original but together shall constitute one and the same instrument.

29. **RELATIONSHIP OF COUNCILS**

Each Council is an independent body and nothing contained in this Agreement shall be construed to imply that there is any relationship between the Councils of partnership or (except as expressly provided in this Agreement) of principal/agent or of employer/employee. No Council shall have the right to act on behalf of another nor to bind the other by contract or otherwise except to the extent expressly permitted by the terms of this Agreement. In particular for the avoidance of doubt, none of the provisions relating to the principles of working in partnership shall be taken to establish any partnership as defined by The Partnership Act 1890.

30. **STATUTORY RESPONSIBILITIES**

Notwithstanding anything apparently to the contrary in this Agreement, in carrying out their statutory duties, the discretion of any Council shall not be fettered or otherwise affected by the terms of this Agreement.

**AS WITNESSED** the duly authorised representatives of the Councils have signed this Agreement as a deed on the date written at the beginning of this Agreement.

**Schedule 1**

**DELEGATIONS POLICY**

<b>DECISION</b>	<b>REGIONAL PROGRAMME DIRECTOR MATTER</b>	<b>JOINT COMMITTEE MATTER</b>	<b>MATTER RESERVED TO THE COUNCILS</b>
<b>KEY THEMES</b>			
1. Approval and adoption of the JWA Business Plan			<b>Yes</b>
2. Approval and adoption of any updated JWA Business Plan save to the extent any such update amount to a material change to the prevailing JWA Business Plan (in which case the decision to approve and adopt such updated JWA Business Plan shall be a "Matter Reserved To The Councils")		Yes	
3. Approval and adoption of the Annual Business Plans and any updated Annual Business Plan		Yes	
4. Taking action outside of the parameters of the JWA Business Plan or any Annual Business Plan(s) for specific Programme Themes or approved projects agreed in the JWA Business Plan which shall include the number and scope of projects to be developed in order to provide an overall regional benefit to the Cardiff Capital Region		Yes	
<b>ESTABLISHMENT OF A FUND</b>			
5. Agreeing the legal structure of the Cardiff Capital Region Wider Investment Fund (e.g. a separate corporate entity established as a company or LLP, a Limited Partnership or a Block of Finance / Accountable Body arrangements)		Yes	
6. Agreeing the number of, size of and scope of any investment fund(s) within the scope of the Annual Budget set out in Clause 12.4 (Annual Budget)		Yes	
7. Agreeing any governance documentation		Yes	
8. Agreeing the investment criteria and investment policy to determine when		Yes	

DECISION	REGIONAL PROGRAMME DIRECTOR MATTER	JOINT COMMITTEE MATTER	MATTER RESERVED TO THE COUNCILS
investments should be made and their prioritisation			
9. Procuring and appointing a fund manager		Yes	
<b>FUNDING AND EXPENDITURE</b>			
10. Agreeing any increase to the Affordability Envelope			<b>Yes</b>
11. Approval of any increase to the Council Contribution above the £120,000,000 (one hundred and twenty million pounds) provided for under Clause 12.5.3 (Councils' Contribution)			<b>Yes</b>
12. Agreeing any extension of time beyond the six (6) month timescale set out under Clause 2.3 (Conditions Subsequent) to allow the Councils further time to approve any Welsh Government Funding conditions		Yes	
13. Waiver of any Condition Subsequent pursuant to Clause 2.3 (Conditions Subsequent)		Yes	
14. Approval of any disproportionate Internal Costs pursuant to Clause 12.2.2 (Commitment of the Councils and Contributions)		Yes	
15. Approval of expenditure within the approved Annual Budget of the Accountable Body held on behalf of the Councils set out in Clause 12.4 (Annual Budget)	Yes		
16. Approval of the Annual Budget pursuant to Clause 12.4.1(b) (Annual Budget)		Yes	
17. Approval of additional expenditure up to of 5% (five per cent) of the approved Annual Budget of the Accountable Body held on behalf of the Councils set out in Clause 12.4 (Annual Budget)		Yes	
18. Agreeing the form of the Gateway Reviews		Yes	
19. Agreeing any Welsh Government Funding conditions		Yes	
20. Approval of whether some of the HMT Contribution capital funding can be used as revenue pursuant to Clause 12.5.2(b)(v) (HMT		Yes	

DECISION	REGIONAL PROGRAMME DIRECTOR MATTER	JOINT COMMITTEE MATTER	MATTER RESERVED TO THE COUNCILS
Contribution)			
21. Entering into (or agreeing to enter into) any borrowing arrangement on behalf of the Joint Committee and/or giving any security in respect of any such borrowing		Yes	
22. Accepting terms and conditions in relation to any third party funding for the City Deal		Yes	
<b>GENERAL</b>			
23. Replacement of the Accountable Body pursuant to Clause 4.2		Yes	
24. Establishment of a sub-committee pursuant to this Agreement and determining their terms of reference and scope of delegation.		Yes	
25. Making any variations to or waiving any rights to or terminating any contracts signed by Councils / the Accountable Body (other than this Agreement) which are material to the City Deal.		Yes	
26. Amendments to the terms of this Agreement		Yes	
27. The engagement of (and terms of engagement of) any individual person as a consultant where the value of the appointment does not exceed £50,000 per Accounting Period	Yes		
28. Commencing any claim, proceedings or other litigation brought by or settling or defending any claim, proceedings or other litigation brought against the Joint Committee or individual Council in relation to the City Deal, except in relation to debt collection in the ordinary course of business.		Yes	
29. Making any announcements or releases of whatever nature in relation to the Joint Committee and the City Deal		Yes	
30. Appointment of Regional Programme Director		Yes	
31. Any other matters not covered in this Schedule 1 (Delegations Policy)		Yes	



## Schedule 2

### TERMS OF REFERENCE

#### PART 1

#### JOINT COMMITTEE TERMS OF REFERENCE

##### Aims/Purpose

1. To oversee the progress the City Deal and to give strategic direction.
2. The Joint Committee will be the key body to oversee the City Deal and to represent the interests of the Councils and its stakeholders. The Joint Committee will also be responsible for monitoring project progress and managing the political dimensions of the City Deal.
3. It is recommended that the Joint Committee will carry out the following functions:
  - Determine the form of and number of fund(s) to deliver the City Deal.
  - Agree key projects to deliver the City Deal excluding the South East Wales Metro Scheme
  - Provide strategic direction to the Regional Programme Director (to include approval of remit for the Regional Programme Director and approval of any resourcing issues)
  - Act as a representative for each of the Councils to ensure consistency with individual objectives and visions
  - Monitor performance, management and working arrangements (to include the necessary audit and assurance checks)
  - Ensure that sufficient resources are committed to the City Deal
  - Arbitrate on any conflicts within the programme or negotiate a solution to any problems between the programme and external bodies
  - Communicate and provide progress on strategic issues within the City Deal
  - Promote partnership working between the Councils
  - Publish annual governance statement and Annual Accounts in accordance with the Assurance Framework
  - Liaise with other City Deal partners across the United Kingdom to share best practice and ensure a co-ordinated strategic approach

##### Terms

4. At the start of the City Deal, to agree:
  - The project plan to include key themes and funds to be progressed
  - Decision-making process prior to making recommendations to Cabinet
5. During the planning and development stages, to:
  - Review project status against the project plan
  - Monitor the management of project budget, risks and quality
  - Promote and support the project among relevant stakeholders and where appropriate obtain their consent.
  - Seek to resolve disputes where these cannot be resolved satisfactorily through other means
  - Ensure that the proposals are affordable and deliver maximum value for money for the public sector.

## **Procurement of contracts for goods, works or services**

6. Where the Joint Committee is procuring any goods, works or services, at the start of a procurement, the Joint Committee shall agree:
  - Measures against which the benefits realisation should be measured
  - Arrangements for quality assurance and risk management
  - Arrangements for communications
  - Arrangements for procurement launch for specific projects (where appropriate)
  
7. As the procurements progress, to:
  - Review the project status against the project plan
  - Monitor the management of procurement budget, risks and quality
  - Agree progression through key stages (eg including but not limited to issue of the OJEU, pre-qualification stage and preferred bidder stage) and obtain all associated 'sign-offs'.
  - Agree draft procurement documents
  - Agree the process for evaluating bids and the detailed evaluation criteria and scoring
  - Report to the Cabinet on the progress of the procurement
  - Act as the ambassadors for the procurement and the project it facilitates
  
8. At the end of the procurement, to:
  - Ensure that the expected products have been delivered satisfactorily
  - Ensure that the pre contract risk review is completed
  - Agree any financial business cases and recommend it to Cabinet
  - Recommend award of contract to Cabinet and obtain all final 'sign-offs'.

**PART 2**

**PROGRAMME BOARD TERMS OF REFERENCE**

**To be finalised and inserted by agreement of the Councils as a Joint Committee Matter**

DRAFT

**Schedule 3**

**COUNCILS' AND REGIONAL PROGRAMME DIRECTOR'S DETAILS**

<b>RECIPIENT'S NAME</b>	<b>ADDRESS</b>	<b>EMAIL</b>
Blaenau Gwent Council: Managing Director	Municipal Offices, Civic Centre, Ebbw Vale, Gwent, NP23 6XB	Stephen.Gillingham@blaenau- gwent.gov.uk
Bridgend Council: Chief Executive	Civic Offices, Angel Street, Bridgend, CF31 4WB	darren.mepham@briegend.gov.uk
Caerphilly Council: Chief Executive	Penallta House, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG	chrisburns@carerdphilly.gov.uk
Cardiff Council: Chief Executive	County Hall, Atlantic Wharf, Cardiff, CF10 4UW	paul.orders@cardiff.gov.uk
Merthyr Tydfil Council: Chief Executive	Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN	chief.executive@merthyr.gov.uk
Monmouthshire Council: Chief Executive	Croesyceilog, Cwmbran, NP4H	PaulMatthews@monmouthshire.gov. uk
Newport Council: Chief Executive	Civic Centre, Newport, NP20 4UR	will.gogfrey@newport.gov.uk
Rhondda Cynon Taf Council: Chief Executive	The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2X	christopher.d.bradshaw@rctcbc.gov. uk
Torfaen Council: Chief Executive	Civic Centre, Pontypool, NP4 6YB	alison.ward@torfaen.gov.uk
The Vale of Glamorgan County Borough Council: Managing Director	Civic Offices, Holton Road, Barry, CF63 4RU	drthomas@valeofglamorgan.gov.uk
Regional Programme Director	Civic Offices, Angel Street, Bridgend, CF31 4WB	Sheila.Davies@bridgend.gov.uk

## Schedule 4

### HEADS OF EXPENDITURE

1. The following is a non-exhaustive list of the heads of expenditure that may be incurred by the Councils in the City Deal:-
  - 1.1 **"Internal Costs"** means the costs associated with each Council providing internal Council resources in relation to the City Deal which includes but is not limited to:
    - 1.1.1 Staffing costs and associated overheads
    - 1.1.2 Project management / technical & admin support
    - 1.1.3 Communications
    - 1.1.4 costs incurred in respect of managing FOIA requests pursuant to Clause 22 (Freedom of Information and Environmental Information)
  - 1.2 **"Joint Committee Costs"** means the operational and management costs of the Joint Committee which includes but is not limited to
    - 1.2.1 Staffing costs and associated overheads
    - 1.2.2 Project management / technical & admin support
    - 1.2.3 Communications
    - 1.2.4 Translation Costs
  - 1.3 For the avoidance of doubt, Internal Costs and Joint Committee Costs do not include any revenue costs or capital investment relating to the implementation of any project pursuant to an Annual Business Plan.



**Schedule 5**

**ACCOUNTING PERIODS**

The initial Accounting Period shall be the date of this Agreement until 31st March and thereafter shall be as follows:

<b>Start of Accounting Period</b>	<b>End of Accounting Period</b>
1 April	30 June
1 July	30 September
1 October	31 December
1 January	31 March

DRAFT

**Schedule 6**

**LIABILITY REPORT**

The Liability Report shall include (but shall not be limited to) irrecoverable expenditure incurred and committed in relation to the following:

	<u>Amount</u> (all figures in round pounds)
Any committed costs including but not limited to those set out in Clause 15.5 (Withdrawal)	
Procurement Costs	
Costs associated with delays and having to revisit any procurements (including but not limited to the cost of legal, financial and technical advice)	
Land costs – costs associated with identifying and procuring land	
Staff costs (and associated overheads) in progressing the scheme:-  a) Consultancy / Advisors fees  b) Internal Project Management and monitoring  c) Internal Professional advice	
All other reasonable and properly incurred costs and losses (to include the cost of preparing the Liability Report)	
Any costs, claims and damages arising from any third parties in respect of any costs relating to any delay or arising from the termination	

Certified Correct \_\_\_\_\_  
(Signed)

\_\_\_\_\_  
(Date)

# Cardiff Capital Region City Deal

## Executive Summary

1. Cardiff Capital Region has secured a deal worth £1.2 billion. Over its lifetime, local partners expect the City Deal to deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment.

2. This City Deal will provide local partners with the powers and the resources to unlock significant economic growth across the Cardiff Capital Region. It is a deal that builds on the region's sectoral strengths, its high skill base and three successful universities. The City Deal also provides an opportunity to continue tackling the area's barriers to economic growth by: improving transport connectivity; increasing skill levels still further; supporting people into work; and giving businesses the support they need to innovate and grow.

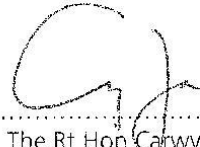
3. This deal will also develop stronger and more effective leadership across the Cardiff Capital Region, enabling ten local authority leaders to join up decision making, pool resources and work more effectively with local businesses.

4. The Cardiff Capital Region City Deal includes:

- **£1.2 billion investment in the Cardiff Capital Region's infrastructure.** A key priority for investment will be the delivery of the South East Wales Metro, including the Valley Lines Electrification programme.
- **Connecting the region.** The Cardiff Capital Region will establish a new non-statutory **Regional Transport Authority** to co-ordinate transport planning and investment, in partnership with the Welsh Government.
- **Support for innovation and improving the digital network.** To develop capabilities in Compound Semiconductor Applications the UK Government will invest £50 million to establish a new Catapult Centre in Wales. The Cardiff Capital region will also prioritise investment in research and development and provide support for high value innovative businesses.
- **Developing a skilled workforce and tackling unemployment.** The Cardiff Capital Region Skills and Employment Board will be created (building on existing arrangements) to ensure skills and employment provision is responsive to the needs of local businesses and communities. The Cardiff Capital Region and the Welsh Government will work with the Department of Work and Pensions to co-design the future employment support from 2017, for people with a health condition or disability and/or long term unemployed.
- **Supporting enterprise and business growth.** A Cardiff Capital Region Business Organisation will be established to ensure that there is a single voice for business to work with local authority leaders.
- **Housing development and regeneration.** The Welsh Government and the Cardiff Capital Region commit to a new partnership approach to strategic planning. This will ensure the delivery of sustainable communities, through the use and re-use of property and sites.

Our signing of this document, subject to relevant council approvals, confirms our joint commitment to ensure full implementation of the Cardiff Capital Region City Deal proposed by: City of Cardiff Council; Blaenau Gwent County Borough Council; Bridgend County Borough Council; Caerphilly County Borough Council; Merthyr Tydfil County Borough Council; Monmouthshire County Council; Newport City Council; Rhondda Cynon Taff County Borough Council; Torfaen County Borough Council; and Vale of Glamorgan Council.

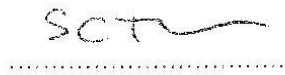
  
 The Rt Hon Stephen Crabb  
 Secretary of State for Wales

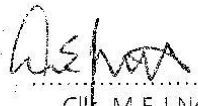
  
 The Rt Hon Carwyn Jones  
 First Minister of Wales


  
 Cllr. Phil Bale  
 Leader of City of Cardiff  
 Council

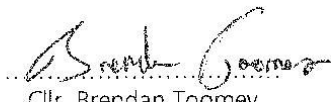
  
 The Rt Hon Greg Hands  
 Chief Secretary to the  
 Treasury

  
 Jane Hutt  
 Minister for Finance and  
 Government Business  
 Welsh Government

  
 Cllr. Steve Thomas  
 Leader of Blaenau Gwent  
 County Borough Council

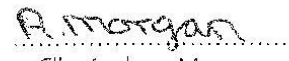
  
 Cllr. M E J Nott OBE  
 Leader of Bridgend County  
 Borough Council

  
 Cllr. Keith Reynolds  
 Leader of Caerphilly County  
 Borough Council


  
 Cllr. Brendan Toomey  
 Leader of Merthyr Tydfil  
 County Borough Council

  
 Cllr. Peter Fox  
 Leader of Monmouthshire  
 County Council

  
 Cllr Bob Bright  
 Leader of Newport City  
 Council

  
 Cllr. Andrew Morgan  
 Leader of Rhondda Cynon  
 Taff County Borough  
 Council

  
 Cllr. Robert Wellington CBE  
 Leader of Torfaen County  
 Borough Council

  
 Cllr. Neil Moore  
 Leader of Vale of  
 Glamorgan Council

## Introduction

5. The Cardiff Capital Region is comprised of ten local authorities: Blaenau Gwent; Bridgend; Caerphilly; Cardiff; Merthyr Tydfil; Monmouthshire; Newport; Rhondda Cynon Taff; Torfaen; and Vale of Glamorgan. It is the largest city-region in Wales and accounts for approximately 50% of the total economic output of the Welsh economy, 49% of total employment and has over 38,000 active businesses.

6. The Cardiff Capital Region is an area where people want to live and work. With two cities (Cardiff and Newport) at its core, the region has seen significant regeneration and investment over recent decades. Cardiff, as the capital city, is now dynamic, fast growing and forecast to have a higher population growth rate over the next 20 years than any other city in the UK.

7. The area is home to a range of competitive business clusters with significant international and indigenous businesses across sectors such as: financial services; creative and digital industries; advanced manufacturing; life sciences; energy; and energy supply. These business clusters are serviced through a wide and supportive ecosystem. This ecosystem contains a thriving higher education sector which includes Cardiff University, Cardiff Metropolitan University and the University of South Wales..

8. However, despite these strengths, numerous challenges remain. Gross Value Added, which is a measure of goods and services produced in an area, is lower than all but one of the English Core City Regions. There are also connectivity issues across the region which makes it more difficult for people in Valley's communities to access economic opportunities.

9. Recognising these opportunities and challenges all the signatories to this deal are working together to realise the vision for the Cardiff Capital Region, which is to: *“work together to improve the lives of people in all our communities. We will maximise opportunity for all and ensure we secure sustainable economic growth for future generations”*. This City Deal provides local partners with further powers and tools to realise this vision.



