



CABINET – 12TH FEBRUARY 2020

SUBJECT: ERDF 4.4 FUNDING OPPORTUNITIES – TY DU, NELSON – PHASE 1 EMPLOYMENT UNITS

REPORT BY: INTERIM CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update Cabinet of progress towards securing external funding from the European Structural Funds Investment Programme Priority 4 – Specific Objective 4.
- 1.2 To identify and agree the required levels of match funding to allow the full implementation of the Phase 1 Employment Units at Ty Du, Nelson.

2. SUMMARY

- 2.1 On the 2nd October, Cabinet agreed additional Council capital funding of up to £402,234 to attract £1.386M of additional EU funds and up to £212k funding from Welsh Government Department of Economy & Infrastructure for additional units to be built at Ty Du, Nelson and the Lawn Rhymney
- 2.2 The Council's bid for additional funds was partially successful with a total grant offer of up to £778,000 ERDF from WEFO. This reduced grant offer will allow the full implementation of the scheme at the Lawns Estate; however, an additional contribution from the Council and Welsh Government will be required to implement the preferred construction Option for Ty Du.
- 2.3 This report concentrates on taking forward Option 2 (Plots 1-4) at Ty Du, Nelson, which would provide additional floorspace and is the preferred option of officers, our WG colleagues and WEFO. The additional building that Option 2 offers will provide significant added value to the Ty Du project, offering increased employment floor-space and hence increased potential for rental income.

3.0 RECOMMENDATIONS

- 3.1 That Cabinet:
 - i) Approve £503,00 from Capital Earmarked Reserves for Ty Du to secure £713,750 WG funding to cover the costs associated with the development and full realisation of Option 2 (4 units) presented within this report.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To allow CCBC, working collaboratively with its partner organisations, to bring forward maximum employment opportunities at the strategically significant site at Ty Du, Nelson. This development will deliver a series of significant economic and social benefits in line with existing local, regional and national priorities.

5. THE REPORT

Background:

- 5.1 As the 2nd October Report covered in some detail the technical background, construction scope options and funding rationale for both the Ty Du and the Lawn project, this information is not repeated in this Report. (A copy of the 2nd October Report is provided at Appendix 1. Cabinet are referred to Section 5, paragraphs 5.1 to 5.40 for full details of the projects).
- 5.2 On 2nd October 2019, Cabinet approved an additional capital funding contribution £402,234 (split equally between Ty Du and the Lawn) to try to attract a further £1.386M ERDF and circa £212K of WG Department of Economy and Infrastructure Funding.

Current Funding Position

- 5.3 In November 2019, officers were informed by WEFO that the Council's bid for additional ERDF was partially successful with circa £778k secured. The bidding round was extremely competitive with a number of high quality submissions presented by the South East Wales Local Authorities. Cabinet should note that the lower than expected award is not a reflection of the project's merit but the rationale by WEFO to ensure a reasonable and fair apportionment of additional ERDF investment across South East Wales.
- 5.4 Whilst the confirmed ERDF allocation will allow the full scope of the Lawns Scheme to be implemented, there is now a funding gap for the preferred construction option for Ty Du (Option 2: plots 1-4). The remainder of this Report updates Cabinet on progress with the Ty Du project since 2nd October 2019 and the funding opportunities available to realise the full 4 plot Phase 1 scheme.

Ty Du, Nelson Commercial Area – Phase 1 Employment Units – current position

- 5.5 Land at Ty Du, Nelson is largely under the ownership of Welsh Ministers, and extends to approximately 19.2 hectares. In 2017, Outline Planning permission was granted to Welsh Ministers for an ambitious mixed use Masterplan, comprising residential provision, the development of 3.8ha (approx. 6,300 m²) of B1 Employment units, plus associated enabling highways infrastructure. A scheme to construct the enabling primary highways infrastructure for the site has recently been completed by Welsh Government.
- 5.6 Following Cabinet recommendations on 28th February 2018, the Council has formally entered into a Joint Venture Partnership Agreement with Welsh Government to develop the 3.8ha Ty Du "Commercial Area" for B1 Employment Use.
- 5.7 Development of the designated Commercial Area will be undertaken in a phased manner, subject to funding. The Phase 1 Area comprises land of approx. 1 ha at the south westerly edge of the plateau, for the provision of high quality B1 employment (office / light industrial) hybrid units. Completion of Technical Design (RIBA Stage 4) has been completed. A tender process for the main works contract has been undertaken and a main

works contractor appointed. Tenderers were asked to price four distinct “Scope Options” as set out below.

- **Base Scheme** – Comprising a maximum of 5 units;
- **Option 2** – 4 units (plots 1-4); (*recommended option*)
- **Option 3** – 3 units (plots 1-3);
- **Option 4** - 2 units (plots 1 & 2).

5.8 As set out in the 2nd October 2019 Report, the preferred option of the Joint Venture Project Partners remains **Option 2**, which would deliver 4 high quality employment buildings over 4 plots offering 1300 square metres of floor-space with the potential to accommodate up to 16 SME’s. See Appendix 2 for plans of scheme.

5.9 However, the confirmed ERDF funding offer for Ty Du of £350,222 means there remains a funding gap should the Council wish to deliver its full aspirations of delivering four buildings on site. Officers have proactively engaged with its Joint Venture partners in Welsh Government and they are prepared to advise their minister to approve circa 50% of the costs associated with developing out the fourth plot. WG Officers have prepared and submitted Ministerial Advice to secure their contribution and a decision is expected shortly.

5.10 The table below sets out the current Capital funding position. It highlights the funding currently available and also the anticipated costs of delivering all four buildings. The anticipated Capital Out-turn has been revised since the previous Cabinet Report in October 2019. Cost Estimates are now derived from the Preferred Contractors’ submitted Tender Prices (previously based on Pre Tender Estimates) including a healthy 15% construction contingency and an allowance for an increase in Professional Design and Supervision Fees.

Table 1

	Current Funding Position	Total Costs of delivering Option 2 - 4 buildings	Variance / Funding Shortfall
ESTIMATED SCHEME CAPITAL COSTS	£2,517,967	£3,734,717	£1,216,750
Sources of Funding			
ERDF (Capital)	£1,528,889	£1,528,889	£0
CCBC Capital	£600,370	£1,103,370	£503,000
Welsh Government	£388,708	£1,102,458	£713,750 (pending Ministerial Approval)
Total Funding	£2,517,967	£3,734,717	£1,216,750

5.11 As outlined in the above table, the total capital funding package for the project is **£2,517,967**. Based on submitted Tender Prices by the Preferred Contractor, the Total Project Capital Out-turn for Scope Option 2 (Plots 1-4) is estimated to be **£3,734,717**, resulting in an estimated funding shortfall in the region of **£1,216,750**.

5.12 Welsh Government officers have prepared Ministerial Advice to secure an additional £713k capital funding. To deliver Option 2, the Council would be required to contribute the remaining balance of **£503,000** (in addition to the £200,370 secured in October 2019).

5.13 In the event Cabinet are minded not to support Option 2, Officers will seek to implement a reduced scope project of Option 3 (Plots 1-3). Should Scope Option 3 be pursued, it is

recommended that a reduced capital contribution of £98,000 is allocated to the project (in addition to the monies approved on 2nd October 2019) to cover anticipated contingencies and risk allowances during the construction phase. However, Cabinet should note that a reduced project scope would not generate the same levels of anticipated economic benefits and would impact the anticipated financial contribution from Welsh Government.

