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**EASTERN BAY LINK – JOINT STUDY PROPOSAL**

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**Reason for the Report**

1. To provide Members with the opportunity to consider the content of a Cabinet proposal titled 'Eastern Bay Link' prior to it being considered at the Cabinet meeting on the 15 December 2016. The main purpose of the report is to seek authority to engage with the Welsh Government to progress a joint study of options for the next phase of the Eastern Bay Link Road between the Butetown Tunnels and A48 Eastern Avenue, to be funded by the Welsh Government.

**Background**

2. South Glamorgan County Council identified a need for the Peripheral Distributor Road (PDR) in 1974. The PDR has subsequently been built in stages and the latest sections that were completed include the Pentwyn Link which (with the new motorway interchange) was opened in June 1994, and the Butetown Link Viaduct and Tunnels which were opened in March 1995. The Eastern Bay Link has been included in the adopted Local Plan (January 1996); adopted Structure Plan (April 1997); Local Transport Plan (August 2000) and deposit Unitary Development Plan (October 2003).
3. South Glamorgan County Council granted planning permission for the Eastern Bay Link in July 1994. The scheme was described as a 7.3 mile dual carriageway with a minimum design speed of 70kph between the end of the Butetown Link and the nose of the southern slip roads of the Lamby Way/Rover Way junction and 60kph from this point to Southern Way to match the alignment of the existing East Moors viaduct.

4. The County Council granted planning permission for the revision of the 1994 planning consent in August 1997. The development was permitted on condition that it was begun before the expiration of five years from the date of planning permission. Application to renew the consent was submitted in July 2002 and was subsequently withdrawn in November 2003 because an appropriate environmental assessment had not been prepared due to insufficient funds available from the Welsh Government to provide the supporting information. The planning consent has now lapsed.
5. Cardiff County Council prepared a report titled 'Eastern Bay Link – Scheme Re-appraisal' in December 1998, and submitted it to the former Welsh Office for consideration in 1999. The aim of the study was to re-examine the scheme to determine whether savings in cost could be achieved to ease funding difficulties without compromising the objectives of the Eastern Bay Link.
6. Options were investigated in 2000 for scaling down the section of Eastern Bay Link from Butetown Link to Ocean Way Interchange at the request of the Welsh Government. The results were published in a report titled 'Feasibility Report for Scaled Down Options Butetown Link to Ocean Way Interchange, Volumes 1 to 3, Project No 147, Rev 1.4, October 2000 including a NATA Assessment (Volume 3)' which was prepared by Babtie Group. Various work on the scaled-down options continued in 2001 before the Welsh Government withdrew Transport Grant funding in 2002.
7. Options were also investigated in 2008 and 2009 as part of the Cardiff Transportation Partnership. In July 2013, the written Statement by the Minister for Business, Enterprise and Technology stated that the Eastern Bay Link is an important element in improving access to the Central Cardiff Enterprise Zone and enhancing connectivity within the city region.

### **The Current Scheme**

8. Phase 1 of the Eastern Bay Link is currently being constructed between Butetown Tunnels and Ocean Way Roundabout at a cost of £57m; it will be 1km in length. The construction started in 2016 and will be completed in 2017. The scheme will

reduce the need for traffic to use Central Link, Adam Street and Windsor Road as they will have a direct link between Rover Way and Cardiff Bay.

9. The road being constructed on behalf of the Welsh Government is not a trunk road and its construction has no financial impact on the Council. There is a legal agreement with Cardiff Council being the owner of the infrastructure once it is completed. The section 38 / section 278 Agreement is intended to cover all associated costs to the Council.
10. The Eastern Bay Link potentially offers the opportunity to provide complementary strategic highway capacity which may assist with enhancing any benefits of reallocating adopted highway space to Metro related and Active Travel improvements in the local network.

### **Key Issues**

11. There are a number of important issues that remain to be considered in terms of the Eastern Bay Link project, these are:

- **Local Development Plan (LDP) Support** - The Local Transport Plan (LTP) includes the Eastern Bay Link as a scheme to be funded by the Welsh Government (and potentially with developer contributions) between 2020 and 2030. The LDP does identify it as a project that the Council will strongly support. Paragraph 5.239 of the LDP states:

*“The Eastern Bay Link Road is a longstanding aspiration of the Council and is featured in the South East Wales Transport Alliance (Sewta) Regional Transport Plan (RTP). The road would complete a peripheral distributor road running between M4 Junction 33 in North West Cardiff and Llanedeyrn Interchange in the East of the city. It would provide additional capacity for road-based access to the Cardiff Central Enterprise Zone from the East and supporting development in that area.”*

The scheme provides the opportunity to improve network resilience for the strategic highway network whilst facilitating local measures to improve the

attractiveness of walking, cycling and travelling by public transport particularly in the City Centre and Cardiff Bay and surrounding corridors.

In addition, there is significant potential linkage between the transport impacts that would result for this project and the larger regional projects of the City Region Metro and the M4 Relief road.

- **Project Completion** - The Eastern Bay Link remains uncompleted. Following the current phase of development a further 5km of development will be required to ensure connection to the eastern linkage to the A48.

A number of route alignment options will need to be evaluated, these include:

- Grade separated options that would provide a continuous route (uninterrupted by junctions);
- At grade options that would minimise the structures required including junctions to provide local access;
- Inland and foreshore alignment options.