## Key Elements of the Deal

### Cardiff Capital Region Investment Fund

10. This City Deal sets out a transformative approach in how the Cardiff Capital Region will deliver the scale and nature of investment needed to support the area's growth plans. Central to this will be the development of a 20 year £1.2 billion Investment Fund, which the Cardiff Capital Region will use to invest in a wide range of projects.

11. Both the UK and Welsh Government are contributing £500 million to this fund respectively. The Welsh Government funding will be provided over the first seven years of the Investment Fund, from 2016/17 to 2022/23. The ten local authorities in the Cardiff Capital Region will contribute a minimum of £120 million over the 20 year period of the Fund. In addition, over £100m from the European Regional Development Fund has been committed to delivering the City Deal.

12. The Cardiff Capital Region believes investments in these areas will deliver up to 25,000 new jobs and bring forward at least £4 billion of additional investment from local partners and the private sector by 2036.

### South East Wales Metro

13. A key priority, which the City Deal Investment Fund will support, is the delivery of the South East Wales Metro. The scheme has the potential to provide a significantly improved public transport system that will transform the way people travel around the region.

14. Given the importance of the Metro to the UK Government, Welsh Government and Cardiff Capital Region, a proportion of the Investment Fund will be pre-allocated to the delivery of this scheme. This pre-allocation focuses on both phases of the wider Metro scheme. These are:

- The delivery of the Valley Lines Electrification programme. This City Deal reconfirms the continued shared ambition of both Government's and the Cardiff Capital Region to deliver this element of the wider Metro scheme. £325 million of the £1.2 billion Investment Fund has already been committed to the delivery of this scheme (£125 million from the UK Government, £94 million from the Welsh Government and £106 million from the European Regional Development Fund).
- The delivery of the wider South East Wales Metro scheme. The Welsh Government will pre-allocate over £400m further funding from the Investment Fund to deliver the wider ambitions around the Metro scheme, which is the subject of ongoing design work. As part of this City Deal the Welsh Government commits to involving the Cardiff Capital Region in the co-design of the wider Metro scheme and in the procurement of a delivery organisation.

15. The Department for Transport will agree the arrangements for making the agreed contribution to the Valley Lines Electrification project with the Welsh Government.

The Welsh Government will agree with the local authorities the arrangements for managing the funding of the Metro scheme, and how it interacts with funding for additional Metro investments delivered through this City Deal.

### **Wider Investment Priorities**

16. The remaining element of the Investment Fund will be used to take forward a wide range of projects and schemes that support economic growth across the Cardiff Capital Region. Decisions on the prioritisation of these schemes will be taken by the Cardiff Capital Region Cabinet. Schemes taken forward could include: further transport schemes; investment to unlock housing and employment sites; and development of research and innovation facilities.

### **Investment Fund Assurance Framework**

17. The ten local authorities across the Cardiff Capital Region commit to writing and adopting an assurance framework for this Investment Fund. This will be agreed by the UK and Welsh Government. By adopting the assurance framework prior to the commencement of the Investment Fund, the Cardiff Capital Region will ensure that schemes that are taken forward (outside of the South East Wales Metro which will be subject to a separate assessment against an assurance framework) represent good value for money and are underpinned by a robust business case.

18. This assurance framework will be based on existing best practice from the UK Government and Welsh Government. In addition the framework will also draw upon any local best practice for managing investment decisions across the Capital Region. Key elements that the assurance framework will include are:

- purpose, structure and operating principles of the framework;
- arrangements to ensure value for money and effective delivery through strong project development, project and options appraisal, prioritisation, and business case development;
- a description of the arrangements for supporting the effective delivery and implementation of projects and schemes, including relationships with delivery bodies; and
- arrangements which enable effective and meaningful engagement of local partners and the public in the investment decisions taken and subsequent scrutiny of these decisions.

### **Investment Fund Gateway Assessments**

19. Cardiff Capital Region will be required to evaluate the impact of the Investment Fund in order to unlock funding that has not been pre-allocated to the South East Wales Metro programme. This will be comprised of gateway assessments every five years. To underpin these gateway assessments, an independent review will be commissioned to evaluate the economic benefits and economic impact of the investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Cardiff Capital Region, but agreed at the outset with the UK Government. The next five year tranche of funding will be unlocked if the UK and Welsh Governments are satisfied

that the independent assessment shows the investments to have met key objectives and contributed to national growth.

### **Local Authority Borrowing**

20. Throughout the course of the City Deal programme the ten Cardiff Capital Region local authorities will be responsible for financing the capital investment programme. The difference in the profile between the proposed investment and the capital grant funding may require a local authority or authorities to borrow to fund any difference in expenditure and grant. The cost of any external borrowing is the responsibility of the relevant local authority or local authorities and is to be managed in accordance with prudential principles – it must be prudent, affordable and sustainable.

21. In a scenario where a future Investment Fund Gateway is not achieved, leading to any reduction or cessation of City Deal grant, then it will be the responsibility of individual local authorities within the Cardiff Capital Region to manage the financial impact of this within their local authority budget, utilising reserves or surpluses as required.

### **Additional Flexibilities**

22. In order to deliver the Cardiff Capital Region's City Deal commitments and a longer-term economic strategy, the ten local authorities have requested greater financial autonomy and flexibility. As part of this City Deal the Welsh Government will explore with the Cardiff Capital Region:

- the devolution of business rate income above an agreed growth baseline to provide funding for the City Deal programme;
- providing the ability to levy an infrastructure supplement;
- creating the option for the local authorities to use alternative finance sources; and
- removing conditions around some specific Welsh Government grants, to allow funding to be pooled at the regional level in areas such as school support and interventions that seek to address poverty.

### **Connecting the Cardiff Capital Region**

23. Transport has a key role in delivering economic growth and improving outcomes for people by connecting communities, business, jobs, facilities and services. However across the Capital Region there are significant congestion and transport capacity issues that need to be addressed. The City Deal Investment Fund and South East Wales Metro will make a significant contribution to improving transport connectivity.

24. In addition to this investment the Cardiff Capital Region will establish a new non-statutory Regional Transport Authority to co-ordinate transport planning and investment, in partnership with the Welsh Government. The Cardiff Capital Region Transport Authority will be responsible for:

- pooled local transport resources;
- regional planning for the local transport network;

- working with Transport for Wales to ensure objectives for transport investment are aligned;
- exploring the creation of a single integrated ticketing platform for public transport across the Cardiff Capital Region;
- working in partnership with the Welsh Government to define the priorities of the South East Wales Metro concept and to support its delivery; and
- working in partnership with the Welsh Government to promote the development of integrated aviation routes from Cardiff Airport and St Athan Enterprise Zone, to deliver economic benefit.

## **Investing in Innovation and the Digital Network**

25. The Cardiff Capital Region has an aspiration to extend the “arc of innovation” that runs along the M4 corridor into the Cardiff Capital Region. Capitalising on the research strengths of the Region’s three universities, the Cardiff Capital Region will designate an “Innovation District” that helps to: create and nurture new high growth businesses; increases investment in research and development; and provides the skills that businesses need now and in the future.

### **Developing the Compound Semiconductor Sector**

26. To transform the UK’s capability, and help position Cardiff as the European leader in Compound Semiconductor applications, the UK Government will invest £50 million to establish a new Catapult in Wales. This new Catapult will complement the work of other organisations in Wales who are already working in this important area, including the Compound Semiconductor Institute at Cardiff University and the Compound Semiconductor Centre, a joint venture between Cardiff University and IQE.

27. Recognising this opportunity, the Cardiff Capital Region will prioritise interventions that support the development of an internationally-competitive Compound Semi- Conductor cluster. Local partners believe that this will put the UK at the heart of an emerging global growth technology.

### **Innovation Investment**

28. To accelerate the growth of innovation and facilitate investment in research and development, the Cardiff Capital Region will seek to prioritise:

- mechanisms to support high growth sectors;
- the development of new facilities and employment sites;
- new approaches to public service delivery;
- the Software Academy in Newport and related programmes across the Capital Region;
- investment in intellectual property creation and commercialisation;
- adding value and complimenting existing innovation support; and
- developing a cyber-security academy with the University of South Wales.

### **Innovate UK**

29. Innovate UK is now planning to increase its footprint and presence in Wales, in order to: raise the awareness and engagement in Innovate UK programmes and activities; to strengthen its links with business, universities and other key partners; and to work with the Welsh Government to promote and support innovation.

## **Data**

30. Cardiff Capital Region commits to developing proposals for how better and more flexible use of data could be used to drive innovation across the public sector and within the wider economy. The Cardiff Capital Region will present a clear case to the UK Government for how a different approach to the use of specific data would improve service delivery and would benefit particular groups.

## **The Digital Network**

31. Innovation will also be a central theme within the Cardiff Capital Region's ambition to deliver an outstanding digital infrastructure and wider ecosystem to support economic growth. To continue to build on investments in next generation broadband, and the Region's reputation as one of the fastest growing tech hubs in the UK, the Cardiff Capital Region will prioritise:

- exploring the case for direct international connectivity;
- the mobile infrastructure across 4G and 5G technologies that add value to existing provision;
- increasing Wi-Fi services across public transport;
- digital solutions to solve the big problems, such as smart housing, citizen payments and open data challenges; and
- facilitating collaboration between stakeholders to identify and exploit opportunities.

## **Developing a Skilled Workforce and Tackling Unemployment**

32. This City Deal will improve the co-ordination and delivery of skills and employment support across the Capital Region. It will help to increase the number of people moving into work (including those that have been out of work for a long time), increase the number of people undertaking an apprenticeship or other relevant skills provision and give people the skills they need to compete in a global employment market.

### **The Cardiff Capital Region Skills and Employment Board**

33. To ensure skills provision is adapted to local economic and social needs and provides the best value for money, the Cardiff Capital Region will strengthen the existing Learning, Skills and Innovation Partnership. This will be re-launched in 2016 as the Cardiff Capital Region Skills and Employment Board.

34. The Partnership will represent a wide range of stakeholders, including: business bodies; higher and further education; local authorities and the Welsh Government.

It will be responsible for:

- Cardiff Capital Region's skills and worklessness strategy;
- pooled local authority skills resource;
- producing an annual regional plan for employment and skills. This annual plan, led by industry, will set out how both the existing skills needs of businesses and the Capital Region's future skills challenges will be addressed;



- influencing and monitoring the delivery and impact of employment and skills programmes across the Region;
- ensuring an industry led approach to the design and delivery of apprenticeship programmes meets the needs of both business and apprentices;
- supporting the Welsh Government’s “Curriculum for Wales, Curriculum for Life” plan, by encouraging closer alignment between future employer skills needs and education provision across the region; and
- ensuring European Union funding investments in skills and employment add value and align with other programmes.

## **Work and Health Programme**

35. Cardiff Capital Region and the Welsh Government will work with Department for Work and Pensions to co-design future employment support from 2017, for people with a health condition or disability and/or long term unemployed<sup>1</sup>, many of whom are currently referred to the Work Programme and Work Choice.

36. The respective roles of the Department for Work and Pensions and Cardiff Capital Region in the co-design include:

- Department for Work and Pensions setting the funding envelope; however Cardiff Capital Region and the Welsh Government can top up this if they wish, but are not required to.
- Cardiff Capital Region and the Welsh Government setting out how they will join up local public services in order to improve outcomes for this group.
- Department for Work and Pensions setting the high level performance framework, ensuring support appropriately reflects labour market issues. The primary aim will be to reduce unemployment and move people into sustained employment.
- Cardiff Capital Region (working with the Welsh Government) will have input into determining specific local outcomes that reflect their labour market priorities, however these outcomes should be complementary to the ultimate employment outcome. In determining any local outcome(s) Cardiff Capital Region and the Welsh Government will work with the Department for Work and Pensions to take account of the labour market evidence base and articulate how these will both fit within the wider strategic and economic context and deliver value for money.

37. Before delivery commences the Department for Work and Pensions, Cardiff Capital Region and the Welsh Government will set out an agreement covering the respective roles of each party in the delivery and monitoring of the support. This will include a mechanism by which each party can raise and resolve any concerns that arise.

38. The Department for Work and Pensions sets the contracting arrangements, including contract package areas, but should consider any proposals from Cardiff Capital Region on contract package area geography.

39. Providers will be solely accountable to the Department for Work and Pensions, although Cardiff Capital Region and the Welsh Government will be involved in the tender evaluation.

40. The Department for Work and Pensions and Cardiff Capital Region will develop a mechanism by which Cardiff Capital Region (working with the Welsh Government) can escalate to the Department for Work and Pensions any concerns about provider performance/reaching local agreements and require the Department for Work and Pensions to take formal contract action where appropriate.

## Supporting Enterprise and Business Growth

41. The Cardiff Capital Region is committed to improving the co-ordination of local and national business support arrangements. This includes working in partnership with the Welsh Government to address identified barriers to growth, support spatial and sectoral priorities and to target emerging opportunities for driving economic performance.

### The Cardiff Capital Region Business Organisation

42. Local partners recognise that ensuring there is a strong business voice to guide both the design and delivery of business support across the region will be critical.

43. Therefore working with public sector partners, the business community, and representative bodies, Cardiff Capital Region will establish a Cardiff Capital Regional Business Organisation. This organisation will provide a clear business voice that will influence and shape business support programmes. In creating the Board, a mapping and consultation process will be undertaken with existing advisory Boards operating within the Region. This will ensure roles and remits are complimentary and add value. The Board will be responsible for:

- articulating the regional needs of business;
- identifying regional priorities for existing business support services; and
- designing future business support programmes.

44. Membership will be drawn from across a range of sectors and interests, including social enterprises and mutuals. A joint Confederation of British Industry, Federation of Small Business, Institute of Directors and South Wales Chamber of Commerce statement outlined the underlying principles for the Business Organisation. The final structure will be designed by the Cardiff Capital Region business community.

### Integration of Local Business Support Services and Resources

45. To ensure that relevant business support and promotional activities are delivered at the Capital Region level, local resources will be aligned to create an Integrated Delivery Unit. This unit will deliver regionally significant aspects of economic development. This includes: business development; marketing; tourism; and inward investment.

46. The Integrated Delivery Unit, working in collaboration with the Welsh Government and the proposed Regional Business Organisation, will ensure that any new business support provision complements existing national initiatives. In addition, through this collaborative approach, the Welsh Government is committed to working with the Cardiff Capital Region to explore where existing business support provision can be built on or expanded, whilst avoiding duplication. A number of existing programmes (for example Business Wales, which offers a one stop shop advice and referral service to SMEs and Entrepreneurs) have already been designed through consultation with industry and have the potential to be aligned with identified regional needs and priorities.

47. Further to this, the Welsh Government is also committed to working in partnership with the Cardiff Capital Region to promote the area at a global level. As part of this, the Welsh Government will ensure greater levels of visibility with the Welsh Government's own overseas offices. In addition the Welsh Government will

continue to work closely with UK Trade and Investment to ensure that its propositions are promoted and co-ordinated across the UK Trade and Investment overseas post network.

## Housing Development and Regeneration

48. Delivering an increase in house building across the Cardiff Capital Region will help to address critical housing shortages especially for first time buyers and those unable to join the 'housing ladder'. House building is also a critical element of the economy as it: stimulates demand within the supply chain during construction and through purchases by the eventual occupiers; contributes to a more balanced regional planning framework; and is a major employer in its own right.

49. The City Deal presents a unique opportunity for the ten local authority areas to come together to develop and deliver a strategic approach to housing, regeneration and economic growth which will create an accessible, liveable, 'worklife integrated' and highly connected Capital Region. To support this ambition the Cardiff Capital Region will:

- Commit to the development of a partnership between the Cardiff Capital Region and the Welsh Government to take a strategic and balanced approach to housing and regeneration, focussing development on where it is most needed – in a regional and coordinated way.
- Ensure that new housing is linked to the delivery of sustainable and balanced communities, through the re-use of property and sites. Further, both the Welsh Government and Cardiff Capital Region will ensure that proposals to improve the efficiency and quality of the housing stock are aligned with other regeneration outcomes.
- Establish a collective way of working, for example, through an asset development vehicle to progress speculative opportunities for potential Cardiff Capital Region regeneration ventures.
- Develop an integrated public-private housing offer, with clarity over tenure, mix type, design and affordability with prototyping for 'settlements of the future'.
- Utilise innovation in local procurement to secure supply chain benefits, local labour and other social clauses to maximise value.
- Establish the delivery of renewable energy-led regeneration and housing programmes and ensure the principles of 'clean-tech' are anchored within physical development initiatives. This will contribute to ensuring 'futureproofing' and creation of new supply chain networks.
- Engage the affordable housing sector providers in the region as one network. Working with Cardiff Capital Region this network will develop a regional "Housing Plus" strategy in which added value benefits such as training construction apprenticeships, energy resilience and job creation are clearly set out and adopted. This will provide a framework against which site regeneration schemes can be prioritised for investment.

50. In both the planning and delivery of new housing and regeneration projects, the Cardiff Capital Region will ensure that there is alignment to current Welsh Government programmes including Creating Vibrant and Viable Places – the Welsh Government's regeneration framework and increasing the supply and standards of housing.

## Cardiff Capital Region Governance

51. The ten local authority partners of the Cardiff Capital Region City Deal have agreed to establish governance model that:

- complies with the existing statutory framework that exists in Wales to deliver this City Deal;
- strengthens and streamlines the existing governance and partnership arrangements across the Capital Region;
- improves business involvement in local decision making;
- provides confidence and assurance to both the UK and Welsh Government that the local authority leaders are making decisions which will drive economic growth across the Capital Region; and
- enables local authorities to explore with the Welsh Government alternative governance arrangements in the medium term.

### Cardiff Capital Region Cabinet

52. Utilising the existing statutory framework, the ten local authorities will establish a Cardiff Capital Region Cabinet. The Cabinet will have the status of a Joint Committee and will be the ultimate decision making body in the governance structure.

53. The establishment of a Capital Region Cabinet will be the first step in the development of greater city-region governance across the Cardiff Capital Region. The Cabinet, which will comprise the ten participating local authorities, will provide the basis for initial decision making regarding the Investment Fund. In addition the Cardiff Capital Region Cabinet will be responsible for:

- management of the Cardiff Capital Region Investment Fund;
- additional devolved funding provided to the Capital Region;
- the Cardiff Capital Region Transport Authority;
- contracting with Transport for Wales on prioritised Metro projects;
- control over devolved business rate income above an agreed growth forecast, subject to Welsh Government agreement;
- strategic planning including housing, transport planning and land use;
- influencing skills and worklessness programmes;
- an Inward investment and marketing strategy; and
- considering the scope for strengthening Capital Region governance further.