- 5.14 Pursuing Option 2 (four buildings) will create a total GIFA of 1,328 m² (14,294 ft²) of high quality employment floor-space at a strategic mixed use development site. The additional fourth building will contribute 346 m² (3724 ft²) towards the total floor area. Each building has the potential to be sub-divided into 2/3/4 smaller units to suit a range of business needs.
- 5.15 Delivering Option 2 will increase the level of potential rental income to the Council. Cabinet should also be re-assured by feedback from Commercial Property Agents who have advised that there is a strong demand for this size of employment unit locally, particularly on sites with easy access to the A470. Cabinet should also note the level of interest already shown by interested parties who have contacted the Council over the units availability, even though they have not as yet been marketed.
- 5.16 The development of Option 2 (Plots 1-4) also remains the preferred option of the Council's Joint Venture partners Welsh Government who are preparing Ministerial Advice to financially support the delivery of this Option.
- 5.17 Officers recommend that Cabinet endorse taking forward Option 2 (Plots 1-4) in order to fully stimulate economic activity, react to the market and secure a strong rental income stream from this ambitious Joint Venture development.
- 5.18 Cabinet should note that a total CCBC capital contribution of £1.1m will effectively lever in circa £2.6m of external funding (see table 1 for more detail). Officers also recommend that the CCBC contribution is predicated on WG Ministerial approval being in place.

6. **ASSUMPTIONS**

- 6.1 This report assumes that Welsh Government will be able to secure the necessary match funding for the Ty Du Employment scheme and that all the costings presented in this report remain valid for a period of at least 6 months.
- 6.2 The report assumes an income per sq. ft. of up to £6.50 for Ty Du.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

Corporate Plan 2018-2023:

- 7.1 The report recommendations contributes towards or impacts predominantly on the following Corporate Well-being Objectives:

Objective 2 - Enabling employment.

Objective 6 - Support citizens to remain independent and improve their well-being.

Council's Local Development Plan:

- 7.2 The proposals also align with the key aims within the Council's LDP, specifically:

To increase the economic prosperity of the people and communities of the County Borough through the provision of land for employment opportunities, supported by

appropriate housing and ancillary facilities and services and services (including community and health facilities, recreation, leisure etc).

Objective 18: Provide and protect a diverse portfolio of employment land for a variety of employment uses, focusing in particular on higher value employment opportunities and sites to meet local need, including waste management facilities.

Partial delivery of allocated site EM1.2 Ty Du, Nelson.

Regeneration Strategy 2018-2013 – A Foundation for Success:

7.3 The proposal contributes towards the following key priorities of the Council's Regeneration Strategy - A Foundation for Success:

Priority SP3: Reducing worklessness – supporting mechanisms that encourage pathways to employment along with new facilities offering increased employment opportunities;

Priority SP5: Developing skills in key growth areas;

Priority SP9: Reduce inequality by reducing the number of lower super output areas within the top 10% most deprived areas within Wales;

Priority SP10: Ensure that Cultivational Procurement is a key consideration in the procurement of goods and services - ensure that local businesses and supply chains benefit from investment made by the public sector;

Priority SB1: Building a more resilient & diversified economy – supporting the growth of local companies;

Priority SB2: Supporting economic growth and innovation – build upon existing prominent economic sectors by the development of incubator/innovation centres and hubs;

Priority SB3: Creating than environment that nurtures businesses – improve the rate of emergence of new indigenous businesses within the county borough;

Priority SB4: Key Sites and Infrastructure for employment opportunities – economic development is guided to the most appropriate locations;

Priority SB5: Boost Business Support and Enterprise – promote enterprise and self employment to grow economic output and raise activity rates;

Priority CCP3: Promote place-making development around key transport hubs and nodes – promote economic development at key locations on the transport network to realise significant place making change.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 The proposals outlined in this report contribute to the Well-being Goals. As such it aligns with the following:

- A prosperous Wales – Providing more jobs in the area will create more wealth for the local population.
- A Resilient Wales – Providing additional and more diverse employment opportunities will make the area more resilient to external economic factors.
- A Wales of Cohesive Communities – providing local employment opportunities will help to stabilise and develop local communities and prevent outmigration as people seek work.

- 8.2 A long term approach to the economic well-being of the area will be taken to ensure that the programme of measures are targeted in a way that allows for long term growth through collaborative working with other public sector organisations and the private sector. The projects aim to integrate with other public bodies' goals and aspirations including those of the Welsh Government through the Cardiff Capital Region, the Valleys Metro and the Valleys Task Force.
- 8.3 The report recommendations are consistent with the five ways of working as defined within the sustainable development principle in the Act. The five ways of working of the sustainable development principle, listed in the Act are:
- Long Term – The importance of balancing short-term needs with the need to safeguard the ability of future generations to meet their long-term needs;
 - Prevention - How acting to prevent problems occurring, or getting worse, may help public bodies meet their objectives;
 - Integration – Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies;
 - Collaboration – Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives;
 - Involvement – The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.

9. EQUALITIES IMPLICATIONS

- 9.1 Equalities is a cross cutting theme for the European Structural Investment Funds programmes and each project must address this according to each Priority and Theme. The planned investments inherent in the EU Funding programmes will benefit many different groups in the community.
- 9.2 No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.

10. FINANCIAL IMPLICATIONS

- 10.1 The overall project costs for the preferred Scope Option 2 for Ty Du are now estimated to be circa £3,734,716.
- 10.2 With the £350,222 ERDF allocation, it is expected that the remaining identified funding gap will be shared with Welsh Government under the current Joint Venture arrangement. In light of this, the Council's requested contribution in addition to the £200,370 identified in October 2019 is a further **£503,000**
- 10.3 Officers recommend that the £503,000 is identified from Capital Earmarked Reserves.
- 10.4 As outlined in Section 5 above, this development will generate an income to the Council from lettings. Increasing the developed floor-space will increase the potential rental income. The rental is likely to generate upto £6.50 per sq ft for small units. The income on Ty Du will be shared with Welsh Government under the Joint Venture agreement.

11. PERSONNEL IMPLICATIONS

- 11.1 As the projects progress, technical advice and expertise from other external and internal

Service Areas including the Council's Engineering Projects Group, Building Consultancy, Corporate Finance, Procurement and Legal Service will be required with Officers from Regeneration and Planning's Team continuing to co-ordinate delivery.

- 11.2 The relevant staff time charges for support services (including financial grant management, procurement services and legal inputs) have been identified and included within the projects financial cost profiles.

12. CONSULTATIONS

- 12.1 All consultation responses are reflected in the report.

13. STATUTORY POWER

- 13.1 Local Government Acts.

- 13.2 Town and Country Planning Act 1990

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Appendices:

- Appendix 1 – Cabinet Report 02nd October 2019
Appendix 2 – Ty Du Site Layout Plan



CABINET – 2ND OCTOBER 2019

SUBJECT: ERDF 4.4 FUNDING OPPORTUNITIES – THE LAWNS INDUSTRIAL ESTATE, RHYMNEY & TY DU, NELSON

REPORT BY: INTERIM CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To agree that further external funding be sought via the European Structural Funds Investment Programme, Priority 4 - Specific Objective 4 and to identify and agree the required levels of match funding to allow the full implementation of the Phase 1 projects at both sites.