A number of competing route alignment options exist to complete this project. Given the environmental sensitivity of some of the area under consideration future options will need to consider alternative alignments, costs, benefits and impact of the highway capacity improvements on sustainable modes. It is estimated that Phase 2 of the Eastern Bay Link would take approximately three to five years from funding becoming available to completion of construction.

- **Flood Risk** - The Council has successfully submitted a flood and coastal defence project proposal for inclusion in the Welsh Government's Coastal Risk Management Programme. Grant approval for a Project Appraisal Report has now been secured and JBA consultancy have been appointed to undertake the appraisal including an assessment of the existing defences, recession rates and potential inundation extents to identify the most appropriate management option. The Project Appraisal Report will identify a preferred option, or series of options, across the coastal area at Rover Way, for the management of coastal erosion and coastal flooding. The full scope of the PAR includes the entire flood cell of the Rhymney estuary; stretching from the Dwr Cymru Welsh Water treatment works in

the west to the extent of Lamby Way Tip in the east, including the area of extent of tidal influence up the estuary of the River Rhymney.

The appraisal is required to be completed by March 2017 and the Welsh Government programme indicates construction of the successful projects between 2018 and 2021; however, given the risk associated with the potential failure of the defences in the area of Rover Way, it is likely that any Welsh Government approved project would take place early in the Welsh Government construction programme (2018). The private Dwr Cymru Welsh Water defences are currently the subject of a separate assessment commissioned by Dwr Cymru / Welsh Water; however, the Council's Project Appraisal Report is looking to identify the potential for partnership working in the hope to align the two projects and realise multiple benefits.

The study of options for the Eastern Bay Link will need to consider the issues and options of the flood and coastal defence appraisal work.

- **M4 Relief Road** - The Welsh Government is progressing proposals for a new section of the M4 motorway between Magor and Castleton. Preparations are being made for consideration of the proposals at a Public Inquiry to be held in 2017. This project will have clear strategic opportunities in terms of economic benefits for the national, regional and local economy. The letter from the Welsh Government dated 4th November 2016 made the following statements:

*“The M4 Project is considered to be a vital part of our vision to create a united, connected and sustainable integrated transport system for Wales, linking with measures to improve transport links, of all modes within Cardiff. Design of the project is of course taking into account Metro proposals for the city region, as well as the expectation for Severn crossing tolls to reduce and ultimately be removed.”*

*“Enhancement of the capacity of the M4 east of Cardiff will of course complement the previously widened M4 north of Cardiff between J29 and 32, the current work to the Eastern Bay Link and any further development of that route. The reclassification of the existing M4 around Newport and A48 (M) will improve*

*connectivity between Cardiff and Newport for classes of vehicle not permitted on the motorway.”*

However, the impacts of the new M4 on the highway network in Cardiff are yet to be fully understood. Nonetheless, the delivery of the Eastern Bay Link final phase will be essential to ensure that the impacts of the M4 project are effectively mitigated. Welsh Government has invited Council Officers to meet with the M4 Project Team to discuss the scope and potential impacts of the M4 project. This will also provide an opportunity to identify and agree the further technical work required to identify options for progressing the completion of the Eastern Bay Link and the funding that would be required from Welsh Government for this work.

In view of all these factors further work will need to take place, as well as engagement with Welsh Government to ensure that any proposals that come forward meet the wide range of requirements and maximise opportunities for Cardiff.

- **Tidal Lagoon Cardiff** - The tidal lagoon is being proposed by Tidal Lagoon Power Plc, a company specifically established to develop, own and operate tidal lagoon power plants. To date, the company has secured consent for a tidal lagoon in Swansea Bay which establishes a scalable blueprint for other projects in the UK. The Cardiff proposal would see the construction of a seawall, some 22km in length, enclosing an area of approximately 70 square kilometres. It would extend from east of the entrance to Cardiff Bay to west of the mouth of the River Usk in Newport. A project of this type is classed as a 'Nationally Significant Infrastructure Project' and would be managed by the Planning Inspectorate. Although the Council is not the decision-making body, it will play an important role in the process as formal inputs will be required at all stages.
- **Development Opportunities** - The scheme provides opportunity to help facilitate development and job growth in South-East Cardiff through improved access to land in Splott north and south of Rover Way and in Rumney and Trowbridge north and south of Lamby Way.

- **Opportunities for Leisure & Tourism** - The Eastern Bay Link has the potential to enhance the city's tourism and leisure offer providing improved access to new regeneration opportunities and improvements in accessibility to wetlands and the coast.
12. The recommendation of the Cabinet report titled 'Eastern Bay Link' will be to delegate authority to the Director of City Operations to engage with the Welsh Government to progress a joint study of options for the next phases of the Eastern Bay Link Road between the Butetown Tunnel and the A48 at Eastern Avenue which would, subject to agreement be funded by the Welsh Government.

### **Way Forward**

13. Councillor Ramesh Patel, Cabinet Member for Transport, Planning & Sustainability has been invited to attend for this item. He will be supported by officers from the City Operations Directorate.

### **Legal Implications**

14. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

15. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

## **RECOMMENDATIONS**

The Committee is recommended to:

- i. Note the contents of the attached reports;
- ii. Consider whether they wish to pass on any comments to the Cabinet following scrutiny of the item titled 'Eastern Bay Link – Joint Study Proposal'.

**DAVINA FIORE**

**Director for Governance & Legal Services**

**30 November 2016**