54. A comprehensive agreement will be drawn up between the participating authorities which will bind and commit each individual local authority and any successor authority (in the event of local government re-organisation) for such duration as is necessary to deliver the City Deal. The agreement will also allow for the possibility of additional functions and powers to be devolved to the Cabinet in the future.

55. The Cardiff Capital Region commit to reviewing the City Deal governance and exploring the future options for moving to even stronger and effective governance that is legally binding. The review will include consulting the Welsh Government and the UK Government to identify actions needed to take forward future governance options.

### Strategic Regional Planning

56. The Cardiff Capital Region, in partnership with the Welsh Government, will commit to the creation of an integrated strategic development plan that incorporates housing and employment land-use with wider transport plans. The strategic plan will provide the underpinning blue-print for development across the city-region.

### **Cardiff Capital Region Economic Growth Partnership**

57. A Cardiff Capital Region Economic Growth Partnership will be established to bring together business, higher education and local government. The partnership would be responsible for setting the overarching city-region economic development strategy, as well as monitoring and making recommendations to the Cabinet with regard to City Deal implementation. The partnership will have a specific role to provide advice on investment decisions. This will ensure the City Deal and other interventions make an impact on economic growth and increase employment.

58. The Partnership's membership and terms of reference will be established using the best international practice such as the Danish Growth Forums, as well as the Local Enterprise Partnership model in England and the Economic Leadership Board established in Glasgow.

### **Independent Growth and Competitiveness Commission**

59. The Cardiff Capital Region will establish an independent Growth and Competitiveness Commission to support the city region's economic and investment strategy. It will review activities related to the City Deal as well as wider economic and growth interventions.

60. The Commission's first task will be to review the evidence about the functional economic area and advise how best to generate Gross Value Added growth and support the ambitions of a dynamic capital region.

61. The Commission will be jointly established by the ten local authorities that comprise the Cardiff Capital Region in consultation with the Welsh and UK Governments.

62. The Commission will examine the challenges and opportunities for economic growth and competitiveness and make recommendations for how the Cardiff Capital Region can achieve its full growth potential.

### **Delivery, Monitoring and Evaluation**

63. Cardiff Capital region will work with the UK Government and the Welsh Government to develop an agreed implementation, monitoring and evaluation plan in advance of implementation, which sets out the proposed approach delivery and evaluating the impact of delivery.

64. The Cardiff Capital Region City Deal will be monitored by the Joint Cabinet. The joint programme management team will provide the Cabinet, the UK Government and the Welsh Government with quarterly performance report that will:

- highlight City Deal successes;
- provide a performance narrative for each element of the City Deal against agreed implementation plan timescales;
- provide information on outputs and outcomes agreed;
- identify mitigating actions for projects and programmes that are not being delivered to agreed timescales.



65. The UK Government and Welsh Government will work with the Cardiff Capital Region to agree a timetable for the production of these reports and will convene regular progress meetings.

66. The Cardiff Capital Region commit to recognising the “City Deal” in promoting and branding investments made as a result of this Deal. This includes acknowledging the UK Government equally alongside other funding partners. The Cardiff Capital Region may wish to explore a single unique brand identity that represents the whole Capital Region area and all the partners involved in delivering the City Deal.

DRAFT

Cardiff  
Capital  
Region  
**City Deal**

**Cytundeb  
Dinesig**  
Prifddinas  
Ranbarth  
Caerdydd

**Cardiff Capital Region City Deal  
Wider Investment Fund  
Assurance Framework**

**January 2017**

**DRAFT FOR CIRCULATION**

## Version 2 – created on 19 January 2017

### Document Control

#### Change History

Version Number	Date	Author	Change	Status
1	22/11/16	Sian Workman – Project Manager	Formatting	D/NS
1.1	19/12/16	John Duddridge – CCRPB Project Manager	Co-author/reviewer/editor	D/NS
1.2	20/12/16	Sian Workman – Project Manager	Final edit	DRAFT/For Circulation
1.3	10/01/17	John Duddridge – CCRPB Project Manager	Co-author/reviewer/editor	D/NS
1.4	11/01/17	Sian Workman – Project Manger	Editing	D/NS
1.5	11/01/17	Sheila Davies – Programme Director	Editing	D/NS
1.6	12/01/17	Sian Workman – Project Manager	Editing	DRAFT/For Circulation
1.7	13/01/17	Sian Workman – Project Manager	Editing	D/NS
1.8	15/01/17	John Duddridge – CCRPB Project Manager	Co-author/reviewer/editor	D/NS
1.9	16/01/17	Sian Workman	Editing	DRAFT/For Circulation
2.0	19/01/17	Sian Workman	Final Edit	DRAFT/For Circulation

<b>Authorised by:</b>	<b>Date:</b>
Sheila Davies – Programme Director	19/01/17

#### Distribution

Name / Designation	Date
Shadow Regional Cabinet	19/01/17
CEX Board	19/01/17
Programme Board	19/01/17
UK/WG Officials	19/01/17

## Contents

<b>1</b>	<b><u>Introduction</u></b>	<b>64</b>
1.1	<u>What is an Assurance Framework?</u>	64
1.2	<u>Why does the CCRCDC need Assurance Frameworks?</u>	64
1.3	<u>Scope of the CCRCDC Wider Investment Fund Assurance Framework?</u>	64
1.4	<u>Who is the Assurance Framework for?</u>	65
1.5	<u>Approval and Monitoring of the Assurance Framework</u>	65
1.6	<u>What is covered in this Assurance Framework?</u>	65
<b>2</b>	<b><u>Governance and Decision Making</u></b>	<b>66</b>
2.1	<u>Geography of the Cardiff Capital Region</u>	66
2.2	<u>CCR City Deal Wider Investment Fund Governance Structure</u>	66
2.2.1	<u>The Cardiff Capital Regional Cabinet</u>	68
2.2.2	<u>The CCRCDC Regional Assurance Committee</u>	69
2.2.3	<u>The Regional Transport Authority</u>	69
2.2.4	<u>Advisory/Consultation Body – Regional Business Organisation</u>	70
2.2.5	<u>Advisory/Consultation Body – Regional Skills and Employment Board</u>	70
2.2.6	<u>Advisory/Consultation Body - Regional Economic Growth Partnership</u>	71
2.2.7	<u>Advisory/Consultation Body – Welsh Government</u>	71
2.2.8	<u>The Independent Growth and Competitiveness Commission</u>	72
2.2.9	<u>The Regional Office</u>	72
2.2.10	<u>The Cardiff Capital Region Programme Board</u>	73
2.3	<u>Status and Role of the Accountable Body</u>	74
2.4	<u>Stakeholder Engagement and Transparency</u>	74
<b>3</b>	<b><u>Strategy, Programme and Prospectus</u></b>	<b>76</b>
3.1	<u>A Regional Economic Strategy</u>	76
3.2	<u>A Regional Impact Assessment Tool</u>	76
3.3	<u>A Prospectus for Growth and Prosperity</u>	77
3.4	<u>Candidate Schemes</u>	77
3.5	<u>CCR Wider Investment Fund Scheme Appraisal Framework</u>	78
3.6	<u>Appraisal Criteria</u>	80
3.7	<u>Business Case Development</u>	81

3.8	<u>Support for Candidate Scheme Development</u> .....	81
3.9	<u>Value for Money</u> .....	81
3.10	<u>Assessment Process</u> .....	82
3.11	<u>State Aid</u> .....	83
3.12	<u>From Prospectus to Delivery Programme</u> .....	84
3.13	<u>The CCR Wider Investment Fund Delivery Programme</u> .....	84
3.14	<u>Candidate Scheme Offer of Support and Contract Management</u> .....	84
3.15	<u>Interim Transition Plan</u> .....	85
4	<u>Management, Evaluation and Review</u> .....	86
4.1	<u>Separation between Sponsorship, Assessment and Approval</u> .....	86
4.2	<u>Performance Management System</u> .....	86
4.3	<u>Risk Management</u> .....	87
4.4	<u>Contract Management</u> .....	87
4.5	<u>Equality, Diversity and Wellbeing</u> .....	87
4.6	<u>Annual Assurance Framework Review</u> .....	88
4.7	<u>Five Year Gateway Review</u> .....	88
	<u>Appendix 1 – List of Defined Terms</u> .....	89



# 1 Introduction

## 1.1 What is an Assurance Framework?

An Assurance Framework is a set of systems, processes and protocols designed to provide an evidence-based and independent assessment of the governance, risk management, and control processes of an organisation. The independence inherent to the Assurance Framework is derived from the separation between the sponsorship of projects/programmes and their appraisal and evaluation.

The Assurance Framework demonstrates how organisations will monitor, measure and scrutinise how objectives are being met and risks managed. It also details the processes used to ensure an adequate response to risks or lack of performance.

HM Treasury define Assurance Frameworks as “an objective examination of evidence for the purpose of providing an independent assessment on governance, risk management, and control processes for the organisation.”

## 1.2 Why does the CCRCDC need Assurance Frameworks?

Adherence to the processes detailed in this Assurance Framework will assist in ensuring that funding and resources utilised for the purposes of the Cardiff Capital Region City Deal Wider Investment Fund (Wider Investment Fund) will be used appropriately to deliver stated outcomes.

## 1.3 Scope of the CCRCDC Wider Investment Fund Assurance Framework?

The Cardiff Capital Region City Deal Investment Fund is a £1.229 billion fund consisting of a pre-allocated sum of £734m to the Metro Project and £495m to the Wider Investment Fund.

This Assurance Framework will apply to the Wider Investment Fund consisting of £375m funding provided by the UK Government and £120m committed by the constituent authorities.

The Assurance Framework will also apply to any:

- additional devolved funding provided to the Cardiff Capital Region;
- additional borrowing by the constituent authorities provided to the Cardiff Capital Region; and
- devolved business rate income above an agreed growth forecast, subject to Welsh Government agreement.

This framework does not extend to the Metro Project funding of £734m (consisting; £125m UK Government; £503m Welsh Government; and £106m ERDF funding) which is covered by a separate Assurance Framework.

## 1.4 Who is the Assurance Framework for?

The commitment to utilise the processes detailed in this Assurance Framework provides surety to the Welsh Government and UK Government related to funding provided for the CCRCW Wider Investment Fund.

The Assurance Framework is also designed to provide Constituent and non-Constituent Authorities, stakeholders, businesses and the public confidence in the activities associated with the Wider Investment Fund.

## 1.5 Approval and Monitoring of the Assurance Framework

Both the Welsh Government and UK Government must formally approve this Assurance Framework and any proposed amendments and may, from time to time, monitor its use.

The Accountable Body, for the Wider Investment Fund is responsible for ensuring adherence to the Assurance Framework. The Cardiff Capital Region Joint Assurance Committee will provide an independent scrutiny and audit function.

## 1.6 What is covered in this Assurance Framework?

This document is split into three further sections:

- **Section 2** details the governance and decision-making systems that underpin the Wider Investment Fund Assurance Framework;
- **Section 3** defines the Regional Economic Strategy and the Regional Impact Assessment tool and outlines how Candidate Schemes will be chosen, assessed and approved; and
- **Section 4** outlines the processes that will be followed to ensure effective management and review of the Framework.

This Assurance Framework document should be read in conjunction with the CCRCW Joint Working Agreement.

## 2 Governance and Decision Making

### 2.1 Geography of the Cardiff Capital Region

The Cardiff Capital Region is geographically defined by the area consisting the “Constituent Authorities” of:

- (1) BLAENAU GWENT COUNTY BOROUGH COUNCIL
- (2) BRIDGEND COUNTY BOROUGH COUNCIL
- (3) CAERPHILLY COUNTY BOROUGH COUNCIL
- (4) THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
- (5) MERTHYR TYDFIL COUNTY BOROUGH COUNCIL
- (6) MONMOUTHSHIRE COUNTY COUNCIL
- (7) NEWPORT CITY COUNCIL
- (8) RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL
- (9) TORFAEN COUNTY BOROUGH COUNCIL
- (10) THE VALE OF GLAMORGAN COUNCIL

### 2.2 CCR City Deal Wider Investment Fund Governance Structure

The current governance structure associated with the Cardiff Capital Regional Cabinet<sup>1</sup> (Regional Cabinet), including the Wider Investment Fund, is shown in Figure 1. This provides details of the advisory, support and scrutiny arrangements established to underpin the Regional Cabinet and is structured to provide transparency and democratic accountability.

The detail and functioning of the Regional Cabinet and associated governance structure is included in the Joint Working Agreement<sup>2</sup> and associated terms of reference, however, a general description related to roles and responsibility related to the Wider Investment Fund is provided below.

---

<sup>1</sup> The Cardiff Capital Region Cabinet has been established as a Joint Committee with delegated powers from the constituent authorities as defined in the Joint Working Agreement. The City of Cardiff Council will act as the Accountable Body for funding flowing through this assurance framework; however the Regional Cabinet will be the ultimate decision-making body.

<sup>2</sup> The Joint Working Agreement is the comprehensive agreement that binds and commits each individual authority and any successor authority (in the event of local government re-organisation) for such duration as is necessary to deliver the City Deal.

# CCRCD Governance and Resource Structure

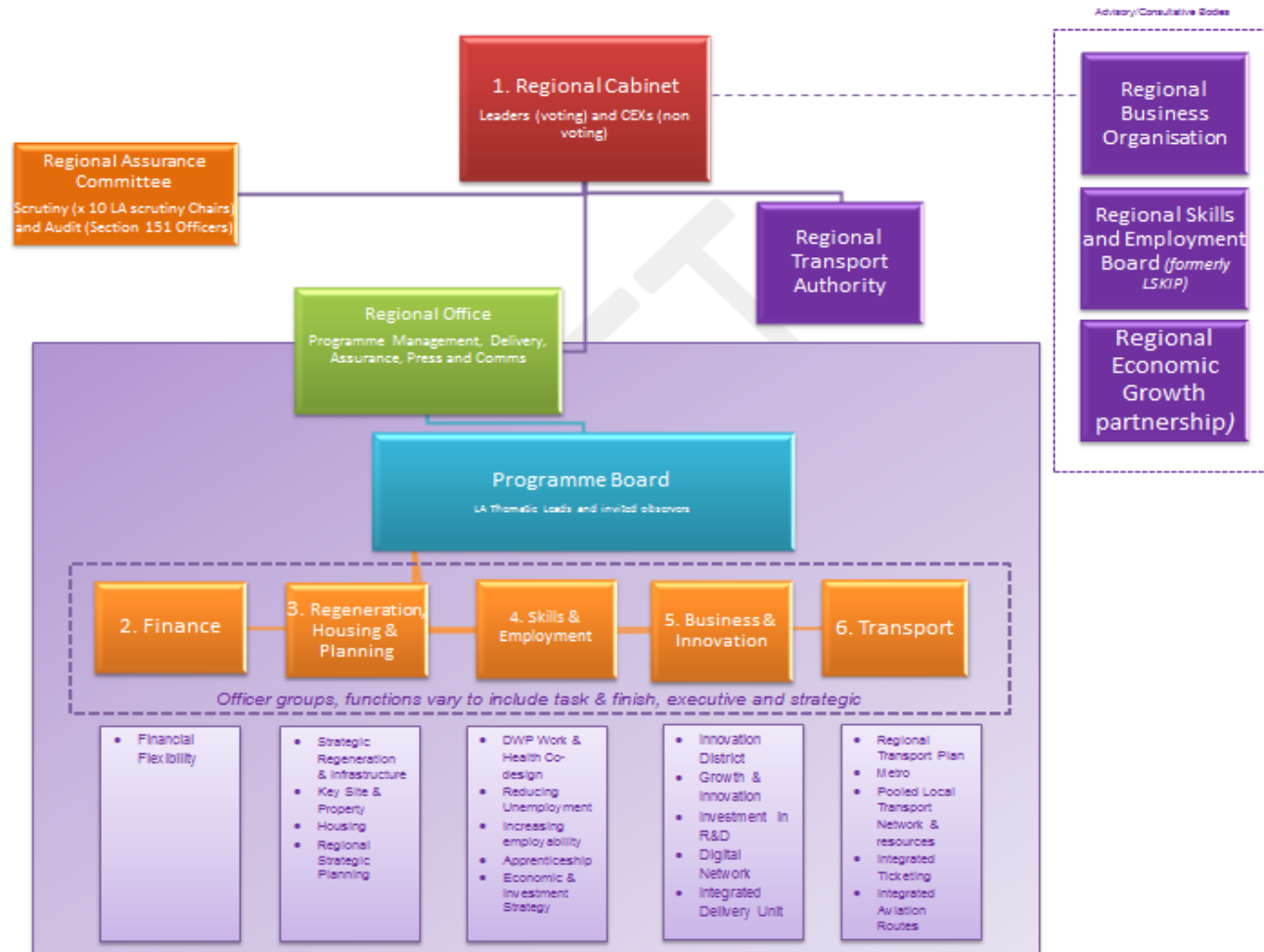


Figure 1: CCRCD Governance Map – [DRAFT]

## 2.2.1 The Cardiff Capital Regional Cabinet

The Regional Cabinet comprises of the ten participating local authorities and has been established to have responsibility for<sup>3</sup>:

- management of the Cardiff Capital Region Wider Investment Fund;
- additional devolved funding provided to the Capital Region;
- the Cardiff Capital Region Transport Authority;
- contracting with Transport for Wales on prioritised Metro projects;
- control over devolved business rate income above an agreed growth forecast, subject to Welsh Government agreement;
- strategic planning including housing, transport planning and land use;
- influencing skills and worklessness programmes;
- an Inward investment and marketing strategy; and
- considering the scope for strengthening Capital Region governance further.

The membership of the Regional Cabinet is made up of the Leaders of the Constituent Councils and it will be the ultimate decision making body related to the Wider Investment Fund.

To focus activity and capacity and promote delivery the Regional Cabinet is developing a Regional Economic Strategy and introducing a portfolio arrangement at both political and officer level. Each portfolio is led by two of the Leaders, from the constituent authorities, who are supported by portfolio officers made up of the Chief Executive officers of the local authorities. The portfolios are:

- Regeneration, Housing and Planning
- Work, Skills and Economy
- Business and Innovation
- Transport
- Finance & Governance

In addition, a portfolio of 'Chair of Regional Cabinet' has been established with responsibility for liaison, engagement and promotion.