2. SUMMARY

- 2.1 This report updates Cabinet on opportunities that exist to bid for additional European funding to the Welsh European Funding Office (WEFO) for the phased provision of employment units at two sites in the county borough, namely, the Council owned Lawns Industrial Estate in Rhymney and Welsh Government (WG) owned land at Ty Du in Nelson.
- 2.2 External grant funding under the European Regional Development Fund (ERDF) Priority 4, Strategic Objective 4 has previously been sought by the Council to deliver the first phase of employment units and associated infrastructure at both sites. In order to draw down this external funding the Council has previously confirmed, via Cabinet approval on the 28th February 2018, match funding of up to £1.07m towards both schemes.
- 2.3 An opportunity has recently arisen (August 2019) to attract further ERDF funding towards both schemes to help fully realise the employment aspirations within the upper and mid regions of the County Borough. Cabinet is therefore requested to confirm additional match funding of up to **£402,234** to attract £1.386M of additional ERDF and circa £212K of WG Department of Economy and Infrastructure funding.
- 2.4 The additional funds sought will further provide significant added value to both the Lawns and Ty Du operations offering increased employment infrastructure and opportunities.
- 2.5 Cabinet should also be aware that both developments will generate an income to the Council from future lettings. By increasing the developed floor space with additional funding, the level of potential rental income will also increase.

3. RECOMMENDATIONS

- 3.1 That Cabinet:
- i) Approve the approach taken to pursue further ERDF funding towards both the Lawns and Ty Du schemes for the development of further employment use and associated infrastructure at both sites;

- ii) Agree that, should further additional ERDF grant become available, that the Authority progresses the schemes as set out in the report;
- iii) Agree to utilise the Capital earmarked reserve for the **£402,234** match funding to enable approximately £1.386M of additional ERDF to be secured for the development of new employment opportunities at both sites.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To allow CCBC, working collaboratively with its partner organisations, to bring forward maximum employment opportunities at the strategically significant site at Ty Du, Nelson and the Council owned brownfield site at The Lawns Industrial Estate, Rhymney. These developments will deliver a series of significant economic and social benefits in line with existing local, regional and national priorities.

5. THE REPORT

Background:

- 5.1 On 28th February 2018 Cabinet approved the Council's employment focused priorities for the European Regional Development Fund (ERDF) Operational Programme, Priority 4, measure 4.4 as the Lawns Industrial Estate, Rhymney and Ty Du, Nelson to help create new employment opportunities within the County Borough.
- 5.2 Approval was also provided to work in partnership with Welsh Government (WG) on the Ty Du site, via a Joint Venture agreement, and to commit £1.07m Council Capital reserves towards both schemes, to help secure £2.58m of ERDF and £0.35m of WG funding.
- 5.3 It was further agreed that, should additional ERDF grant become available, that the relevant Head of Service investigate opportunities to secure additional funding towards the delivery of the Lawn and Ty Du sites, which is the focus of this current report.
- 5.4 Over the past 19 months, following Welsh European Funding Office (WEFO) and Council approvals, officers have been taking forward the employment focused projects at the Lawns and Ty Du sites. A synopsis and the current status of each scheme is briefly outlined below:

The Lawns Industrial Estate, Rhymney

- 5.5 The Lawns Industrial Estate is a Council owned site of moderate quality industrial units. The Lawns is centrally located in Rhymney, within a cluster of designated Employment sites, adjacent to key local facilities, the strategic road network (A465 Heads of the Valleys) and the Rhymney to Cardiff rail line.
- 5.6 There is a strong and ever increasing demand for the expansion and enhancement of the Estate for light industrial high quality 'starter units'.
- 5.7 The current proposal aims to bring into beneficial economic use a parcel of prime underutilised land (approx. 0.65Ha in size) adjacent to the existing Estate to significantly expand the site's employment offer. This will result in the design and construction of new high quality, light industrial factory units and associated infrastructure.
- 5.8 The site designs as outlined in Appendix 1a, 1b and 1c essentially consist of the following key elements:
 - New access highway infrastructure & parking areas;
 - New single storey employment buildings (x3) – with internal units ranging in size between 50, 70 & 100 sq.m;
 - Associated soft and hard landscaping features.

Planning Permission:

- 5.9 Full Planning Permission (Ref: 18/0408/LA) for the above scheme was submitted and validated on the 16th May 2018 and subsequently approved with conditions on the 19th July 2018.

Tender Process:

- 5.10 The Council has sought to appoint a contractor to develop and complete the design and construction of the new industrial units at the Lawns Industrial Estate, to BIM Level 2 using the JCT Design and Build Contract.
- 5.11 A procurement process was undertaken via Sell2Wales and the Proactis Plaza eTendering Portal in line with Appendix C of the Council's Standing Orders for Contracts (works between £75,000 and £4,551,413). The contract opportunity was published on 26th February 2019 using the open procedure and submissions were received by the published deadline of 10th May 2019.
- 5.12 Initial estimates for the works including fees exceeded the project budget available (of £2.293M) therefore bidders were asked to price against two delivery options;
- A "Base" scheme to complete all the works to the original specification (*comprising 3 employment buildings and up to 15 individual units and associated infrastructure*); and
 - An "Optional" scheme for a reduced specification (*comprising 2 employment buildings and up to 10 individual units and associated infrastructure*).
- 5.13 Following the tender period the returned bids were successfully checked for compliance with the specification, pricing schedule and the quality submissions and a preferred bidder, **EnCon Construction Ltd**, has been appointed (6th August 2019) to deliver the "Optional" scheme over the next 12 month programme period.
- 5.14 However, while the award of contract has been based on the "Optional" scheme, there is an option to extend to the "Base" scheme and deliver the 3rd building unit (comprising a further 5 individual units and associated infrastructure) should additional funds become available.
- 5.15 While everything is in place (Planning Permission, Project Team & Contractor) to deliver the "Base" scheme current available budgets do not permit full implementation. To safeguard the successful and full execution of the project in accordance with the approved Project Business Plan and Planning Approval additional funding is required. Should further funding become available the full "Base" scheme can be implemented creating additional and much sought after building and employment space within Rhymney. Furthermore, such funds will help deliver and exceed the output targets for the operation outlined within the approved Business Plan.

Project Outputs:

- 5.16 The below table outlines the comparisons of the anticipated output targets between the approved Business Plan and the two delivery options:
- Option Scheme (reduced intervention);
 - Base Scheme (full intervention).

Current Anticipated Outputs - BP		Option Scheme		Base Scheme	
Result Indicator	Anticipated Achievement	Anticipated Achievement	Variance	Anticipated Achievement	Variance
Land Developed (Ha)	1.132	0.65	-0.48	0.65	-0.48
Premises Created or Refurbished (sq.m)	727.50	644.50	-83.00	994.00	+266.50
Jobs Accommodated*	5 to 10	10	0	15+	+5

SME's Accommodated**	5 to 10	10	0	15+	+5
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*Conservative figures based on 1 job per unit built.

**Conservative figures based on 1 SME Accommodated per unit built.

- 5.17 Based on current Tendered Costs, the Total Project Out-turn for the Base Scheme is estimated to be **£2,923,309**. Currently the total funding package secured for the project is **£2,293,667**, resulting in an estimated Funding Gap of **£629,642**. It is proposed that this shortfall will be met through a further bid for ERDF monies, with additional match funding contributions sought from the Council. The table below gives an overview of the original funding position and anticipated out-turn figures.