The key responsibilities of the portfolio holders are:

- providing strategic direction for the portfolio area of responsibility and the development of a portfolio work programme to drive forward delivery;
- communicating a clear understanding of portfolio priorities;
- oversight of performance and delivery of the portfolio including those commitments contained in the Cardiff Capital Region City Deal Heads of Terms (Heads of Terms); and

---

<sup>3</sup> Cardiff Capital Region City Deal Heads of Terms Item 53



- developing effective regional collaboration for the portfolio area of responsibility.

The Regional Cabinet is able to establish sub-committees for any matters which they feel would be better dealt with in this way. These sub-committees may be advisory and report to the Regional Cabinet with recommendation or be provided with delegated powers, from the Regional Cabinet, which will provide them with a defined level of decision making powers. The Regional Cabinet shall be advised by a Lead Head of Paid Service (nominated and agreed by the Heads of Paid Service of the ten constituent councils) who shall meet on an informal basis from time to time.

### **2.2.2 The CCRCD Regional Assurance Committee**

The Regional Cabinet will establish a Regional Assurance Committee to provide an independent scrutiny function to ensure greater public accountability over decisions made by the Regional Cabinet and any of its sub-committees and related entities.

The role of the Assurance Committee is to provide advice, challenge and support to the Regional Cabinet. The detail, functioning and membership of the Assurance Committee will be included in the Joint Working Agreement and will be such that they do not conflict with the role and responsibilities of the Accountable Body.

The Assurance Committee will be required to:

- review and scrutinise the Regional Cabinet's financial affairs;
- receiving the Regional Cabinet's accounts and advising on their approval;
- review and assess the Regional Cabinet's risk management, internal control and corporate governance arrangements;
- review and assess the economy, efficiency and effectiveness with which resources have been used in relation to the Wider Investment Fund; and
- make reports and recommendations to the Regional Cabinet in relation to the above points.

### **2.2.3 The Regional Transport Authority**

The Regional Cabinet will establish a Cardiff Capital Region Transport Authority to co-ordinate regional transport planning and investment, in partnership with the Welsh Government, and will be responsible for:

- Pooled local transport resources;
- Regional planning for the local transport network;
- Working with Transport for Wales to ensure objectives for transport investment are aligned;
- Supporting Welsh Government led work on integrated ticketing across the Cardiff Capital Region;
- Working in partnership with the Welsh Government and Transport for Wales to define the priorities of the South East Wales Metro and to support its delivery;

- Working in partnership with the Welsh Government, airlines and Cardiff International Airport Limited and aerospace partners to promote the development of integrated aviation routes aerospace activity at St Athan Enterprise Zone, to deliver economic benefit.

The detail, functioning and membership of the Regional Transport Authority will be included in the Joint Working Agreement and in relation to the Wider Investment Fund will enable it to:

- develop transport Candidate Schemes for assessment under the Appraisal Framework; and
- provide advice and observations related to transport Candidate Schemes submitted by other bodies.

#### **2.2.4 Advisory/Consultation Body – Regional Business Organisation**

The Regional Business Organisation will be responsible for<sup>4</sup>:

- articulating the regional needs of business;
- identifying regional priorities for existing business support services; and
- advising on the design of future business support programmes.

The detail, functioning and membership of the Regional Business Organisation will be included in the Joint Working Agreement and in relation to the Wider Investment Fund will enable it to:

- develop and submit relevant Candidate Schemes for assessment under the Appraisal Framework; and
- provide advice and observations on relevant Candidate Schemes submitted by other bodies.

#### **2.2.5 Advisory/Consultation Body – Regional Skills and Employment Board**

The Regional Skills and Employment Board (previously known as the LSKiP Employment and Skills Board) is a partnership which represents a wide range of stakeholders, including: business; education providers; local authorities and the Welsh Government. It will be responsible for<sup>5</sup>:

- Cardiff Capital Region's skills and worklessness strategy;
- Pooled local authority skills resource;
- Producing an annual regional plan for employment and skills. This annual plan, led by industry, will set out how both the existing skills needs of businesses and the Capital Region's future skills challenges will be addressed;
- Influencing and monitoring the delivery and impact of employment and skills programmes across the Region;

<sup>4</sup> Cardiff Capital Region City Deal Heads of Terms Item 43

<sup>5</sup> Cardiff Capital Region City Deal Heads of Terms Item 34

- Ensuring an industry led approach to the design and delivery of apprenticeship programmes meets the needs of both business and apprentices;
- Supporting the Welsh Government’s “Curriculum for Wales, Curriculum for Life” plan, by encouraging closer alignment between future employer skills needs and education provision across the region; and
- Ensuring European Union funding investments in skills and employment add value and align with other programmes.

The detail, functioning and membership of the Regional Skills and Employment Board will be included in the Joint Working Agreement and in relation to the Wider Investment Fund will enable it to:

- develop and submit relevant Candidate Schemes for assessment under the Appraisal Framework; and
- provide advice and observations on relevant Candidate Schemes submitted by other bodies.

### **2.2.6 Advisory/Consultation Body - Regional Economic Growth Partnership**

The Regional Economic Growth Partnership will be responsible for:

- Advising on the overarching city-region economic development strategy;
- Monitoring and making recommendations to the Regional Cabinet with regard to City Deal implementation; and
- Providing advice on investment decisions.

The detail, functioning and membership of the Regional Economic Growth Partnership will be included in the Joint Working Agreement and in relation to the Wider Investment Fund will enable it to:

- develop and submit relevant Candidate Schemes for assessment under the Appraisal Framework; and
- provide advice and observations on relevant Candidate Schemes submitted by other bodies.

### **2.2.7 Advisory/Consultation Body – Welsh Government**

The Welsh Government, although not indicated as an advisory/consultation body on the CCRCW Wider Investment Fund governance chart, have statutory responsibilities and investment programmes covering many areas encompassed by the Wider Investment Fund.

It is therefore critical that any proposed investments are additional, complementary and support actions or proposals being implemented or developed by the Welsh Government. This can only be ensured by a close working relationship and effective information sharing.

Related to the Wider Investment Fund the Welsh Government will be:

- invited to actively participate in the work being undertaken in each portfolio area; and
- consulted on all Candidate Schemes.

## 2.2.8 The Independent Growth and Competitiveness Commission

The Regional Cabinet established a ‘task and finish’ Commission to:

- Review the evidence about the functional economic area and advise how best to generate Gross Value Added growth and support the ambitions of a dynamic capital region in a successful Welsh Economy; and
- Examine the challenges and opportunities for economic growth and competitiveness and make recommendations for how the Cardiff Capital Region can achieve its full growth potential, and contribute most to the Welsh Economy.

The membership of the Commission consisted of Greg Clark, Helen Molyneux, Alexandra Jones, Julie-Ann Haines and Kevin Gardiner and they were supported by Cardiff University.

The Commission was established in August 2016 and completed its task on 16<sup>th</sup> December 2016 by publishing its recommendations. A number of the Commission’s recommendations are referenced in this Assurance Framework.

## 2.2.9 The Regional Office

The Regional Office will provide the Regional Cabinet, the UK Government and the Welsh Government with quarterly performance reports<sup>6</sup> that will<sup>7</sup>:

- Highlight City Deal success;
- Provide a performance narrative for each element of the City Deal against agreed implementation plan timescales;
- Provide information on agreed outputs and outcomes;
- Identify mitigating actions for projects and programmes that are not being delivered to agreed timescales.

The Regional Office will be responsible for ensuring that this Assurance Framework is adhered to by developing, implementing, maintaining and monitoring a comprehensive performance management system and evaluation framework that will operate at both the corporate level and at the scheme level.

The Regional Office will ensure that all submitted schemes are eligible and that details of Candidate Schemes are issued to the appropriate Advisory/Consultation Bodies for their observation and those observations are used as part of the Assessment Framework.

The Regional Office will be responsible for the management of the programme contained in the Regional Economic Strategy, gateway reviews, and the annual Business Plans including performance and financial management of the delivery programme, undertaking due diligence as required.

The Regional Office will provide support to the Regional Cabinet including administration, engagement, and communication including events and press. The Regional Office will act

---

<sup>6</sup> The UK Government and Welsh Government will work with the Regional Cabinet to agree a timetable for the production of these reports and will convene regular progress meetings.

<sup>7</sup> Cardiff Capital Region City Deal Heads of Terms Item 64

as the delivery mechanism to enable the Accountable Body to discharge its duties in respect of the City Deal Wider Investment Fund.

The Regional Office will remain functionally independent of the Accountable Body and will be responsible for discharging those functions set out above; it will not discharge those statutory requirements which are the responsibility of the Accountable Body as the Legal entity.

### **2.2.10 The Cardiff Capital Region Programme Board**

The Cardiff Capital Region Programme Board (Programme Board) membership will consist of the City Deal Programme Director, CEX/Managing Director and/or nominated Director, Programme Manager, Strategic Directors, or equivalent, from each constituent authority, specialist officers, and legal and financial representatives from the Accountable Body.

Related to the Wider Investment Fund the Programme Board will have three distinct roles:

- Providing Portfolio support by:
  - appointing Theme Leads, from their membership, to support the Portfolio Leads and Portfolio Officers established by the Regional Cabinet;
  - under each Theme establish a Strategic Regional Group and, as required, Task & Finish Groups to develop Wider Investment Fund proposals;
  - under each Theme develop a series of Candidate Schemes for assessment under the Candidate Scheme Appraisal Framework;
  - advise on the strategic direction for the portfolio area and assist in the development of a portfolio work programme to drive forward delivery.
- Monitor Portfolio development by:
  - providing support and collective challenge to the Portfolios and Themes including the Strategic Regional Groups and Task & Finish Groups, to ensure their work progresses the development of proposals in line with the Regional Economic Strategy including objectives and targets;
  - oversight of performance and delivery of the portfolios
- Prepare recommendations on individual Candidate Schemes and the overall programme of the Wider Implementation Fund by:
  - ensuring that all Candidate Schemes are assessed in accordance with the Wider Investment Fund Candidate Scheme Appraisal Framework;
  - preparing recommendations on Candidate Schemes whilst ensuring due regard is given to the observations provided by the Advisory/Consultation Bodies and the independent assessment;
  - providing recommendations to the Regional Cabinet on all Candidate Schemes;
  - considering the Wider Investment Fund programme of schemes as a whole to ensure they work effectively together to maximise outcomes by assessing 'total impact' and not just economic considerations;
  - providing recommendations to the Regional Cabinet on Wider Investment Fund delivery programme as a whole.



To allow the Programme Board to undertake all three functions a clear distinction will be drawn between those involved in specific Candidate Scheme development and those preparing recommendations on those schemes to the Regional Cabinet. A robust system of declaration of conflict of interest will be put in place.

## **2.3 Status and Role of the Accountable Body**

One of the constituent authorities will be defined as the Accountable Body for the Regional Cabinet and the Wider Investment Fund and will be responsible for ensuring that funding decisions made by the Regional Cabinet are lawful and appropriate.

As the Accountable Body, overall financial arrangements are managed and accounted for through its financial systems and subject to the Standing Orders and Governance systems of that body. Funding allocated to the Regional Cabinet as part of the Cardiff Capital Region City Deal will be paid to the Accountable Body who shall ensure that those funds remain identifiable from the Accountable Body's own funds.

The Accountable Body shall, subject to the statutory role of each constituent Council's monitoring officer in relation to their Council, provide for the purposes of the Wider Investment Fund the services of its monitoring officer and employ any staff appointed by the Regional Cabinet. Subject to the statutory role of each constituent Council's s151 officer in relation to their Council, the Accountable Body shall provide for the purposes of the Regional Cabinet services of its Chief Financial Officer as Treasurer to the Regional Cabinet.

The Accountable Body shall supply the Regional Office with such support services as may reasonably be required, these may include services such as financial, legal, audit and other professional and/or technical services.

The full details and responsibilities related to the Accountable Body will be included in the Joint Working Agreement and will include; ensuring that the decisions and activities of the Regional Cabinet conform with the legal requirements regarding equalities, environmental, legislation, ensuring that funds are used legally and appropriately; and administrative functions such as payroll, preparing statement of accounts, VAT returns and liaising with external audit etc.

In performing this role, the Accountable Body as the Legal Entity therefore has responsibility to discharge all the statutory requirements in respect of the City Deal Wider Investment Fund, and is ultimately accountable for the actions of the Regional Office. The Accountable Body will ensure that it acts in a manner that is transparent, evidence based, consistent and proportionate.

## **2.4 Stakeholder Engagement and Transparency**

Engagement with and feedback from constituent and neighbouring local authorities, stakeholders and the public has been, and will continue to be, key in shaping and defining the Regional Cabinets' actions.

Monthly newsletters will be distributed to stakeholders throughout the City Region informing them of current and planned activities and how to get involved.

Regular social media updates concerning relevant activity will be provided via the CCRCD Twitter handle @CCRCityDeal.

A calendar of events will be developed and made available on the CCRCD website [www.cardiffcapitalregioncitydeal.wales](http://www.cardiffcapitalregioncitydeal.wales), and on-going PR campaign will inform stakeholders of CCRCD activity.

Stakeholders will be able to contact the CCRCDC via the CCRCDC website's contact form [www.cardiffcapitalregioncitydeal.wales](http://www.cardiffcapitalregioncitydeal.wales) or through social media @CCRCityDeal.

The public and stakeholders will be able to provide input via the contact form on the CCRCDC website [<https://cardiffcapitalregioncitydeal.wales>]. Stakeholders will be made aware of how to provide input by being informed via the CCRCDC newsletter which is available online.

Communications, engagement and marketing strategies will be developed and implemented to maximise participation and involvement and will be designed to promote and facilitate the use of the Welsh language and comply with the standards imposed by the regulations approved under the Welsh Language (Wales) Measure 2011.

The Regional Cabinet is committed to transparency in its decision-making and activities, but also recognises that for it to operate effectively there are some circumstances in which it must maintain confidentiality, particularly where commercial sensitivities are involved.

The Regional Cabinet is subject to the same accountability and transparency legislative provisions for decision making as Local Government, including public notice of meetings and the business to be conducted at those meetings, Access to Information Rules and Freedom of Information Act 2000.

The use of resources by the Regional Cabinet is subject to standard local authority checks and balances. In particular, this includes the financial duties and rules which require councils to act prudently in spending, and publish annual accounts. The development of these checks and balances will be overseen and managed by the Accountable Body.

DRAFT

# 3 Strategy, Programme and Prospectus

## 3.1 A Regional Economic Strategy

The Regional Cabinet, using the research and recommendations from the Growth and Competitiveness Commission, are preparing a Regional Economic Strategy that will support a competitive inclusive Cardiff Capital Region, playing to the strengths of the areas within the region to increase overall opportunity, mobility, jobs and investment<sup>8</sup>.

The Regional Economic Strategy will clearly define the regional objectives and include a programme detailing the targets expected from the City Deal during its lifetime and beyond<sup>9</sup>; together with the indicative spend profile for the wider investment fund (comprising of the HMT Contribution and the Council Contribution in the aggregate sum of £586,000,000). Although focussed on the economy the Regional Economic Strategy will also playing a role in improving the social, environment and cultural well-being of the region and may include additional targets to reflect this.

Although the procedures for the use of the Wider Investment Fund are necessarily detailed the principles are straightforward:

- The Regional Economic Strategy will contain a programme which details the expected targets to be achieved from the City Deal;
- Candidate schemes for the Wider Investment Fund will be assessed to measure how they will support the delivery of these targets; and
- A balanced programme of delivery will be managed to ensure that the defined targets are achieved.

The Regional Economic Strategy will be developed in accordance with the 'sustainable development principle' and in setting regional objectives and targets will seek to support and promote the seven well-being goals as detailed in the Well-being of Future Generations (Wales) Act.

## 3.2 A Regional Impact Assessment Tool

To assist in the process of assessing Candidate Schemes and measure to what extent they will support the delivery of the targets, detailed in the Regional Economic Strategy, a Regional Impact Assessment Tool is being developed.

The tool will select a broad range of indicators and factors, which are known to have a positive impact on the targets detailed in the Regional Economic Strategy, and be used to measure the level by which Candidate Schemes can contribution to those targets and assess their value for money.

The tool will be designed to consider wider sustainable development objectives and be able to assess and highlight the positive impact proposed Candidate Schemes can have on both

---

<sup>8</sup> Growth and Competitiveness Commission Report – Recommendation 2 Economic Strategy

<sup>9</sup> It is likely that the Regional Economic Strategy will include the specific outcomes recommended by the Growth and Competitiveness Commission, for example on productivity, at least 90% of UK average, median earnings to 95% of UK figure, 25,000 new jobs, employment rate of 70.5%.

social and environmental outcomes and other indirect and non-monetised benefits promoted by the City Deal and included in the Regional Economic Strategy.

An important aspect of this assessment tool will be its ability to identify the spread of any potential benefits to ensure geographic balance across the region and the ability of schemes to target need.

### 3.3 A Prospectus for Growth and Prosperity

For the purposes of the Wider Investment Fund schemes can take several forms including projects, programmes, investments, funds, loans, grants and contributions and may seek support in the form of capital and/or revenue funding.

The variation in potential schemes and funding requirements reflects the multi-strand approach advocated by the Growth and Competitiveness Commission<sup>10</sup> and the wider investment priorities of the Regional Cabinet<sup>11</sup> who are committed to invest in those schemes which support regional economic growth and may cover areas as diverse as regeneration & infrastructure, housing, skills, transport, digital, business growth and sector development, research & development and innovation.

Work is being undertaken under each Regional Cabinet portfolio heading to define groupings of schemes. These groupings will be used to produce a prospectus of eligible scheme types. This strategic approach, rather than an open unstructured bidding process, will ensure a comprehensive, balanced programme that is evidence based and targeted to deliver regional economic growth.

Advice and guidance will be sought from the Regional Advisory/Consultative Bodies in the production of this prospectus to ensure that it includes sufficient flexibility to accommodate changing economic priorities, trends and business needs.

The Wider Investment Fund Prospectus (Prospectus) will define the eligible scheme types and detail the full list of Candidate Schemes showing their various stages of development through the Appraisal Framework including those schemes sufficiently developed to be included on the Wider Investment Fund Delivery Programme (Delivery Programme). The Prospectus will therefore be a live document under constant review and update.

To support this strategic approach and ensure a broad range of interventions, based on evidence, the Regional Cabinet may consider introducing initial indicative allocations of funding in relation to each portfolio and theme within the Prospectus. This approach could assist when assessing the affordability of any candidate schemes.

### 3.4 Candidate Schemes

Having created a prospectus of eligible scheme types, to ensure a strategic approach to investment, a process to allow appropriate schemes to be submitted for consideration will be introduced.