Project Cost Heading	Approval @ 2017	Virements / additional funding	Current Position @ Sept 2019	Anticipated Out-turn (£) –based on Full Scope	Variance / to be funded
Construction - Building & External Works Costs	£1,706,000	£199,993	£1,905,993	£2,461,986	
Design & Contract Supervision Fees	£194,072	£10,063	£204,135	£277,784	
Other Costs – Revenue (including Staff Project Management, Support Services, Marketing)	£183,539	-	£183,539	£183,539	
Estimated Scheme Total Costs	£2,083,611	£210,056	£2,293,667	£2,923,309	£629,642
Sources of Funding					
ERDF	£1,291,667	£200,000	£1,491,667	£1,919,445	£427,778 <i>(Requested)</i>
Other Public Sector Funding					
CCBC Capital	£791,944	£10,056	£802,000*	£1,003,864	£201,864 <i>(Requested)</i>
Total Funding	£2,083,611	£210,056	£2,293,667	£2,923,309	£629,642

* 15th Feb 2017 Cabinet Approval = £50K

14th Aug 2017 agreed virement = £42K

28th Feb 2018 Cabinet Approval = £710K

Ty Du, Nelson Commercial Area – Phase 1 Employment Units

- 5.18 Land at Ty Du, Nelson represents a significant economic regeneration opportunity as a major mixed use development. The total site, which is largely under the ownership of Welsh Ministers, extends to approximately 19.2 hectares, close to the A472 Nelson By-Pass and located in the Northern Connections Corridor of the adopted Local Development Plan. Ty Du is identified as one of three prioritised sites under Welsh Government's "Strategic Employment Sites" programme.
- 5.19 In 2017, Outline Planning permission was granted to Welsh Ministers (16/0373/OUT) for an ambitious mixed use Masterplan, comprising residential provision of up to 200 dwellings, including approximately 50 affordable homes, the development of 3.8HA (approx. 6,300 m²) of B1 Employment units, plus associated enabling highways infrastructure, including access routes, drainage, public open space, high quality public realm and landscaping. A scheme to construct the enabling primary highways infrastructure for the site is being undertaken by Welsh Government's Property & Infrastructure Team and their appointed contractors, Walters UK Ltd. The infrastructure works are anticipated to be complete by October 2019 and will include the construction of the estate roads into the designated 3.8HA "Commercial Area" within the plateau.
- 5.20 Following Cabinet recommendations on 28th February 2018, the Council has formally entered into a Joint Venture Partnership Agreement with Welsh Government to develop the 3.8HA Ty

Du “Commercial Area” for B1 Employment Use. The Joint Venture Agreement was agreed and engrossed by both parties in January 2019.

- 5.21 Development of the designated Commercial Area will be undertaken in a phased manner, subject to funding. The Phase 1 Site Feasibility Area comprises land of approx. 1 hectare at the south westerly edge of the plateau, for the provision of high quality B1 employment (office / light industrial) hybrid units, up to a maximum of 1,858 square metres.
- 5.22 To progress the Phase 1 proposals, the Council and Welsh Government have appointed via the National Procurement Services Framework, a multi-disciplinary consultancy Managing Design Team led by award winning Architects Darnton B3, to provide expert technical design, architectural and contract management services for the project.
- 5.23 The design proposals are currently at RIBA Stage 4 of 7 – Technical Design. The Phase 1 plans currently comprise (see Appendix 2a & 2b):
- A maximum of 5 buildings made up of 13 units, of varying sizes between 103 and 163 m2.
 - Associated operational and parking areas, landscaping, boundary treatment, drainage, signage, building and landscaping material and external lighting.
- 5.24 A Reserved Matters Planning Application (19/0572/RM) for the Phase 1 development of the Commercial Area was submitted on 27th June 2019 and subsequently granted Approval under Delegated Powers (subject to conditions) on 23rd August 2019.
- 5.25 **Future Anticipated Project Milestones**
- Completion of Technical Design (RIBA Stage 4) – September 2019;
 - Main Works Contract – Procurement of Contractor – October to December 2019;
 - RIBA Stage 5 (Construction) – commences January 2020.
- 5.26 Detailed Pre-Tender Cost Plans prepared by Cost Consultants Faithful + Gould indicate the build cost for all 5 buildings within the Phase 1 feasibility area will exceed the current construction budget of circa £1.6M by a considerable margin. Based on latest estimates, the available budget would enable construction of only 2 buildings (out of the maximum of 5 buildings proposed).

Proposed Tender Strategy

- 5.27 The tender contract strategy will be JCT Design and Build 2016 based on designs developed to RIBA Stage 4. Tenderers will be asked to price four distinct “Scope Options”, a similar approach to the Lawns scheme (as described at 5.12). This will allow the Council a degree of flexibility in build options, should additional funding become available. The four options are as follows:
- **Base Scheme** – Comprising a maximum of 5 units;
 - **Option 2** – 4 units (plots 1-4);
 - **Option 3** – 3 units (plots 1-3);
 - **Option 4** - 2 units (plots 1 & 2).
- 5.28 A speculative “Prior Information Notice” has recently been issued via Sell2Wales, in advance of the formal Contract Notice, to ascertain Contractor interest in the Scheme. The response rate has been high, indicating a keen interest in the project from suitably experienced construction companies.
- 5.29 Based on the upper limit of external funding likely to become available, and taking into consideration other factors including implementation timescales, it is Officers’ opinion that **Scope Option 2 - comprising 4 employment buildings and up to 12 individual units** is the preferred option at this time.
- 5.30 Scope Option 2 would deliver a significant positive increase to the anticipated Project Outputs, as set out in the table below.

Current Anticipated Outputs - BP		Scope Option 2 – 4 buildings	
Result Indicator	Anticipated Achievement	Anticipated Achievement	Variance
Land Developed (Ha)	1.0	1.2	+0.2
Premises Created or Refurbished (sq.m)	700	1300	+600
Jobs Accommodated	Up to 10	24	+14
SME's Accommodated	Up to 10	12	+2

- 5.31 Based on Pre-Tender Cost Estimates provided by Cost Consultants Faithful + Gould, the Total Project Out-turn for Scope Option 2 is estimated to be **£3,500,278**. Currently the total funding package secured for the project is **£2,130,375**, resulting in an estimated Funding Gap of **£1,369,903**. It is proposed that this shortfall will be met through a further bid for ERDF monies, with additional match funding contributions sought from the Council and Welsh Government as Joint Venture Project Delivery Partners. The table below gives an overview of the original funding position and anticipated out-turn figures.