Candidate Schemes can be submitted by the following 'Candidate Scheme Sponsors':

- Portfolio Leads;
- The constituent authorities;

---

<sup>10</sup> Growth and Competitiveness Report Page 4

<sup>11</sup> CCRCD Heads of Terms Item 16

- Welsh Government;
- UK Government;
- Advisory/Consultative Body; and
- Stipulated Stakeholder.

Portfolio Leads are supported by Portfolio Officers, Theme Leads and associated Strategic Regional Groups ensuring that sufficient suitable Candidate Schemes are being identified and developed for appraisal.

Other Candidate Scheme Sponsors can submit proposals directly for appraisal; however, they are encouraged to actively participate in the appropriate Strategic Regional Group. This will ensure the effective development of proposals which can be submitted jointly with the Portfolio Leads.

In addition, the Regional Cabinet may consider issuing a periodic open call for eligible schemes.

### **3.5 CCR Wider Investment Fund Scheme Appraisal Framework**

Regardless of how the candidate schemes have been submitted they will all be required to follow the same appraisal process which has been developed to be transparent and equitable. This will also apply to Candidate Schemes which are only requesting partial support or a contribution and may be subject to other Appraisal Frameworks or assessment processes. Where this is the case, the Wider Investment Fund portion of the investment will be treated in the same way as a standalone scheme.

The Wider Investment Fund Scheme Appraisal Framework is shown in Figure 2 and illustrates the Gateway system to be used including business case requirements, consultation, assessment process, and the recommendation and decision making protocol.

The Assessment Framework will identify those Candidate Schemes in the Prospectus which are eligible to enter the Delivery Programme.

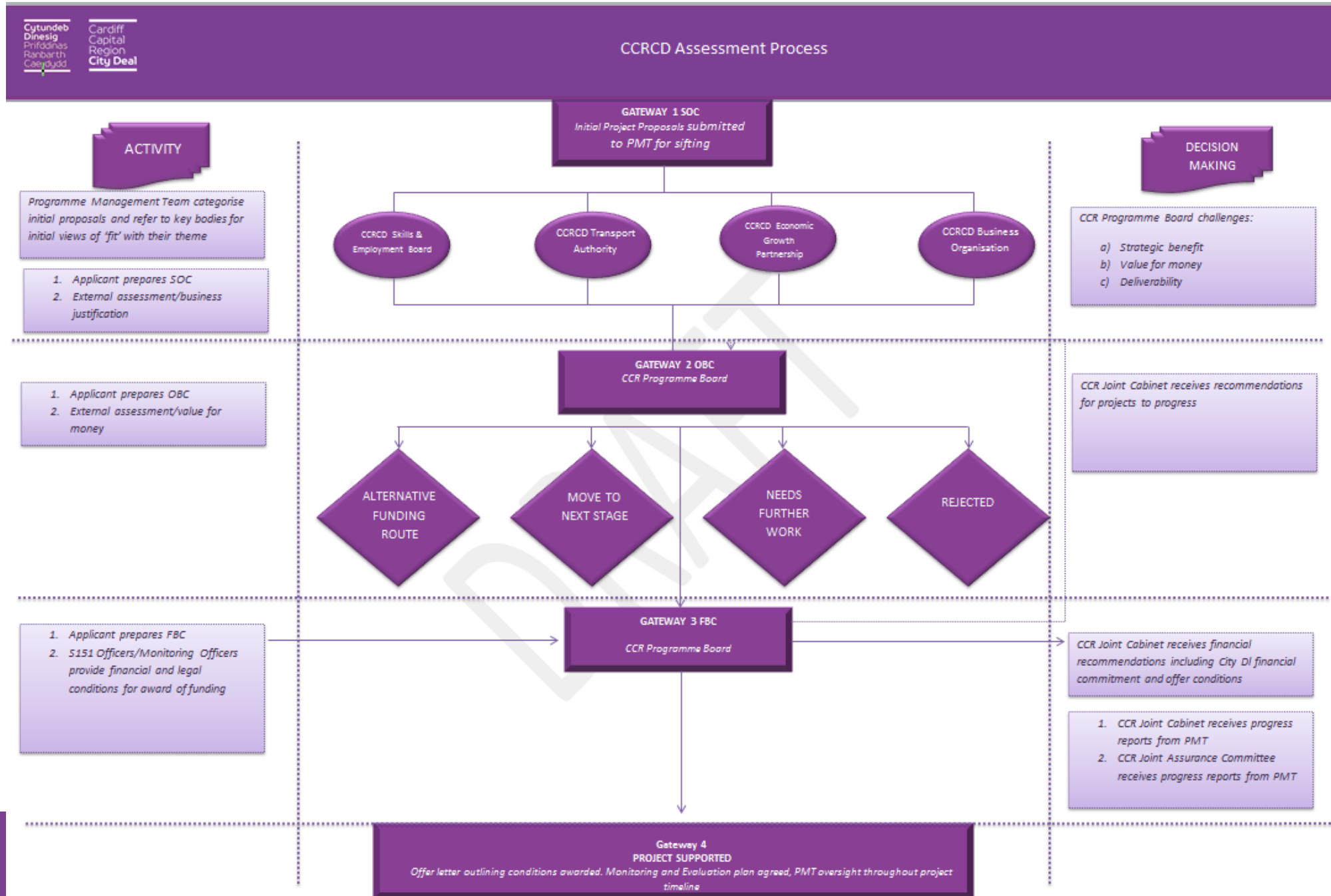
The Regional Office is responsible for co-ordinating and managing the Appraisal Framework including procuring external independent assessments of business cases and for ensuring the separation between the sponsorship of projects/programmes and their appraisal and evaluation.

The Regional Office will produce a set of guidance documentation, including proforma, for Candidate Scheme Sponsors, detailing the various stages of the Appraisal Framework.

The appraisal process is consistent with HM Treasury's Green Book and Business Case Appraisal process and is based on the five cases model; the strategic case; the economic case; the commercial case; the financial case; and the management case.



Figure 2: CCRCW Wider Investment Fund Scheme Assessment Framework



The appraisal process will apply the principle of proportionality, with more detailed information being required for large, complex or contentious schemes. This is important to ensure Candidate Scheme Sponsors are not discouraged from submitting less complex schemes whilst ensuring that large investments are scrutinised and tested appropriately.

### 3.6 Appraisal Criteria

The main factor in assessing candidate schemes will be the extent to which they contribute to the targets detailed in the Regional Economic Strategy and their value for money, however, to make these assessments detailed information on those proposed schemes is required and will be developed by addressing the criteria detailed below.

The City Deal provides an opportunity to continue tackling the area's barriers to economic growth by: improving transport connectivity; increasing skill levels still further; supporting people into work; and giving businesses the support they need to innovate and grow. The City Deal therefore includes<sup>12</sup>:

- Connecting the region;
- Support for innovation and improving the digital network;
- Developing a skilled workforce and tackling unemployment;
- Supporting enterprise and business growth; and
- Housing development and regeneration.

In addition, the City Deal, over its lifetime, is expected to deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment.

All Candidate Schemes are required to demonstrate how they will contribute to one or more of these objectives, and others contained in the Regional Economic Strategy, and why the scheme is needed.

The Growth and Competitiveness Commission have recommended that all Candidate Scheme should also demonstrate<sup>13</sup>:

- ❖ Significant scale;
- ❖ A positive impact on GVA;
- ❖ A positive impact on jobs;
- ❖ An impact beyond the local boundary area of where the investment takes place and does not displace activity within the city-region;
- ❖ Alignment with the proposed Metro investment, including investment that can unlock benefits of the Metro and address access constraints;

In addition, schemes need to demonstrate a quantifiable impact on at least two of the following:

---

<sup>12</sup> Cardiff Capital Region City Deal Heads of Terms – Executive Summary.

<sup>13</sup> Growth and Competitiveness Commission Report – Recommendation 3 City Deal Investment Principles.

- Increasing employment rates (by constituency) in areas where employment rates are below the Cardiff Capital Region average;
- Increasing earnings in areas with below average earnings for the Cardiff Capital Region;
- Supporting enterprise growth and productivity gains;
- Supporting people out of employment into employment.

All Candidate Schemes are required to respond to the Growth and Competitiveness Commission investment principles demonstrating how and to what degree they comply with these recommendations.

All Candidate Schemes are required to quantify their economic impact, employment creation, scale-ability and leverage. Candidate Schemes will also have to demonstrate they are deliverable, represent value for money and that they comply with the necessary regulations including legal and state aid requirements.

### **3.7 Business Case Development**

Three stages of business case development are required in the appraisal process:

- the Initial Proposal (Strategic Outline Case);
 

This is particularly important as it will focus on establishing the case for the proposal and although at this stage the scheme is not necessarily expected to be fully worked up or immediately deliverable the level of information must be sufficient to gain a clear understanding of the scheme, how it addresses the Appraisal Criteria, estimated costs and benefits.
- the Outline Business Case (OBC);
 

This will be a substantive business case document and will include a thorough options appraisal to justify the preferred option and an assessment of value for money to underpin the economic case.
- the Full Business Case (FBC).
 

This will build on the information in the OBC and confirm the scheme has the necessary contractual/procurement and delivery arrangements in place to allow the scheme to proceed.

As indicated previously, the appraisal process will apply the principle of proportionality which may result in the OBC and FBC stages being combined depending on the level and quality of information provided and the complexity of the scheme.

### **3.8 Support for Candidate Scheme Development**

The Regional Cabinet may allocate, on request or application, funding to portfolios to support pre-feasibility and feasibility studies, and development of initial proposals and business cases to ensure that high quality Candidate Schemes are available.

### **3.9 Value for Money**

Each Candidate Scheme must demonstrate value for money i.e. the optimal use of resources to achieve the intended outcomes.

The National Audit Office use three criteria to assess value for money:

- economy – minimising the cost of resources used or required – spending less;
- efficiency – the relationship between the outputs from goods or services and the resources to produce them – spending well; and
- effectiveness – the relationship between the intended and actual results of public spending – spending wisely.

In basic terms value for money is the degree to which benefits exceed costs and the use of HM Treasury's Green Book and Business Case Appraisal process in assessed Candidate Schemes is expected to demonstrate the potential value of any scheme.

The Candidate Scheme business case is also expected to refer, where appropriate, to guidance on value for money and other benefits specific to the nature of the proposed scheme, this will include demonstrating social return on investment and local multiplier benefits. The business case may also highlight how the schemes procurement might improve economic, social and environmental well-being of the region and how such improvements might be secured in its implementation.

The Regional Cabinet when deciding on whether to support a Candidate Scheme will take a wide range of evidence into consideration in addition to the level of value for money. There may be occasions when, although the measure of value for money is low, due to the wider regional economic impacts on the Regional Economic Strategy targets, cost effectiveness, environmental and social impact, and leverage of additional funding the Candidate Scheme will be supported.

### **3.10 Assessment Process**

The role of the Assessment Process is to provide the framework through which a judgement can be made about whether each scheme is robust and has been rigorously assessed against a specific set of criteria to ensure that it achieves value for money.

The Candidate Scheme Sponsors will submit a Candidate Scheme Initial Proposal to the Regional Office who will categorise it against the Scheme Prospectus eligibility groupings and refer it to:

- the appropriate Advisory/Consultation Body with a request to provide observation on the proposed scheme; and
- the external business case assessor requesting that they undertake an independent review with reference to the impact assessment tool.

The Initial Proposal, with the observations and review, will be submitted to the Programme Board who are required to assess all available data and determine if:

- The case is sufficiently strong for the Candidate Scheme to move onto the next stage; or
- The scheme is returned to the Candidate Scheme Sponsor with details of where the Initial Proposal is currently not sufficiently strong to allow it to move forward to the next stage.

If the scheme is supported to go to the next stage the Candidate Scheme Sponsor will be requested to submit an Outline Business Case which, when received, will be sent to

the external business case assessor requesting that they undertake a further review of the additional detail provided.

This review will be submitted to the Programme Board who can make the following recommendations to the Regional Cabinet:

- The scheme does not fall within the Wider Investment Fund scope;
- The scheme does not provide sufficient regional benefit and should be rejected;
- The scheme, although not seeking Wider Investment Funding, is supported and should be promoted as it aligns with the overall objectives of the City Deal;
- The scheme's Outline Business Case is currently not sufficiently strong and should be returned to the Candidate Scheme Sponsor for further work; or
- The scheme should move to the next stage.

The Regional Cabinet will consider the recommendations and resolve either to accept them or based on the available data agree an alternative course of action.

If the Regional Cabinet resolve that the scheme go to the next stage the Candidate Scheme Sponsor will be requested to submit a Full Business Case which, when received, will be sent to the external business case assessor requesting that they undertake a further review of the additional detail provided. The Regional Office, in liaison with the Accountable Body, would also be requested to provide both legal and financial assessments of the proposal.

The review and assessments would be provided to the Programme Board who would submit recommendations to the Regional Cabinet.

The Regional Cabinet, as the decision-making body, would have the responsibility of confirming that the Candidate Scheme is eligible for inclusion in the Delivery Programme.

To ensure that the assessment process is equitable the Regional Office are preparing detailed guidance notes and also proforma for use in the process.

### **3.11 State Aid**

Processes are being established to ensure that schemes supported by the Wider Investment Fund are State Aid compliant.

The business case templates will require Project Sponsors to confirm that their scheme complies with State aid Regulations and does not contravene State Aid Legislation. The templates will also require Project Sponsors to outline what advice (e.g. legal advice) they have had in relation to State Aid, and to confirm their acceptance of the following:

*“All applicants need to take steps to satisfy themselves that any CCR Wider Investment Fund funding approved does not amount to unlawful State Aid. A declaration of compliance with EU State Aid regulations will be required prior to any funding being provided. If your project is awarded funds it will be subject to a condition requiring the repayment of any funding in the event that the European Commission determines that the funding constitutes unlawful State Aid.”*



Where required, the Accountable Body will also conduct legal due diligence to obtain further confidence that State Aid requirements have been met.

### **3.12 From Prospectus to Delivery Programme**

The Wider Investment Fund will be used to invest in a broad range of interventions over its life time to unlock significant economic growth across the region and it can only achieve its objectives through the delivery of an effective Delivery Programme that accounts for and takes advantage of the interdependencies between individual schemes.

Each portfolio will undertake work to develop schemes and produce a potential delivery programme. However, it is recognised that each individual programme will vary related to timescales for development and implementation. In addition, financial profiles and limits, for both the Wider Investment Fund and other funding sources, may dictate when and to what scale proposals can be funded.

The final decision to release Wider Investment Funds rests with the Regional Cabinet and to do this effectively they will be responsible agreeing the Delivery Programme which delivers on their commitments, is affordable, and value for money.

Candidate Schemes which have successfully passed through the Assessment Framework will be eligible to be included on the Delivery Programme.

### **3.13 The CCR Wider Investment Fund Delivery Programme**

The Wider Investment Fund Delivery Programme (Delivery Programme) will be informed by the details on the number, size and timescales of schemes being progressed through the portfolio and ideally once a scheme's Full Business Case has been approved it will move directly to the Delivery Programme via an offer letter/contract.

In some instances, due to existing financial commitments or changes in priority, schemes may not progress immediately to implementation and the Delivery Programme should clearly reflect these changing circumstances and how they will affect the scheme.

The Regional Cabinet will undertake regular reviews of the Delivery Programme to ensure that it is suitable to deliver on the broad range of interventions necessary to achieve the targets detailed in the Regional Economic Strategy by tackling the regions barriers to economic growth and that it reflects the regions current economic needs.

These Delivery Programme Reviews will assess the balance of interventions and ensure those schemes most likely to deliver on the targets detailed in the Regional Economic Strategy, which are affordable and can be delivered within required timescales, are prioritised.

To commence the process of programme development the Regional Cabinet will, in the first instance, agree an Implementation Plan outlining its proposals for the first 5 years.

### **3.14 Candidate Scheme Offer of Support and Contract Management**

Candidate Schemes eligible for inclusion on the Delivery Programme will undergo a due diligence assessment.

Following approval by the Regional Cabinet the Regional Office working in conjunction with the Accountable Body will prepare an offer letter/contract for agreement with the Project Sponsor or other relevant applicant.

The offer letter may vary according to scheme type, size and complexity but is likely to contain the following which will be monitored by the Contract Management Team within the Regional Office:

- A financial profile – including monthly income and expenditure:
- A profile of outputs and outcomes to be achieved – with key milestones for delivery;
- A risk management log – detailing potential risks to the successful delivery of the scheme and how they will be managed;
- A monthly/quarterly schedule for returning monitoring information; and
- Post completion requirements

### **3.15 Interim Transition Plan**

To apply the CCR Appraisal Process in full a number of supporting processes and actions need to be put in place including:

- A Cardiff Capital Region Economic Strategy defining the regional objectives and including a programme detailing the targets expected from the City Deal during its lifetime and beyond, together with the indicative spend profile for the Wider Investment Fund;
- A Cardiff Capital Region Impact Assessment Tool;
- Establishing the Cardiff Capital Region Advisory/Consultative Bodies; and
- Producing detailed guidance notes and proforma

To assist in co-ordinating and programming these events an Interim Transition Plan is being put in place which will set time-lines for development and detail how potential schemes will be dealt with during this interim phase.

## 4 Management, Evaluation and Review

### 4.1 Separation between Sponsorship, Assessment and Approval

For this Assurance Framework to be effective it must establish a clear separation between the sponsorship of schemes and their appraisal, evaluation and approval.

All processes and systems will make a clear distinction between those involved in the development of Candidate Schemes and those responsible for their assessment, submitting recommendations related to their suitability and providing approval.

This division of role will apply across the Appraisal and Assessment Frameworks and will mean that those involved in a portfolio will not take part in the appraisal or approval of any Candidate Schemes within that portfolio. This is especially relevant at both the Programme Board, when preparing recommendations, and at the Regional Cabinet when making decisions.

### 4.2 Performance Management System

The Regional Office, in liaison with the Accountable Body, is developing a comprehensive performance management system and evaluation framework which will encompass the decision-making process and programme and scheme delivery. This system will enable the Regional Cabinet to:

- Assess the effectiveness, efficiency and value for money of schemes and the overall programme;
- Monitor impact and progress towards agreed aims and goals, and to understand whether schemes are on track to deliver projected outputs and outcomes;
- Maintain scrutiny and accountability;
- Inform future investment priorities and resource allocations; and
- Inform future activities and delivery and the sharing of best practice.

Monitoring and evaluation of the Wider Investment Fund will operate at two interconnected levels, at the level of individual scheme, as defined at the FBC stage through the Assurance Framework; and at the level of the overall Delivery Programme. For schemes of significant scale or complexity the Regional Cabinet may resolve to procure external evaluation.

It will be important that monitoring and evaluation exercises are scheduled to ensure a sufficient evidence base for the 5-year Gateway Review; they will therefore cover impact and economic evaluation as well as process evaluation.

When undertaking the evaluation exercise use will be made of the Regional Impact Assessment tool and its broad range of indicators and factors, which are known to have a positive impact on the targets as detailed in the Regional Economic Strategy.

It is essential that all schemes have an effective monitoring and evaluation plan in place to assess the effectiveness of public spending over time, and so that lessons can be learnt. Schemes will monitor against the outcomes described in the economic case.

Responsibility for monitoring at a strategic level will lie with the Regional Office, whilst at the scheme level responsibility will lie with Scheme Sponsors, with the Regional Office setting compliance measures and ensuring they are adhered to and reported as required.

Over time, prioritisation and sequencing will also involve a feedback loop through which the outcomes of the monitoring and evaluation work will be used to shape future investment priorities.

### **4.3 Risk Management**

A key role of the Assurance Framework is to ensure that risk is identified, monitored and managed appropriately, both at a corporate level and at Delivery Programme and scheme level.

To identify, monitor, manage and mitigate risks at the corporate level, a Corporate Risk Register is being developed aligned to the Wider Investment Fund objectives.

The key principle of the Corporate Risk Register is to identify strategic risks, determine where and by whom such risks are borne, to establish controls to prevent the identified risk (such as funding shortfall) from materialising or establish ways to reduce the impact. The Register will not be limited to financial risks.

As part of the business case evaluation process, Candidate Scheme Sponsors are required to develop a Scheme Risk and Issues Log. This will detail all of the schemes specific risks that have been identified during the development phase of the scheme.

Within the business case templates, being developed, the Sponsor will be required, for key risks, to estimate the impact of the risk materialising and probability of the risk occurring, attribute the risk with a Red, Amber, Green (“RAG”) rating, identify the risk owner, and provide a strategy for risk mitigation.

Scheme risks will be aggregated and reviewed at the strategic level by the Regional Office.

### **4.4 Contract Management**

On acceptance of an offer of support the Project Sponsor or other relevant applicant will become responsible for overseeing the successful implementation and delivery of the scheme. The Regional Office, in liaison with the Accountable Body, will establish a system identifying responsibilities for the production and submission of monitoring information.

The Regional Office will be responsible for collating, recording and reporting on the progress of the individual schemes as well as the overall Delivery Programme. Where schemes do not achieve their agreed milestones for delivery the responsible person will be required to provide evidence to demonstrate they are able to get back on programme. Schemes which consistently fail to meet projected performance, both financial and output, may have funding withdrawn.

### **4.5 Equality, Diversity and Wellbeing**

A key requirement for the Wider Investment Fund is to ensure that ‘equality duty’ is considered and programmes contribute to a fairer society and pay due regard to eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations.

The Wider Investment Fund will also support the Well-being of Future Generations (Wales) Act by playing a role in improving the social, economic, environment and cultural well-being of Wales.

During the application for Wider Investment Funds scheme sponsors will be required to provide evidence they are complying with their equality duties and are supporting the 7 Well-being goals. This will be assessed through an evaluation of the business case templates submitted by applicants.

## 4.6 Annual Assurance Framework Review

The Assurance Framework is a 'live' document and will be subject to an annual review to ensure that material is kept up to date and to provide quality assurance on the Assurance Framework itself.

It is anticipated that the Assurance Framework will continue to evolve and develop overtime and will reflect any changes to governance arrangements, aims and objectives, economic and social priorities and Candidate Schemes criteria.

There will be a need for the Regional Cabinet in response to changes and initiatives<sup>14</sup> which take place in the period between annual reviews. The Regional Cabinet will, having sought advice if appropriate, instruct interim changes or amendments to be made which will then be regularised at the next annual review.

The Regional Assurance Committee will have a crucial role in both assessing and recommending changes to the Assurance Framework.

## 4.7 Five Year Gateway Review

Through the CCR City Deal Agreement, the UK Government committed to providing the CCR City Deal with £500m over 20 years, £125m for the Metro Project and £375 for the CCR Wider Investment Fund. The £375 million is proportioned as years 1-5 at £50 million revenue, and years 6-20 at £325 million capital. The full allocation of the funding is subject to the CCRCD's successful completion of the Five Year Gateway Review, which will evaluate the impact of the CCRCD's investment of the funding in the five year period up to the Gateway Review.

Five-yearly Gateway Reviews may be used to assess investments' impact and presently the guidance suggests that economic growth will be the primary metric against which impact is assessed. However, more recent reviews recognise the fact that local and national economic impact of the Investment Fund might not be observable after five years. As a result, the national evaluation panel may use appropriate metrics, such as whether investments are being delivered to time and to budget. Although definitive assessment criteria have not been provided it is anticipated that the Regional Cabinet will have the ability to shape the assessment criteria so that it aligns with the objectives set out in its Regional Economic Strategy.

---

<sup>14</sup> Examples of such changes or initiatives would include the Welsh Government's proposal to introduce a National Infrastructure Commission, the National Development Framework and the setting up of a Valleys Task Force.



## Appendix 1 – List of Defined Terms

Accountable Body	<p>The Accountable Body shall, subject to the statutory role of each constituent Council's monitoring officer in relation to their Council, provide for the purposes of the City Deal Wider Investment Fund the services of its monitoring officer and employ any staff appointed by the CCR Regional Cabinet. Subject to the statutory role of each constituent Council's s151 officer in relation to their Council, the Accountable Body shall provide for the purposes of the CCR Regional Cabinet services of its Chief Financial Officer as Treasurer to the CCR Regional Cabinet.</p> <p>The Accountable Body shall supply the Regional Office with such support services as may reasonably be required, these may include services such as financial, legal, audit and other professional and/or technical services; and administrative functions such as payroll, preparing statement of accounts, VAT returns and liaising with external audit etc.</p>
Additionality	The extent to which something happens as a result of an intervention that would not have occurred in the absence of the intervention.
Advisory/Consultative Body	Identified bodies who work in support of the Regional Cabinet and are able to submit Candidate Schemes
Affordability	Affordability refers to both the absolute availability of funding to defray the costs of a project (i.e. is there a funding gap?) and the relative cost of the project in relation to other interventions that could otherwise be funded instead. A project can represent Value for Money, but not be affordable, and vice versa.
Annual Business Plan	The business plan to be agreed by the Regional Cabinet containing key objectives and delivery priorities and programme.
Appraisal Criteria	The principles and standards by which candidate schemes will be assessed and decided.
Appraisal Framework	A supporting structure underlying appraisal.
Assessment Framework	A supporting structure underlying assessment.
Assessment Process	A series of actions or steps taken in order to assess candidate schemes.
Assurance Framework	A set of systems, processes and protocols designed to provide an evidence-based and independent assessment of the governance, risk management, and control processes of an organisation.
Balanced Objectives	A series of objectives designed to ensure that the whole of the City Region (in terms of geography and people) benefits from growth.
Business Case	The justification of an activity (strategic, programme, project, operational) which typically contains costs, benefits, risks and timescales and against which continuing viability is tested.
Capital Expenditure	Expenditure on the acquisition or creation of a tangible fixed asset or expenditure which adds to and not merely maintains the value of an existing tangible fixed asset.
Candidate Scheme	Appropriate schemes submitted by specific bodies for consideration under the Wider Investment Fund.
Cardiff Capital Region	The region encompassing the constituent authorities.
Cardiff Capital Region City Deal	A £1.229 billion fund consisting of a pre-allocated sum of £734m to the Metro Project and £495m to the Wider Investment Fund.
Cardiff Capital Region Programme Board	A group that supports the senior responsible owner to deliver the programme.
Cardiff Capital Region Prospectus	A programme of Candidate Scheme development.

Constituent Authority	The 10 authorities of:  Blaenau Gwent County Borough Council Bridgend County Borough Council; Caerphilly County Borough Council; The City of Cardiff Council; Merthyr Tydfil County Borough Council; Monmouthshire County Council; Newport City Council; Rhondda Cynon Taff County Borough Council; Torfaen County Borough Council; and, Vale of Glamorgan County Borough Council.
Delegated Powers	The powers delegated by authorities to their representative (Leader) on the Regional Cabinet.
Delivery Programme	A flexible structure created to coordinate, direct and oversee the implementation of a set of related projects and activities in order to deliver outcomes and benefits related to strategic objectives.
Impact	Impact is the result of a particular threat or opportunity actually occurring.
Implementation Plan	The process of programme development by the Regional Cabinet in the first instance, outlining its proposals for the first 5 years.
Joint Working Agreement	A legal agreement to delegate and discharge functions.
Objective	Agreed goals.
Outcome	The benefits and other impacts resulting from specific outputs (e.g. reduced journey times, jobs created, reduction in pollution, access to employment etc.)
Output	The tangible or intangible product resulting from a planned activity.
Performance Management System	A system to plan, monitor and review performance i.e. the extent to which objectives have been met in relation to quality, time and cost.
Programme Management	The coordinated organisation, direction and implementation of a prospectus of projects and activities that together achieve outcomes and realise benefits that are of strategic importance.
Project	A temporary grouping that is created for the purpose of delivering one or more products according to a specified business case.
Project Management	The planning, monitoring and control of all aspects of the project and the motivation of all those involved to achieve the project objectives on time and to the specified cost, quality and performance.
Project Manager	The person given authority and responsibility to manage the project on a day-to-day basis to deliver the required products within the constraints agreed with the project board.
Portfolio	All the programmes and stand-alone projects being undertaken.
Regional Assurance Committee	Established to provide an independent scrutiny function over decisions made by the Regional Cabinet.
Regional Cabinet	A Joint Committee established by Agreement comprising the Leaders of the constituent Councils
Regional Economic Strategy	A strategy to clearly define the regional economic objectives and include a high level programme detailing the targets expected from the City Deal during its lifetime and beyond.
Regional Impact Assessment Tool	The tool will select a broad range of indicators and factors which are known to have a positive impact on the targets, detailed in the Regional Economic Strategy, and measure a candidate schemes scale of contribution to those defined targets and value for money.
Regional Office	Established to provide services to the Regional Cabinet, including programme management, financial management of the delivery programme, administration, engagement, and communication.
Regional Transport	Established to co-ordinate regional transport planning and investment.

Authority	
Scheme	Projects, programmes, investments, funds, loans, grants and contributions.
Senior Responsible Owner (SRO)	The single individual with overall responsibility for ensuring that a project or programme meets its objectives and delivers the projected benefit.
Sponsor	The main driving force behind a programme that provide the investment decision and top-level endorsement of the rationale and objectives of the programme.
Stakeholder	Any individual, group or organisation that can affect, be affected by, or perceive itself to be affected by, an initiative (programme, project, activity, risk).
Sub-committee	A committee composed of some members of a larger committee, board, or other body and reporting to it.
Targets	Refers to achieving desired outputs or outcomes at a specific end date, employing a specific amount or resources to achieve a specific objective.
Terms of Reference	The scope and limitations of an activity, group or board.
Transition Plan	A formal, approved document showing major deliverables, activities and resources required in order to transition from implementation to delivery.
Wider Investment Fund	Consisting of £375m of funding provided by the UK Government and £120m of committed borrowing by the constituent authorities.
Value for Money	Value for money assessed using three criteria, economy, efficiency and effectiveness.

Schedule 9  
IMPLEMENTATION PLAN

DRAFT

# Cardiff Capital Region City Deal Implementation Plan 2016-2020

DRAFT



<b>SRO</b>	<p><i>HMT Implementation Champion(s) for Cardiff Capital Region: Paul Shand</i>  <i>Cardiff Capital Region Implementation Champion(s): Sheila Davies/Sian Workman</i>  <i>WG Implementation champion for Cardiff Capital Region(s): Tamlyn Rabey/Jo Salway</i></p>
<b>Summary</b>	<ol style="list-style-type: none"> <li>1. Cardiff Capital Region has secured a deal worth £1.2 billion. Over its lifetime, local partners expect the City Deal to deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment.</li> <li>2. This City Deal will provide local partners with the powers and the resources to unlock significant economic growth across the Cardiff Capital Region. It is a deal that builds on the region's sectoral strengths, its high skill base and three successful universities. The City Deal also provides an opportunity to continue tackling the area's barriers to economic growth by: improving transport connectivity; increasing skill levels still further; supporting people into work; and giving businesses the support they need to innovate and grow.</li> <li>3. This deal will also develop stronger and more effective leadership across the Cardiff Capital Region, enabling ten local authority leaders to join up decision making, pool resources and work more effectively with local businesses.</li> <li>4. The Cardiff Capital Region City Deal includes: <ul style="list-style-type: none"> <li><b>£1.2 billion investment in the Cardiff Capital Region's infrastructure.</b> A key priority for investment will be the delivery of the South East Wales Metro, including the Valley Lines Electrification programme.</li> <li><b>Connecting the region.</b> The Cardiff Capital Region will establish a new non-statutory <b>Regional Transport Authority</b> to co-ordinate transport planning and investment, in partnership with the Welsh Government.</li> <li><b>Support for innovation and improving the digital network.</b> To develop capabilities in Compound Semiconductor Applications the UK Government will invest £50 million to establish a new Catapult Centre in Wales. The Cardiff Capital region will also prioritise investment in research and development and provide support for high value innovative businesses.</li> <li><b>Developing a skilled workforce and tackling unemployment.</b> The Cardiff Capital Region Skills and Employment Board will be created (building on existing arrangements) to ensure skills and employment provision is responsive to the needs of local businesses and communities. The Cardiff Capital Region and the Welsh Government will work with the Department of Work and Pensions to co-design the future employment support from 2017, for people with a health condition or disability and/or long term unemployed.</li> <li><b>Supporting enterprise and business growth.</b> A Cardiff Capital Region Business Organisation will be established to ensure that there is a single voice for business to work with local authority leaders.</li> <li><b>Housing development and regeneration.</b> The Welsh Government and the Cardiff Capital Region commit to a new partnership approach to strategic planning. This will ensure the delivery of sustainable communities, through the use and re-use of property and sites.</li> </ul> </li> </ol>

<b>Portfolio Leads</b>	<b><u>Deal Elements</u></b>	<b><u>CCRC D Portfolio &amp; Lead</u></b>	<b><u>Independent Growth &amp; Competitiveness Commission Recommendation</u></b>	<b><u>HMT Lead</u></b> [To be added where appropriate]	<b><u>WG Lead</u></b>
	1.South East Wales Metro and Connecting the CCR	T2.6:Cllr Andrew Morgan and Cllr Huw David	1,2,3,6,8,10		Director of Transport and ICT Infrastructure (SJ)
	2.Additional Flexibilities	T2.2:Cllr Andrew Morgan and Will Godfrey	1,2,3,5,6,8,10,11,12		Head of Local Government Finance (DC) Dept.
	3.Investing in Innovation and the Digital Network	T2.3:Cllr Peter Fox and Cllr Anthony Hunt	1,2,3,4,9		Director ICT Infrastructure (RS)
	4.Developing a Skilled Workforce and Tackling Unemployment	T2.4:Cllr Debbie Wilcox	1,2,3,4,5,6,7		Director Skills, HE and Lifelong Working (HM)
	5.Supporting Enterprise and Business Growth	T2.4:Cllr Phil Bale	1,2,3,4,5,6,12,13		Head of Economy, Skills, Transport Strategy Team (TB)
	6.Housing Development and Regeneration	T2.3:Cllr Neil Moore and Cllr Keith Reynolds	11		Director of Housing & Regen (JH)
	7.Cardiff Capital	T2.1:Cllr Andrew Morgan			

	Region Cabinet				
	8.Strategic Regional Planning	T2.3:Cllr Neil Moore and Cllr Keith Reynolds	13		Head of Planning (NH)
	9.Cardiff Capital Region Economic Growth Partnership	T2.4/P2:Cllr Phil Bale	8		
	10.Independent Growth and Competitiveness Commission	T2.4/P3:Cllr Phil Bale	1,2,3,5		
	11.Delivery, Monitoring and Evaluation	Cllr Andrew Morgan and Sheila Davies	13		
<b>Deal Element:</b>	<b>1. South East Wales Metro</b>				
<b>Summary:</b>	<p><i>Given the importance of the Metro to the UK Government, Welsh Government and Cardiff Capital Region, a proportion of city deal funding is pre-allocated to the delivery of this scheme (which, for the avoidance of doubt, such funding shall not include any Council's Contribution or any obligation under the Joint Working Agreement). This pre-allocation focuses on Metro phase 2, the delivery of the Valley Lines Electrification and Modernisation programme. This City Deal reconfirms the continued shared ambition of both Governments and the Cardiff Capital Region to deliver this Metro scheme. £734 million of the £1.2 billion funding has already been committed to the delivery of this scheme. As part of this City Deal the Welsh Government commits to involving the Cardiff Capital Region in the co-design of the wider Metro scheme and in the procurement of a delivery organisation, subject to an agreed MoU."</i></p>				
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Huw David &amp; Cllr Andrew Morgan</li> </ul>				



<p>completion of document by 2020</p> <ol style="list-style-type: none"> <li>2. Determine how regional transport networks can most effectively enable strategic spatial planning aspirations</li> <li>3. Identify transport aims and objectives that support the delivery of a SDP &amp; CCR/City Deal aspirations</li> <li>4. Procure external resource in developing statutory supporting studies</li> <li>5. Establish information baseline and undertake appropriate public and stakeholder engagement</li> </ol>			
<b>T2.6/2 Support and Inform Metro Development</b>			
<ul style="list-style-type: none"> <li>• Work in partnership with Welsh Government to define priorities of the South East Wales Metro concept and support its delivery</li> <li>• LA officer seconded into TfW procurement team to support procurement process and assist definition of Metro to align with and complement other City Region aspirations</li> <li>• Determine emerging mode type, service patterns and standards, scope of Phase 2</li> <li>• Identify opportunities for a programme of additional investment (Phase 3) to deliver wider regional benefits</li> </ul>	Oct 16 – Mar 22		RTA/TfW
<b>T2.6/3 Pooled Local Transport Network and Resources</b>			
<ul style="list-style-type: none"> <li>• Establish CCRTA Joint Transport Committee (as sub-committee to Cardiff Capital Region City Deal Joint Committee)</li> <li>• Establish senior transport officer group</li> <li>• Establish joint working partnerships with Welsh Government and Transport for Wales with clear roles and responsibilities</li> <li>• Establish the CCRTA as the focal point for regional engagement on all LA based transport issues and to respond/influence to third party proposals/services</li> <li>• Identify and develop joint regional initiatives to provide a strategic regional approach to dealing with transport matters</li> <li>• Develop and implement a phased approach to regionalising the</li> </ul>	<p>Oct 16</p> <p>Jan 16</p> <p>Jan 17 – Mar 20</p>		RTA