Project Cost Heading	Approval @ 2017	Virements / additional funding	Current Position @ Sept 2019	Anticipated Out-turn (£) –based on Scope Option 2	Variance / to be funded
Construction - Building & External Works Costs	£1,624,546	-	£1,624,546	£2,954,628	
Design & Contract Supervision Fees	£204,693	£138,136	£342,829	£382,650	
Other Costs – Revenue (including Staff Project Management, Support Services, Marketing)	£163,000	-	£163,000	£163,000	
Estimated Scheme Total Costs	£1,992,239	£138,136	£2,130,375	£3,500,278	£1,369,903
Sources of Funding					
ERDF	£1,291,667	£50,000	£1,341,667	£2,299,538	£957,871 <i>(Requested)</i>
Other Public Sector Funding					
CCBC Capital	£350,286	£49,714	£400,000	£600,370	£200,370 <i>(Requested)</i>
Welsh Government	£350,286	£38,422	£388,708	£600,370	£211,662 <i>(To be Confirmed)</i>
Total Funding	£1,992,239	£138,136	£2,130,375	£3,500,278	£1,369,903

Current Position:

- 5.32 During the development of the aforementioned projects officers have been in regular dialogue with WEFO advisors and the opportunity to attract additional ERDF funds towards both schemes had been inferred, subject to project status and the availability of associated match funding.
- 5.35 As of the 12th August 2019 officers have been formally advised that additional ERDF, of circa £3m, is likely to become available for SE Wales regional ERDF P4.SO4 projects.
- 5.34 In order to attract additional ERDF funds, officers have been asked to put forward 'pipeline' projects to the appropriate Regional Board for prioritisation, in the form of new, standalone projects or additional phases of 'live' projects. In this instance and in light of the above both the Lawns and Ty Du projects have been put forward by the pre-determined deadline of the 28th August 2019.

- 5.35 It has been strongly advised that to be successful, WEFO will be looking for clear evidence that the applicant, in this case the Local Authority, can progress and deliver the project. With this in mind both the Lawns and Ty Du schemes are in a very strong position, subject to securing additional match funding.
- 5.36 In order to attract further ERDF funding via WEFO the Council would therefore be required to confirm a minimum of circa **£402,234** additional match funding, as further outlined in Section 10.
- 5.37 Cabinet should note that both developments will generate an income to the Council from lettings. By increasing the developed floorspace with additional funding, the level of potential rental income will also increase.
- 5.38 In this regard, the rental is likely to be circa £3.50 per sq. ft. per annum for the Lawns whilst the Ty Du site should generate £6.50 per sq. ft. for small units and £4.50 per sq. ft. for larger units. The income on Ty Du will be shared with Welsh Government under the Joint Venture (JV) agreement. Please refer to the table below, which shows the potential level of rental income generated from the Lawns and Ty Du development proposals.

The Lawns, Rhymney					
Total Project Income	Total CCBC Contribution	Projected Annual Income*	Projected Income – after 30 years		
£2,923,309	£1,003,864	£37,636	£1,129,065		
<i>* Based on a figure of at least £3.50 rental income per sq. ft. (10,753) per annum and 100% occupation</i>					
Ty Du, Nelson					
Total Project Income	Total CCBC Contribution	Projected Annual Income*	Projected Income – after 20 years	50% CCBC Income – as per JV	50% WG Income – as per the JV
£3,500,278	£600,370	£62,969*	£1,259,370	£629,685	£629,685
<i>* Based on a figure of at least £4.50 rental income per sq. ft. (13,993) per annum and 100% occupation</i>					
Total Project Income	Total CCBC Contribution	Projected Annual Income*	Projected Income – after 14 years	50% CCBC Income – as per JV	50% WG Income – as per the JV
£3,500,278	£600,370	£90,995*	£1,273,363	£636,682	£636,682
<i>* Based on a figure of at least £6.50 rental income per sq. ft. (13,993) per annum and 100% occupation</i>					

- 5.39 As indicated above and based on the full schemes being implemented, as outlined in this Report, the projected annual income would range between £100,605 and £128,631.
- 5.40 It is anticipated to take up to 30yrs (subject to 100% occupation) to recoup the full Council investment of £1,003,864 for the Lawns. In terms of the Ty Du site, given the JV agreement, it is anticipated to be between 14 and 20yrs for the Council to fully recoup the investment of £600,370 (subject to 100% occupation).

6. ASSUMPTIONS

- 6.1 This report assumes that Welsh Government will be able to secure the necessary match funding for the Ty Du Employment scheme and that all the costings presented in this report remain valid for a period of at least 6 months.
- 6.2 The table at section 5.38 above assumes an income per sq. ft. of at least £3.50 for the Lawns and at least £4.50 or £6.50 for Ty Du, along with a 100% occupation rate for the time periods shown, but makes no assumption to rent rises which could reduce the payback period assumed in the report.

7. LINKS TO RELEVANT COUNCIL POLICIES

Corporate Plan 2018-2023:

- 7.1 The report recommendations contributes towards or impacts predominantly on the following Corporate Well-being Objectives:

Objective 2 - Enabling employment.

Objective 6 - Support citizens to remain independent and improve their well-being.

Council's Local Development Plan:

- 7.2 The proposals also align with the key aims within the Council's LDP, specifically:

To increase the economic prosperity of the people and communities of the County Borough through the provision of land for employment opportunities, supported by appropriate housing and ancillary facilities and services and services (including community and health facilities, recreation, leisure etc).

Objective 18: Provide and protect a diverse portfolio of employment land for a variety of employment uses, focusing in particular on higher value employment opportunities and sites to meet local need, including waste management facilities.

Partial delivery of allocated site EM1.2 Ty Du, Nelson.

Regeneration Strategy 2018-2013 – A Foundation for Success:

- 7.2 The proposal contributes towards the following key priorities of the Council's Regeneration Strategy - A Foundation for Success:

Priority SP3: Reducing worklessness – supporting mechanisms that encourage pathways to employment along with new facilities offering increased employment opportunities;

Priority SP5: Developing skills in key growth areas;

Priority SP9: Reduce inequality by reducing the number of lower super output areas within the top 10% most deprived areas within Wales;

Priority SP10: Ensure that Cultivational Procurement is a key consideration in the procurement of goods and services - ensure that local businesses and supply chains benefit from investment made by the public sector;

Priority SB1: Building a more resilient & diversified economy – supporting the growth of local companies;

Priority SB2: Supporting economic growth and innovation – build upon existing prominent economic sectors by the development of incubator/innovation centres and hubs;

Priority SB3: Creating than environment that nurtures businesses – improve the rate of emergence of new indigenous businesses within the county borough;

Priority SB4: Key Sites and Infrastructure for employment opportunities – economic development is guided to the most appropriate locations;

Priority SB5: Boost Business Support and Enterprise – promote enterprise and self employment to grow economic output and raise activity rates;

Priority CCP3: Promote place-making development around key transport hubs and nodes – promote economic development at key locations on the transport network to realise significant place making change.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 The proposals outlined in this report contribute to the Well-being Goals. As such it aligns with the following:

- A prosperous Wales – Providing more jobs in the area will create more wealth for the local population.
- A Resilient Wales – Providing additional and more diverse employment opportunities will make the area more resilient to external economic factors.
- A Wales of Cohesive Communities – providing local employment opportunities will help to stabilise and develop local communities and prevent outmigration as people seek work.

8.2 A long term approach to the economic well-being of the area will be taken to ensure that the programme of measures are targeted in a way that allows for long term growth through collaborative working with other public sector organisations and the private sector. The projects aim to integrate with other public bodies' goals and aspirations including those of the Welsh Government through the Cardiff Capital Region, the Valleys Metro and the Valleys Task Force.

8.3 The report recommendations are consistent with the five ways of working as defined within the sustainable development principle in the Act. The five ways of working of the sustainable development principle, listed in the Act are:

- Long Term – The importance of balancing short-term needs with the need to safeguard the ability of future generations to meet their long-term needs;
- Prevention - How acting to prevent problems occurring, or getting worse, may help public bodies meet their objectives;
- Integration – Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies;
- Collaboration – Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives;
- Involvement – The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.

9. EQUALITIES IMPLICATIONS

9.1 Equalities is a cross cutting theme for the European Structural Investment Funds programmes and each project must address this according to each Priority and Theme. **The planned**

investments inherent in the EU Funding programmes will benefit many different groups in the community.

- 9.2 No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.

10. FINANCIAL IMPLICATIONS

The Lawns:

- 10.1 The overall project costs for the Lawns scheme range between circa £2.293 (Optional Scheme) and £2.923m (Base Scheme).
- 10.2 Funding of £2.293m (£802K CCBC & £1,491,667m ERDF) is already in place to deliver the Optional scheme as outlined in Section 5 of this Report. However, the Council hope to attract a further £427,778, at the maximum grant rate of 65.66%, towards the project via ERDF resources. In light of this the Council's requested contribution is **£201,864**.

Ty Du:

- 10.3 The overall project costs for the preferred Scope Option 2 are estimated to be circa £3,500,278 (based on the construction of 4 buildings, plus associated external works, design, contract supervision and revenue expenditure).
- 10.4 Funding of £2,130,375 (£1,341,667 ERDF, £400,000 CCBC, £388,708 WG) is currently secured. The resulting funding gap to deliver Option 2 is estimated to be £1,369,903. A further £957,871 ERDF is being sought by Officers, which would leave a remaining match funding contribution of £412,032. It is expected that this amount will be shared with Welsh Government under the current Joint Venture arrangement. In light of this the Council's requested contribution is **£200,370**.

Lawns & Ty Du Combined:

- 10.5 The combined additional Council funding request is circa **£402,234** which will attract circa **£1.386M** additional ERDF and enable the full implementation of the intended and 'as designed' schemes at the Lawns and Ty Du sites.
- 10.6 Officers have identified the Capital earmarked reserve as a funding source for the Council contribution.
- 10.7 As outlined in Section 5 above both developments will generate an income to the Council from lettings. Increasing the developed floorspace will increase the potential rental income. The rental is likely to be circa £3.50 per sq ft per annum for the Lawns whilst the Ty Du site should generate £6.50 per sq ft for small units and £4.50 per sq ft for larger units. The income on Ty Du will be shared with Welsh Government under the Joint Venture agreement.
- 10.8 As further outlined in Section 5 the projected annual income would range between **£100,605** and **£128,631**. It is anticipated to take up to 30yrs (subject to 100% occupation) to recoup the full Council investment of £1,003,864 for the Lawns. In terms of the Ty Du site, given the JV agreement, it's anticipated to be between 14 and 20yrs for the Council to fully recoup the investment of £600,370 (subject to 100% occupation).

11. PERSONNEL IMPLICATIONS

- 11.1 As the projects progress, technical advice and expertise from other external and internal Service Areas including the Council's Engineering Projects Group, Building Consultancy, Corporate Finance, Procurement and Legal Service will be required with Officers from Regeneration and Planning's Team continuing to co-ordinate delivery.

11.2 The relevant staff time charges for support services (including financial grant management, procurement services and legal inputs) have been identified and included within the projects financial cost profiles.

12. CONSULTATIONS

12.1 All consultation responses are reflected in the report.

13. STATUTORY POWER

13.1 The Planning and Compulsory Purchase Act 2004.

13.2 Local Government Acts.

13.3 Town and Country Planning Act 1990

Author: Allan Dallimore, Regeneration Services Manager

Consultees: Cllr Sean Morgan, Deputy Leader and Cabinet Member for Economy, Infrastructure, Sustainability & Wellbeing of Future Generations Champion
Cllr Barbara Jones, Deputy Leader and Cabinet Member for Finance, Performance and Governance
Cllr Brenda Miles, Nelson Ward
Cllr John Bevan, Moriah Ward
Cllr David Harse, Moriah Ward
Mark S. Williams, Interim Corporate Director Communities
Stephen Harris, Interim Head of Business Improvement Services and Section 151 Officer
Rhian Kyte, Head of Regeneration and Planning
Marcus Lloyd, Head of Infrastructure
Robert Tranter, Head of Legal Services/Monitoring Officer
Liz Lucas, Head of Customer and Digital Services
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Nadeem Akhtar, Group Accountant, Corporate Finance
Dave Roberts, Principal Accountant, Corporate Finance
Paula Beaman, Grants Manager, Corporate Finance
Richard Crane, Senior Solicitor, Corporate Services
Anwen Cullinane, Senior Policy Officer, Equalities and Welsh Language
Shaun Watkins, Human Resources Service Manager

Appendices:

Lawns:

Appendix 1 – (a) Site Area/Layout Plan
(b) Site Aerial View
(c) Outline Unit Plan

Ty Du:

Appendix 2 – (a) Site Area Plan
(b) Elevation drawings

NOTES :-
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 CONTRACTOR TO CHECK DIMENSIONS ON SITE
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Line of exiting Waste Transfer Station

Site (Base Scheme) Boundary

Option
 Option - Provide fencing ER 9.4.2 along 'Base' scheme unit line to close off site where 'Option' scheme taken.

Key

Base Scheme - Contractors site boundary. Limited works to incoming services and highway lie outside this. Refer to drawing TH1209 - 203C



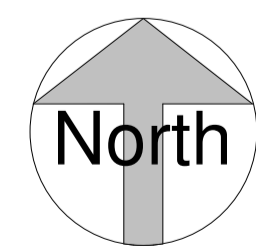
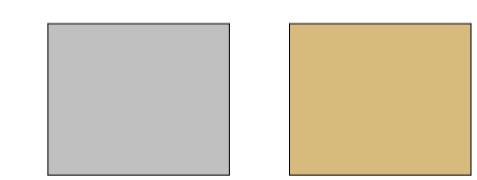
Option Scheme - As Base Scheme minus area within blue boundary



Landscaped areas as ER 10.0



Roads and Paving as Engineering ERs and drawings



Bryteg Crescent

Proposed Site Layout
 1 : 250

A	180319	Boundary description amended	JCH	AY
rev	date	amendment	drawn	chckd
Preliminary <input type="checkbox"/>		Tender <input checked="" type="checkbox"/>		Construction <input type="checkbox"/>
Building Consultancy Unit 1 Woodfieldside Business Park Pontllanfraith Blackwood NP12 2DG Tel: (01495) 226622 Building Consultancy Manager: M. Williams B.Eng, C.Eng, M.I.C.E.				
project title The Lawns Industrial Estate - New Industrial Units				
drawing title Proposed Site Layout				
date	scale	drawn	checked	
02/27/18	As indicated	JCH	AY	
project no.	drawing no.		rev.	
4539	A102 A			

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CONTRACTOR TO CHECK DIMENSIONS ON SITE

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South Aerial View



North Aerial View

rev	date	amendment	drawn	chckd
-----	------	-----------	-------	-------

drawing status
 Preliminary Tender Construction



Building Consultancy
 Unit 1
 Woodfieldside Business Park
 Pontllanfraith
 Blackwood
 NP12 2DG