Working in partnership with the Welsh Government to promote the development of integrated aviation routes from Cardiff airport and St Athan Enterprise Zone, to deliver economic benefit			
1. Review current levels of accessibility and connectivity between the airport / enterprise zone and the wider region	2017-19		
2. Identify options to enhance current levels of accessibility and connectivity	2017-19		
3. Develop a prioritised programme of enhancements and identify appropriate funding opportunities	2017-19		
4. Develop and implement enhancements	2020-25		
<b>Deal Element:</b>	<b>2. Additional Flexibilities</b>		
<b>Summary:</b>	In order to deliver the Cardiff Capital Region's City Deal commitments and a longer-term economic strategy, the ten local authorities have requested greater financial autonomy and flexibility. As part of this City Deal the Welsh Government will explore greater financial autonomy and flexibility with the Cardiff Capital Region Regional Cabinet.		
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Steve Thomas</li> </ul>		
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>Will Godfrey/WAO/WGT</li> </ul>		
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
Key milestones/tasks	Timescales	Requirements of Government	Owner
<b>T2.2/4 Financial Flexibility</b>			
<ul style="list-style-type: none"> <li>Regional Cabinet to develop a proposal around specifically what they are seeking to explore</li> <li>Meeting to explore the potential of business rate income above an agreed growth baseline to provide funding for the City Deal programme</li> <li>Meeting to explore the ability to levy an infrastructure supplement</li> </ul>	Jan 17 Jan 17 Dec 17		RO  WG/WGT WG/WGT

<ul style="list-style-type: none"> <li>Meeting to explore creating the option for the local authorities to use alternative finance sources</li> <li>Explore removing conditions around some specific Welsh Government grants, to allow funding to be pooled at the regional level in areas such as school support and interventions that seek to address poverty</li> </ul>			WG/WGT/WAO
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
<b>Deal Element:</b>	<b>3. Investing in Innovation and the Digital Network</b>		
<b>Summary:</b>	<p>The Cardiff Capital Region has an aspiration to extend the “arc of innovation” that runs along the M4 corridor into the Cardiff Capital Region. Capitalising on the research strengths of the Region’s three universities, the Cardiff Capital Region will designate an “Innovation District” that helps to: create and nurture new high growth businesses; increases investment in research and development; and provides the skills that businesses need now and in the future, significantly improving the commercialisation of IP. Within the context of an Innovation District, there are a set of key and connected interventions that would provide a foundation for investment in innovation growth; grow a cluster of international significance around advanced compound semi-conductors; target and try out new ways of working in public services through a regional ‘testbed’ piloting developments in open and big data and unlocking the economic value of public procurement and building an industrial accommodation strategy for co-working innovation hubs.</p>		
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Peter fox and Cllr Anthony Hunt</li> </ul>		
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>Paul Matthews/Kellie Bernie/Alison Ward/Matt Lewis</li> </ul>		
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
<b>Key milestones/tasks</b>	<b>Timescales</b>	<b>Requirements of Government</b>	<b>Owner</b>
<b>T2.5 /2 Developing an Internationally Competitive Compound Semiconductor Cluster</b>			
<p>Accelerate growth of innovation by:</p> <ul style="list-style-type: none"> <li>Establishing an anchor space in the region for high end production and manufacturing in 2017/18</li> <li>Link University-supported R&amp;D &amp; IP creation through to production and</li> </ul>	<p>Acquisition of high end factory space March 2017</p>	<p>Co-locate high end production with Catapult Centre</p>	<p>CCRPB/WG</p>

<p>commercialisation – ensuring full TRL presence across 1-3, 3-6 and 6-9</p> <ul style="list-style-type: none"> <li>• Connect Centre for Excellence with Manufacturing and Production and Catapult Centre</li> <li>• Supporting the development of a globally recognised Compound Semi-conductor cluster through an open innovation system, FDI and specialist branding and marketing</li> <li>• Supporting high growth connections through creating ‘collision spaces’ for semi-conductors, defence, automotive and digital sectors</li> </ul>	<p>Catapult location with factory production 2017/18</p> <p>Cluster establishment begins 2019/20</p>	<p>Access to ongoing Innovate UK support and investment</p> <p>UKRI recognises region as honeypot for clustering of CS industries</p>	
<b>T2.5 Innovation District, Innovation Investment and Innovate UK</b>			
<ul style="list-style-type: none"> <li>• Designate an innovation district with a ‘core’ around Cardiff University Innovation System and a ‘corridor’ that links growth poles</li> <li>• Achieve new package of fiscal rewards and incentives through which to target growth and development</li> <li>• Target key emergent and existing growth sectors through enhanced package of measures to invest in growth of IP creation and commercialisation</li> <li>• Develop and match fund an Innovation Investment Fund targeted at the digital growth sector</li> <li>• Improve subscription rate to Innovate UK funds and Investment streams Invest</li> <li>• Inform Innovate UK Industrial Growth Strategy</li> <li>• Site the National Innovation Body for Wales within the Innovation District programmes and activities</li> <li>• Work with WG to support, consolidate and promote innovation through a new National Innovation Body</li> </ul>	<p>2018-33</p> <p>2019/20</p> <p>2020 onwards</p> <p>2019</p> <p>2017/18 onwards</p> <p>January 2017</p> <p>2018</p> <p>2018</p>	<p>Provide powers to designate an Innovation District</p> <p>Agree package of fiscal rewards and incentives</p> <p>Ensure greater engagement in Wales with Innovate’s country Director and direct engagement in the IGS</p> <p>Agreement to</p>	<p>CCRPB/WG</p>

		locate new NIB within the region and designated Innovation District	
<b>T2.5/4 Public Services Testbed, Digital Development and Open Data</b>			
<ul style="list-style-type: none"> <li>• Create testbed to try, test and develop new approaches to public service delivering – inverting notion of a ‘bloated’ and problem public sector into an opportunity. This would focus upon solving the ‘wicked problems’ in public services and will include:             <ul style="list-style-type: none"> <li>○ Development of data science campus for big data analytics</li> <li>○ Open data standard for the region. Open data programme and strategy that targets useable apps based development; improves accountability and adds civic value</li> <li>○ Unlock the economic value of public procurement and see councils play a more significant role in market creation</li> <li>○ Drive forward new solutions to problems in social care, education, customer care, energy and asset optimisation and localism and service devolution</li> </ul> </li> <li>• Build upon the success and scale of the Software Academy through creation of a Digital Services Academy – targeting cyber, defence and social media alongside software development</li> <li>• Explore scope for direct international connectivity</li> <li>• Add value to existing 4G and 5G technologies – making the region a zone for uber-fast connectivity and a testbed for new technologies</li> <li>• Increase WIFI capacity across public transport, opening opportunities for data portals and e-citizenship</li> <li>• Implement ‘innovation’ and ‘digital’ as a theme across all areas, impacting the future-proofing of new public transport, smart live-work</li> </ul>	<p>Open data strategy and licence for region 2018</p> <p>Data analytics campus 2020</p> <p>Public services testbed in operation for 2021</p> <p>Digital academy expansion 2019</p> <p>Cyber academy established 2020</p>	<p>Support from all Government agencies in region to sign up to approach – ONS, IPO, and Companies House etc.</p> <p>Innovate UK and H20/20 support for Public Services Testbed</p>	CCRPB/WG



housing, smart region development (urban-rural-valley) and ensuring our young people are equipped and skilled to operate in the economies of the future.			
<b>T2.5/4 Industrial Accommodation Strategy &amp; Entrepreneurship</b>			
<ul style="list-style-type: none"> <li>• Re-invigorate and adapt the National Entrepreneurship Strategy for the region</li> <li>• Engage in and implement the findings and recommendations of REAP Action Plan</li> <li>• Create 'maker/coding/co-working' spaces to enable the development of appropriate business development, scale-up and creative co-working environments.</li> </ul>	<p>2020 2018 onwards for REAP recommendations First co-working space live in 2020</p>	<p>Support for implementation of REAP</p> <p>Development of regional ES supported by WG</p> <p>New arrangements in place for liaison and engagement with UKRI</p>	CCRPB/WG
<b>Deal Element:</b>	<b>4. Developing a Skilled Workforce and Tackling Unemployment</b>		
<b>Summary:</b>	The Cardiff Capital Region Skills and Employment Board will be created (building on existing arrangements) to ensure skills and employment provision is responsive to the needs of local businesses and communities. The Cardiff Capital Region and the Welsh Government will work with the Department of Work and Pensions to co-design the future employment support from 2017, for people with a health condition or disability and/or long term unemployed.		
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>• Cllr Debbie Wilcox</li> </ul>		
<b>Supported</b>	<ul style="list-style-type: none"> <li>• Stephen Gillingham/Richard Crook</li> </ul>		

by:			
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
Key milestones/tasks	Timescales	Requirements of Government	Owner
<b>T2.4/1 DWP Work &amp; Health</b>			
<ul style="list-style-type: none"> <li>Co-design of future employment support</li> <li>Award of framework contracts</li> <li>Agreement of CCRCDC involvement in mini framework awards</li> <li>Agreement of CCRCDC involvement in the CPA governance of the contract performance</li> </ul>	Nov 17	Engagement with DWP	RC/DWP
<b>T2.4/2 Reducing Unemployment</b>			
<ul style="list-style-type: none"> <li>Increase number of people moving into work</li> <li>A regional approach for assessment and support using the 5 step Model</li> <li>The integration of the All Age Employability Strategy into delivery</li> <li>Ensuring the provision of skills for support employability</li> <li>The preparation of a CCRCDC Employability strategy to provide the context to shape existing provision, to direct new provision and measure performance will cover increasing employability and reducing UE. The strategy will be produced for October 2017 with the delivery being ongoing</li> </ul>	Oct 17		LSKIP
<b>T2.4/3 Increasing Employability</b>			
<ul style="list-style-type: none"> <li>Provide people with skills for employability</li> <li>Increase number of people moving into work</li> <li>A regional approach for assessment and support using the 5 step Model</li> <li>The integration of the All Age Employability Strategy into delivery</li> <li>Ensuring the provision of skills for support employability</li> <li>The preparation of a CCRCDC Employability strategy to provide the context to shape existing provision, to direct new provision and</li> </ul>	Oct 17		LSKIP

measure performance will cover increasing employability and reducing UE. The strategy will be produced for October 2017 with the delivery being ongoing			
<b>T2.4/4 Apprenticeship Programme</b>			
<ul style="list-style-type: none"> <li>• Increase the number of people undertaking apprenticeships</li> <li>• The programme will need to include the Programme for Government intention of delivering 100,000 apprenticeships, the current supply and demand, and opportunity to develop a tailored CCRCD response. An initial programme will be developed for March 2017 with full programme finalised for October 2017 in line with the Employability Strategy</li> </ul>	Oct 17		LSKIP
<b>T2.4/P1 Social Clauses Review</b>			
<ul style="list-style-type: none"> <li>• Task and Finish review of best practice to establish a sustainable approach to procurement</li> </ul>	June 17		LSKIP
<b>T2.4/P1 Business Cluster (Skills) Collaboration</b>			
<ul style="list-style-type: none"> <li>• Structural engagement with business clusters to ensure skills needs are met</li> </ul>	June 17		LSKIP
<b>T2.4/P1 Virtual Academies</b>			
<ul style="list-style-type: none"> <li>• Development of the model of how the VA would operate in response to opportunity</li> </ul>	June 17		LSKIP
<b>T2.5/4 Software Academy</b>			
<ul style="list-style-type: none"> <li>• The Digital Network</li> <li>• Support the Software Academy and related programmes</li> <li>• Developing a cyber-security academy</li> <li>• Developing proposals for better use of data</li> <li>• Exploring the case for direct International connectivity</li> <li>• Mobile infrastructure across 4G and 5G technologies that add value to existing provision</li> <li>• Increasing Wi-Fi across public transport</li> </ul>	June 17		LSKIP

<ul style="list-style-type: none"> <li>Digital solutions to big problems</li> </ul>			
<b>Deal Element:</b>	<b>5. Supporting Enterprise and Business Growth</b>		
<b>Summary:</b>	A Cardiff Capital Region Business organisation will be established to ensure that there is a single voice for business to work with local authority leaders.		
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Peter Fox &amp; Cllr Anthony Hunt</li> </ul>		
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>Paul Matthews/Kellie Bernie/Alison Ward/Matt Lewis/Helen Davies/Ann Beynon</li> </ul>		
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
<b>Key milestones/tasks</b>	<b>Timescales</b>	<b>Requirements of Government</b>	<b>Owner</b>
<b>T2.5/P1 Creating the Regional Business Organisation</b>			
<ul style="list-style-type: none"> <li>Establish the board</li> </ul>			HD/AB
<b>Key milestones/tasks</b>	<b>Timescales</b>	<b>Requirements of Government</b>	<b>Owner</b>
<b>T2.5/5 Integrated Delivery Unit</b>			
<ul style="list-style-type: none"> <li>Create a Regional integrated Delivery unit to provide Business Support</li> <li>Align local resources to create the unit to deliver regionally significant aspects of economic development including business development; marketing; tourism; and inward investment</li> <li>Work with Welsh Government to ensure complementarity</li> <li>Welsh Government to ensure greater levels of visibility with the Welsh Government's own oversees offices</li> </ul>		WG oversees offices/networks	RO RO RO RO

<b>Deal Element:</b>	<b>6. Housing Development and Regeneration</b>		
<b>Summary:</b>	The Welsh Government and the Cardiff Capital Region commit to a new partnership approach to strategic planning. This will ensure the delivery of sustainable communities, through the use and re-use of property and sites.		
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>• Cllr Moore &amp; Cllr Reynolds</li> </ul>		
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>• Chris Burns/Christina Harry/Rob Thomas/Marcus Goldsworthy/Jane Cook</li> </ul>		
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
<b>Key milestones/tasks</b>	<b>Timescales</b>	<b>Requirements of Government</b>	<b>Owner</b>
<b>T2.3/3 Development of a CCRC Housing Fund</b>			
<ul style="list-style-type: none"> <li>• Evidence base of reasons why housing sites are stalled in SE Wales</li> <li>• Development of toolkit of interventions to stimulate housing development</li> <li>• Complete decision tree to identify the right tools for particular site circumstances</li> <li>• Establish non-financial mechanisms e.g. facilitating landowners; CPO etc.</li> <li>• Establish fund criteria to ensure sites supported deliver economic benefit</li> <li>• Establish fund administration and management arrangements</li> <li>• Establish evaluation mechanism</li> <li>• Launch fund</li> </ul>	2017-2020		JC
<b>T2.3/3 Work with Welsh Government to ensure that housing programmes and initiatives align</b>			
<ul style="list-style-type: none"> <li>• Scope WG housing activity</li> <li>• Share City Deal Activity</li> <li>• Align work streams</li> </ul>	2017-2020		JC
<b>T2.3/3 Work with public and private housing providers to increase the delivery and quality of housing</b>			



<ul style="list-style-type: none"> <li>Establish regional fora</li> <li>Lead task and finish activity</li> <li>Explore innovative housing delivery partnerships</li> </ul>	2017-2020		JC
<b>T2.3/3 Work with public and private housing providers to increase the delivery and quality of housing</b>			
<ul style="list-style-type: none"> <li>Establish regional fora</li> <li>Lead task and finish activity</li> <li>Explore innovative housing delivery partnerships</li> </ul>	2017-2020		JC
<b>T2.3/3 Strategic Plan for Regional Housing delivery, including Market Assessment</b>			
<b>T2.3/1 Coordinate with transport; skills; planning and other CCRC work streams</b>			
<b>T2.3/1 Strategic approach to regeneration &amp; infrastructure provision</b>			
<ul style="list-style-type: none"> <li>Develop a process to capture review and assess infrastructure and regeneration projects which accord with City Deal principles and ensure all submitted schemes and programmes undergo the assessment process and only those meeting the assessment criteria are progressed.</li> <li>Develop a framework based on supporting information provided by the transport, housing, innovation and business support and skill strand to promote innovative infrastructure, regeneration and economic growth projects in collaboration and/or in partnership in order to maximise leverage from the private and public sectors;</li> <li>Facilitate the development of schemes with partners including Welsh Government which together have the potential to provide region wide benefits;</li> <li>Develop a program of support for the three Enterprise Zones within the region in conjunction with Welsh Government and review the boundaries and roles of the Zones going forward</li> <li>The development of further innovative start-up and co-working space in strategic locations to serve the region along with the follow-on space innovative business need to grow.</li> <li>Targeted investment for town centre regeneration to ensure our</li> </ul>	<p>April 2017</p> <p>April 2017-2020</p> <p>April 2017-2020</p> <p>April 2017-2020</p> <p>April 2017-2020</p> <p>April 2017-2020</p> <p>April 2017-2020</p> <p>April 2017-2020</p>		MG

<p>towns develop and thrive into the 21<sup>st</sup> century</p> <ul style="list-style-type: none"> <li>• The Development of a regeneration and infrastructure fund to support projects which deliver crosscutting regional benefits.</li> <li>• Use the outcomes of the assessment process and City Deal Regional Cabinet resolutions to prepare a regional programme of implementation based on available funding;</li> <li>• Ensure that the regional programme of implementation is monitored and updated based on revised funding and priorities and ensures that project implementation maximises added value benefits and sustainability principles.</li> <li>• Tourism development/investment – Development of a region wide destination investment plan</li> </ul>	<p>April 2017-2020</p> <p>April 2017-2020</p>		
<p><b>Deal Element:</b></p> <p><b>Summary:</b></p> <p><b>Portfolio Lead:</b></p> <p><b>Supported by:</b></p>	<p><b>7. Cardiff Capital Region Cabinet</b></p> <p>This City Deal will act as a catalyst to develop stronger and more effective leadership across the Cardiff Capital Region, enabling ten local authority leaders to join up decision making, pool resources and work more effectively with local businesses.</p> <p>Utilising the existing statutory framework, the ten local authorities will establish a Cardiff Capital Region Cabinet. The Cabinet will have the status of a Joint Committee and will be the ultimate decision making body in the governance structure.</p> <p>The establishment of a Capital Region Cabinet will be the first step in the development of greater city-region governance across the Cardiff Capital Region.</p> <ul style="list-style-type: none"> <li>• Cllr Toomey</li> <li>• Gareth Chapman/Liz Weale/Pincent Mason</li> </ul> <p><i>N.B. unless specified, timescales to be read as 2016-2020</i></p>		