Tel: (01495) 226622

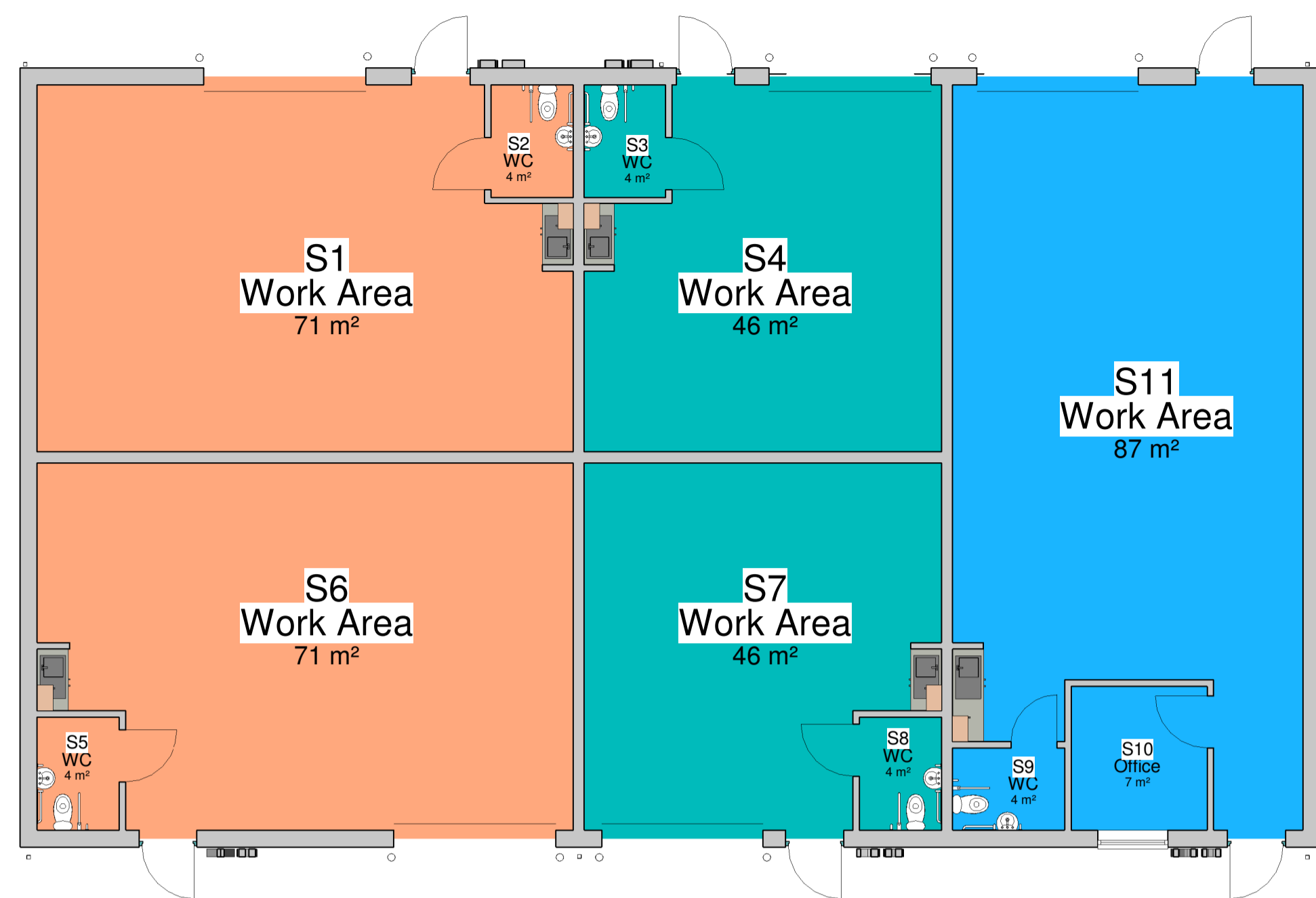
Building Consultancy Manager: M Williams B.Eng, C.Eng, M.I.C.E

project title
The Lawns Industrial Estate - New Industrial Units

drawing title
Aerial Views

date 02/26/09	scale	drawn JCH	checked AY
job no. 4539	drawing no. A110	rev.	

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Standard Unit: Base Scheme x 3no / Option Scheme x 2 no :

- 2no 50 sq m units
- 2no 75 sq m units
- 1no 98 sq m unit
- Areas include wcs and offices.

All units contain accessible wc plus sink and cupboard area
 98 sq m unit contains office area in addition.

Standard Unit
 1 : 100

Unit Types

- 50 sq m Unit
- 75 sq m Unit
- 100 sq m Unit



Entrance Unit
 1 : 100

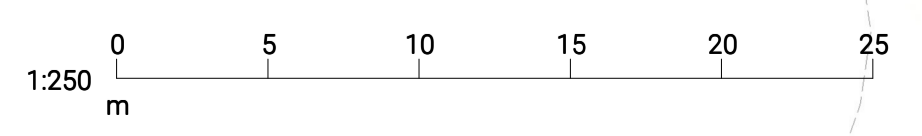
Entrance Unit: Both Schemes 1no.:

- 4no 50 sq m units
- 1no 95 sq m unit
- Areas includes wcs and offices

All units contain accessible wc plus sink and cupboard area
 95 sq m unit contains office area in addition.

Common Services space included for CCTV/IT main connections etc

rev	date	amendment	drawn	chckd
drawing status				
Preliminary <input type="checkbox"/>		Tender <input checked="" type="checkbox"/>		Construction <input type="checkbox"/>
 Building Consultancy Unit 1 Woodfieldside Business Park Pontllanfraith Blackwood NP12 2DG Tel: (01495) 226622 Building Consultancy Manager: M. Williams B.Eng, C.Eng, M.I.C.E.				
project title				
The Lawns Industrial Estate - New Industrial Units				
drawing title				
Outline Unit Plans				
date	scale	drawn	checked	
09/29/17	1 : 100	JCH	AY	
project no.	drawing no.		rev.	
4539	A103			



# 24.06.19 PLANNING ISSUE	LH	BM
Rev Date Description	By	Chk

PLANNING ISSUE



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Tel: 029 2034 2688 www.darnton3.com

CLIENT
Caerphilly Borough Council

PROJECT
Ty Du Employment Scheme

TITLE
Site Plan - Colour

CREATION DATE	SCALE @ A1	DWN	CHK	STATUS
07/06/19	1:250	LH	BM	S2

SHEET NO
13273 - DB3 - S01 - ZZ - DR - A - 90009 #

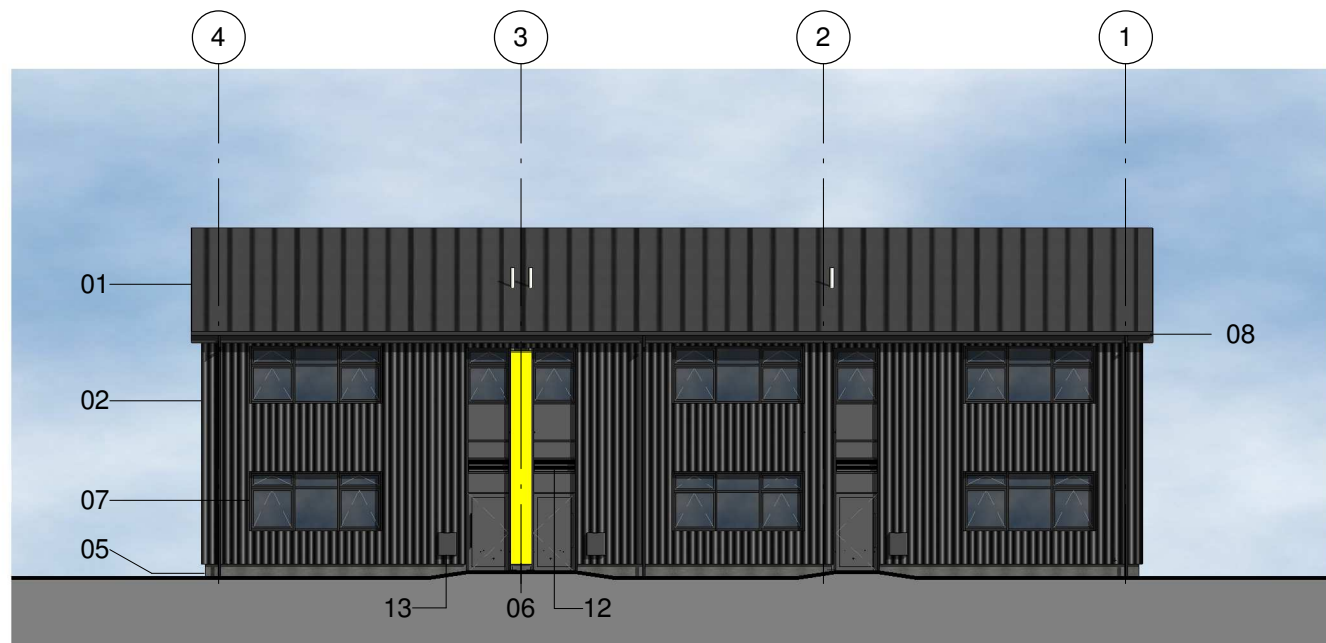
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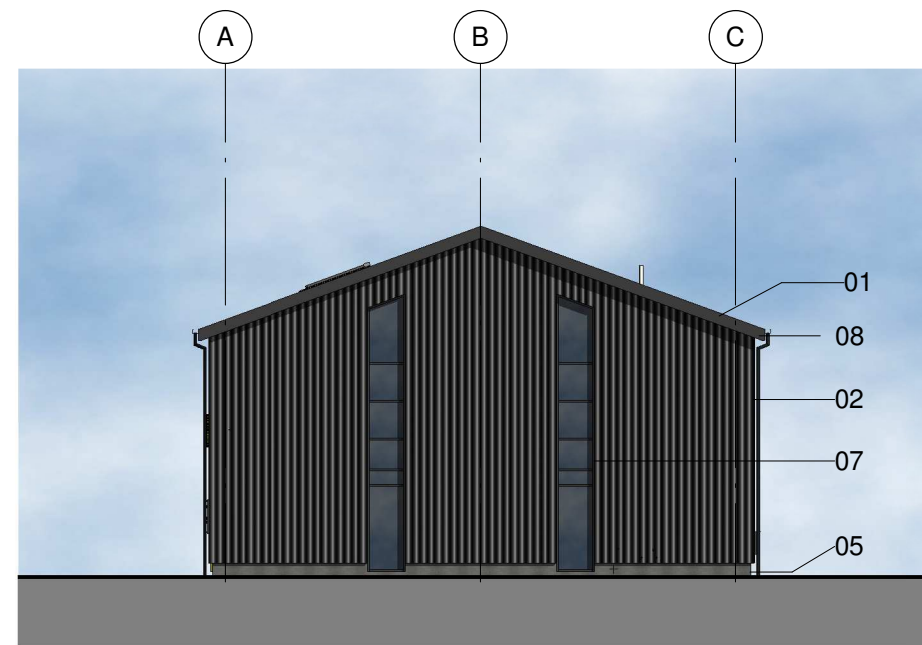
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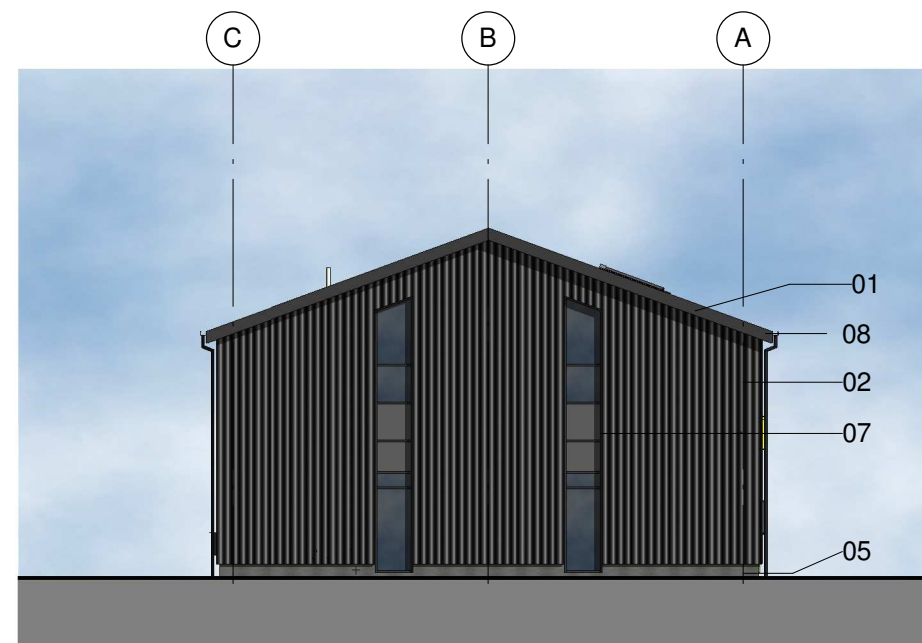
Elevation - Rear

1 : 200



Elevation - End 1

1 : 200



Elevation - End 2

1 : 200

- 01 Dark grey metal roof
- 02 Profiled metal cladding
- 03 Charred timber cladding
- 04 Flat grey metal cladding
- 05 Grey brick plinth
- 06 Flat yellow metal cladding
- 07 Aluminium windows
- 08 Metal rainwater goods and fascias painted grey
- 09 Contrast signage
- 10 Unified signage
- 11 Contrast colour doors
- 12 Ventilation louvres PPC dark grey
- 13 Gas connection service entry box

Rev	Date	Description	By	Chk
B	24.06.19	PLANNING ISSUE	LH	BM
A	14.06.19	Issued for costing	BM	LH
#	07.06.19	First Issue	BM	LH

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PROJECT
Ty Du Employment, Phase 1, Building 1

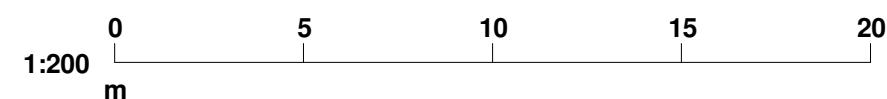
TITLE
Building 1 - Elevations

CREATION DATE	SCALE @ A3	DRN	CHK	STATUS
10/05/19	1 : 200	LH	BJM	S2

SHEET NO.	REVISION
13273-DB3-B01-ZZ-DR-A-20_12	B

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PROJECT
Ty Du Employment Scheme

TITLE
Site Plan - Colour

CREATION DATE	SCALE @ A1	DWN	CHK	STATUS
07/06/19	1:250	LH	BM	S2
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