Key milestones/tasks		Timescales	Requirements of Government	Owner
<b>T2.2/1 Agreement and Governance Structure</b>				
<ul style="list-style-type: none"> <li>A comprehensive agreement will be drawn up between the participating authorities which will a) bind and commit each individual local authority and any successor authority (in the event of local government re-organisation) for such duration as is necessary to deliver the City Deal; and b) allow for the possibility of additional functions and powers to be devolved to the Cabinet in the future</li> </ul>		Jan 17		GC
<b>T2.2/2 Governance Development</b>				
<ul style="list-style-type: none"> <li>The Cardiff Capital Region commit to a) reviewing the City Deal governance and exploring the future options for moving to even stronger and effective governance that is legally binding; and b) consulting the Welsh Government and the UK Government to identify actions needed to take forward future governance options</li> </ul>				GC
<b>Deal Element:</b>	<b>8. Strategic Regional Planning</b>			
<b>Summary:</b>	The Cardiff Capital Region, in partnership with the Welsh Government, will commit to the creation of an integrated strategic development plan that incorporates housing and employment land-use with wider transport plans. The strategic plan will provide the underpinning blue-print for development across the city-region.			
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Moore &amp; Cllr Reynolds</li> </ul>			
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>Chris Burns/Christina Harray/Rob Thomas</li> </ul>			
<i>N.B. unless specified, timescales to be read as 2016-2020</i>				
Key milestones/tasks		Timescales	Requirements of Government	Owner
<b>T2.4/4 Regional Strategic Planning</b>				

	<ul style="list-style-type: none"> <li>Create an Integrated Strategic Development Plan</li> </ul>			RT/CH
<b>Deal Element:</b>	<b>9. Cardiff Capital Region Economic Growth Partnership</b>			
<b>Summary:</b>	<p>The Cardiff Capital Region Economic Growth Partnership will be established as a key advisory body for the development of the Regional Economic Strategy as well as decisions relating to the City Deal Wider Investment Fund. The Partnership will comprise representatives of the key economic actors and agents of the city-region, including business, higher education, local government, the third sector and employee organisations. In addition to being an advisory body for the Regional Economic Strategy, and providing advice on the Wider Investment Fund, the Partnership will also provide an advocacy role in promoting the city-region, which includes supporting the marketing of the city-region and inward investment activities, as well as making representations on behalf of the city-region. In undertaking these activities the Partnership will also monitor and make recommendations to the Regional Cabinet with regard to City Deal implementation; and will provide advice on investment decisions.</p>			
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Bale</li> </ul>			
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>Paul Orders</li> </ul>			
<i>N.B. unless specified, timescales to be read as 2016-2020</i>				
Key milestones/tasks		Timescales	Requirements of Government	Owner
<b>T2.4 Establish the Regional Economic Growth Partnership (REGP)</b>				
<ul style="list-style-type: none"> <li>Develop detailed proposals for the REGP and report back to Joint Cabinet</li> </ul>		2016 Early 2017		PO
<ul style="list-style-type: none"> <li>Finalise proposals to align with legislation and the wider city deal requirements around governance and the wider investment fund assurance framework</li> </ul>		Early 2017 Early 2017		
<ul style="list-style-type: none"> <li>Identify an individual to support the Nolan process in appointing a chair</li> </ul>				
<ul style="list-style-type: none"> <li>Identify representative groups from the business community and</li> </ul>		Spring 2017		

	employee groups, inviting Higher Education institutions to propose a representative and establish interim board			
	<ul style="list-style-type: none"> <li>Establish full REGP</li> </ul>			
<b>Deal Element:</b>	<b>10. Independent Growth and Competitiveness Commission</b>			
<b>Summary:</b>	The Cardiff Capital Region will establish an independent Growth and Competitiveness Commission to support the city region's economic and investment strategy. It will review activities related to the City Deal as well as wider economic and growth interventions.			
<b>Portfolio Lead:</b>	<ul style="list-style-type: none"> <li>Cllr Bale</li> </ul>			
<b>Supported by:</b>	<ul style="list-style-type: none"> <li>Paul Orders</li> </ul>			
<i>N.B. unless specified, timescales to be read as 2016-2020</i>				
Key milestones/tasks		Timescales	Requirements of Government	Owner
<b>T2.4/P3 Review of evidence</b>				
	<ul style="list-style-type: none"> <li>Establish terms of reference and programme June 2016</li> <li>Launch event June 2016</li> <li>Commence programme, beginning with a review of evidence about the functional economy area.</li> <li>Deliver a detailed economic analysis of the city-region</li> <li>Findings launched December 2016</li> </ul>	2015/16		GC
<b>Deal Element:</b>	<b>11. Delivery, Monitoring and Evaluation</b>			
<b>Summary:</b>	Cardiff Capital Region will work with the UK Government and the Welsh Government to develop an agreed implementation, monitoring and evaluation plan in advance of implementation, which sets out the proposed approach delivery and evaluating the impact of delivery.			



<b>Portfolio Lead:</b>	• Cllr Morgan		
<b>Supported by:</b>	• Sheila Davies/Sian Workman		
<i>N.B. unless specified, timescales to be read as 2016-2020</i>			
<b>Key milestones/tasks</b>	<b>Timescales</b>	<b>Requirements of Government</b>	<b>Owner</b>
<b>T2.1 Establish the Regional Office (RO)</b>			
<ul style="list-style-type: none"> <li>Establish the joint programme management team</li> <li>Establish the regional delivery team</li> <li>Develop and deploy over-arching programme monitoring tools and processes</li> <li>Introduce individual evaluation arrangements covering each portfolio area referenced</li> <li>Produce the 2017/18 Business Plan</li> </ul>	Jan 17	Support in the development of the framework	SD/SW SW SW  SD/SW
<b>T2.1 Establish a Comprehensive Transition Programme</b>			
<ul style="list-style-type: none"> <li>A comprehensive programme of work to ensure a seamless transition to city deal arrangements</li> <li>Ensure that appropriate arrangements are put in place to support the CCRCD including accommodation, staff resources, HR support, financial systems and audit arrangements and IT systems</li> <li>Effective 'internal' communication will be required</li> </ul>	Jan 17	Support in the development of the framework	SW SW/WGT/UKG  SW
<b>T2.1 Agree and Implement a Review and Reporting Timetable</b>			
<ul style="list-style-type: none"> <li>A comprehensive timetable to ensure requisite multilateral review and reporting arrangements are met by all partners</li> <li>Establish a clear mechanism for refreshing the city-region implementation plan (it is quite possible that named individuals may change as the result of elections, and we anticipate that some milestones can only be developed or refined following initial exploratory work) and agreeing clear governance over how revisions</li> </ul>	Jan 17	Support in the development of the timetable  Welsh Government City Deal	SW/WGT/UKG  SW

are approved

Overview Board

**Consider:** Key Stakeholder list (who is involved in delivery, who is the accountable officer); Coms (who, when, how); Budget / costs (who is paying); Resource implications (how much effort (FTE and time) to complete each action; Interdependencies (which actions can't commence until others have been completed) and Governance (who will sign off the plan, and who will monitor progress and when).

DRAFT

DRAFT

The Common Seal of **BLAENAU GWENT** )  
**COUNTY BOROUGH COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **BRIDGEND COUNTY** )  
**BOROUGH COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **CAERPHILLY COUNTY** )  
**BOROUGH COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **THE COUNTY** )  
**COUNCIL OF THE CITY & COUNTY OF** )  
**CARDIFF** was hereunto affixed in the )  
presence of:- )

The Common Seal of **MERTHYR TYDFIL** )  
**COUNTY BOROUGH COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **MONMOUTHSHIRE** )  
**COUNTY COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **NEWPORT** )  
**CITY COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **RHONDDA CYNON** )  
**TAFF COUNTY BOROUGH COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **TORFAEN COUNTY** )  
**BOROUGH COUNCIL** was )  
hereunto affixed in the presence of:- )

The Common Seal of **THE VALE OF** )  
**GLAMORGAN COUNCIL** was )  
hereunto affixed in the presence of:- )



**CITY & COUNTY OF CARDIFF  
DINAS A SIR CAERDYDD****COUNCIL:****26 January 2017**

---

**REPORT OF DIRECTOR GOVERNANCE & LEGAL SERVICES**

---

**APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOL  
GOVERNING BODIES****Reason for this Report**

1. To appoint Local Authority School Governors.

**Background**

2. Section 19 of the Education Act 2002 creates the general ability for the Local Authority to appoint governors to the Governing Bodies of maintained schools, with further detail contained in the Government of Maintained Schools (Wales) Regulations 2005. When Local Authority school governor vacancies arise, either by appointees reaching the end of their term of office or resigning, it is the statutory duty of the Council to fill the vacancies as soon as possible.
3. The Local Authority Governors Panel to oversee this process was constituted at the Annual Council in May 2015 and held its first termly meeting in September 2015.

**Issues**

4. The Local Authority Governors Panel met on 12 January 2017 to consider new applications to current and future vacancies up to 31 March 2017. The recommendations of the Panel are contained in Appendix 1 to this report.

**Reasons for Recommendations**

5. To ensure that the Council fulfils its statutory functions in respect of the appointment of local authority governors for maintained schools.

**Legal Implications**

6. As noted in paragraph 2 of the report, the Council is required, pursuant to the Education Act 2002, section 19 and regulations made there under, to appoint local authority governors to the Governing Bodies of maintained schools, in accordance with those statutory provisions.

7. Appointments to outside bodies are a local choice function, which is reserved under the Council's Constitution to full Council. Accordingly, the appointment of local authority governors to Governing Bodies, as recommended in this report, requires the approval of full Council.

### **Financial Implications**

8. There are no financial implications arising from this report.

### **Recommendation**

9. That Council consider the recommendations of the Local Authority Governor Panel of 12 January 2017 and approve the appointments of Local Authority Governors to the School Governing Bodies as set out in Appendix 1.

**Davina Fiore**  
**Director Governance & Legal Services**  
19 January 2017

*The following Appendix is attached:*

Appendix 1            List of Local Authority School Governor vacancies and recommendations for appointment by the Local Authority Governor Panel for the period 25 November 2016 to 31 March 2017

*The following Background Documents have been taken into account: N/A*

**LA Governor Vacancies - Recommendations from LA Governor Panel  
25 November 2016 – 31 March 2017**

**Appendix 1**

- i. All appointments in the list are recommended by the LA Governor Appointments Panel and will have satisfied the required application process.
- ii. All terms of office unless otherwise stated are for 4 years.

**Existing LA Governor Vacancies**

School	Ward	Start of Vacancy	Re-appointment requested	Applications received	Agreed Y/N
Baden Powell Primary School 2 x vacancies	Splott	17/09/2016 17/09/2016			
Bryn Hafod Primary School	Llanrumney	19/05/2016		Rachel Johnson	
Creigiau Primary School	Creigiau	08/10/2016			
Danescourt Primary School 2 x vacancies	Danescourt	01/09/2016 01/09/2016			
Ely and Caerau Children's Centre	Ely	14/07/2016			
Fitzalan High School	Canton	19/12/2016		Daniel Morgan	
Grangetown Nursery School	Grangetown	02/09/2016			
Grangetown Primary School	Grangetown	16/09/2016			
Hywel Dda Primary School	Ely	03/11/2016			
Moorland Primary School	Splott	26/09/2016		Cllr Ed Stubbs	
Oakfield Primary School	Trowbridge	04/03/2015			
Pencaerau Primary School	Caerau	01/09/2010			
Pentrebane Primary School	Fairwater	27/06/2016			
Peter Lea Primary School	Fairwater	27/06/2016			
Pontprennau Primary School	Pontprennau	29/11/2016			
Radyr Primary School	Radyr	22/11/2016		Jane Griffiths	
Rhiwbina Primary School	Rhiwbina	18/10/2016			
Rhydypenau Primary School	Cyncoed	01/10/2016		Sian Evans	

Riverbank Special School 2 x vacancies	Caerau	13/06/2016 29/06/2016			
St John Lloyd RC Primary School	Trowbridge	30/01/2013			
St Patrick's RC Primary School	Grangetown	16/09/2016			
The Hollies School (Pentwyn)	Pentwyn	26/09/2016			
Trelai Primary School	Caerau	13/09/2016			
Willows High School	Splott	15/09/2016			
Windsor Clive Primary School	Ely	23/03/2016			
Woodlands High School 2 x vacancies	Caerau	10/12/2015 29/09/2016		Doug Corp	
Ysgol Glan Ceubal	Llandaff North	01/10/2016			
Ysgol Gyfun Gymraeg Glantaf	Llandaff North	26/10/2016		Nia Blackwell	
Ysgol Gymraeg Coed-Y-Gof	Fairwater	22/10/2015			
Ysgol Gymraeg Melin Gruffydd X 2 vacancies	Whitchurch	04/10/2015 21/11/2015			
Ysgol Gymraeg Nant Caerau	Caerau	28/06/2016			
Ysgol Pen y Groes	Pentwyn	28/09/2016			
Ysgol Pencae	Llandaff	01/09/2016			

Page 450

#### **Future LA Governor Vacancies – 25 November 2016 – 31 March 2017**

<b>School</b>	<b>Ward</b>	<b>Start of Vacancy</b>	<b>Re-appointment Requested</b>	<b>Applications Received</b>	
Coryton Primary School	Whitchurch	27/02/2017	Yes	Nesta Evans	
Fairwater Primary School	Fairwater	29/03/2017	Yes	George Fleri	
Herbert Thompson Primary School	Ely	20/01/2017			
Lansdowne Primary School	Canton	25/02/2017	Yes	Cllr Ramesh Patel	
Ninian Park Primary School	Grangetown	25/02/2017	Yes	Ivor Gittens	
Pentrebane Primary School	Fairwater	29/03/2017	Yes	Eileen Nicholls	
Radyr Comprehensive School	Radyr	25/02/2017	Yes	Cllr McKerlich	

<b>School</b>	<b>Ward</b>	<b>Start of Vacancy</b>	<b>Re-appointment Requested</b>	<b>Applications Received</b>	
Rhiwbeina Primary School	Rhiwbina	29/03/2017	Yes	Siva Sivapalan	
Rhydypenau Primary School	Cyncoed	25/02/2017	Yes	Anne Gee	
Springwood Primary School	Pentwyn	25/02/2107	Yes	Cllr Boyle	
St Francis RC Primary School	Ely	25/02/2017	Yes	Cllr Goddard	
St Mellons CiW Primary School	Llanrumney	25/02/2017	Yes	Cllr Dianne Rees	
Ysgol Gymraeg Bro Eirwg	Llanrumney	01/02/2017			
Ysgol Gymraeg Treganna	Canton	01/02/2017			
Ysgol Pwll Coch	Canton	27/02/2017	Yes	William Callaway	

Mae'r dudalen hon yn wag yn fwriadol



---

**REPORT OF DIRECTOR GOVERNANCE AND LEGAL SERVICES**

---

**POLITICAL BALANCE & COMMITTEE MEMBERSHIP****Reason for this Report.**

1. To inform Council of a change in the political composition of the Council; and
2. To make appointments to fill current vacancies on Committees in accordance with the approved allocation of seats to party groups and the respective party group wishes.

**Background**

3. The Council at its Annual Meeting on 28 May 2016 established its committees and allocated seats to party groups in accordance with the relevant provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.
4. The legislation requires the Council to allocate committee seats to political groups in proportion, as far as is reasonably practicable, to the size of those groups on the Council. Once the Council has determined the allocation of seats, it is obliged to make appointments so as to give effect to the wishes of the political group to which the seat has been allocated.
5. Appointments to Committees have been made in accordance with the agreed allocations and the wishes of the political groups.

**Issues**

6. The Political Balance has altered as a result of the resignation of Councillor Susan White in November 2016 and Councillor Margaret Jones December 2016. These resignations occurred within the six month period before the next Council Local Elections. In accordance with statutory requirement a notice of the vacancy of Councillor would be published but the vacancy would remain unfilled until 4 May 2017.

7. Under the relevant legal provisions (referred to under paragraph 3), this changes alters the current allocation of seats on Committees approved at Annual Council 28 May 2016.
8. Based on the revised composition of the Council as from 12 January 2016 the proportional allocation of seats on Ordinary Committees and Scrutiny Committees is as set out in Table A below:

TABLE A - Composition of the Council as at 20 January 2017:

Groups	Number of Councillors	Proportionality	Number of seats
Labour	39	57.35%	77
Liberal Democrat	15	22.06%	30
Conservative	9	13.23%	17
Plaid Cymru	5	7.35	10
Ungrouped *	5	0%	
	73	100%	134

\*Four Independent Members not part of any Group – no entitlement to allocation of seats

9. The following Committee vacancies are to be filled by Council on 26 January 2017, in accordance with wishes of the political groups to which the seats are allocated. Nominations will be reported to Council on the amendment sheet.

<b><u>Committee</u></b>	<b><u>No of Vacancies</u></b>
Planning Committee	2 vacancies
Licensing Committee	2 vacancies
Public Protection Committee	2 vacancies
Audit Committee	1 vacancy
Corporate Parenting Advisory Committee	3 vacancies
Democratic Services Committee	1 vacancy
Community & Adult Scrutiny Committee	1 vacancy
Economy Scrutiny Committee	2 vacancies
Environment Scrutiny Committee	2 vacancies
Policy Review & Performance Scrutiny	1 vacancy
Bilingual Cardiff Working Group	1 vacancy
Health & Safety Advisory Group	1 vacancy
Glamorgan Archives Joint Committee	2 vacancies
Standards & Ethics Committee	1 vacancy

10. Under the rules on political balance, the Council may adopt an alternative arrangement to strict political proportionality for the allocation of seats on

Committees and distribute seats on a different basis provided that notice of such proposal is given in the Council Summons, and the alternative arrangement is approved by Council, without any Member voting against the arrangement (referred to as a '*nem con*' vote).

### **Legal Implications**

9. The legal implications are set out in the body of this report.

### **Financial Implications**

10. There are there are no additional financial implications arising from this report that have not been included within the Council's budget for 2015/16.

### **RECOMMENDATIONS**

The Council is recommended to

- (1) note the change in the political composition of the Council as set out in the report; and
- (2) approve appointments to fill the vacancies on Committees in accordance with the approved allocations and the nominations of the party groups, as set out on the Amendment Sheet.

### **DAVINA FIORE**

Director Governance and Legal Services and Monitoring Officer  
20 January 2017

Mae'r dudalen hon yn wag yn fwriadol