THE WELSH MINISTERS

The Welsh Ministers (The M4 Motorway (Junction 23 (East of Magor) to West of Junction 29 (Castleton) and Connecting Roads) and The M48 Motorway (Junction 23 (East of Magor) Connecting Road) and The London to Fishguard Trunk Road (East of Magor to Castleton)) Supplementary (No. 2) Compulsory Purchase Order 201-

STATEMENT OF REASONS

1 INTRODUCTION

1.1 The Welsh Ministers are responsible for special roads (including motorways) and trunk roads in Wales. In addition to serving local communities, the M4 around Newport is a route of strategic importance at regional, national and international levels, linking south and west Wales to the south west of England and forms part of strategic routes to Ireland, the Midlands, the south east of England and further to continental Europe (Trans-Europe Transport Network).

1.2 The Welsh Ministers published draft proposals on 10th March 2016 for a new section of motorway to the south of Newport, alongside complementary measures.

1.3 The published proposals for the M4 Corridor around Newport project (referred to as 'the Scheme') comprise:

a) A draft Scheme Order to provide a new length of dual 3-lane motorway between Magor and Castleton to the south of Newport, its new slip roads and connecting roads. It also provides for bridges passing over navigable waterways;

b) A draft Scheme Variation Order to remove the special road classification from various lengths of the existing M4 motorway between Magor and Castleton and the A48(M) motorway between Castleton and St. Mellons. Although these lengths would cease to be motorways they would continue to be trunk roads;

c) A draft Line Order to provide for new lengths of trunk road required for the Scheme;

d) A draft Side Roads Order to stop up, improve or alter some lengths of existing roads, footpaths, cycle routes, byways, bridleways and private accesses, to construct new highways and provide new private means of access;

e) A draft Compulsory Purchase Order (draft CPO), which provides for the acquisition of all the land and rights required for the construction, operation and maintenance of the new motorway and new trunk road and their associated side road proposals; and

f) Draft Section 19 Certificates, which provide for replacement Common Land and allotments and extinguish existing rights.

1.4 A draft Supplementary Compulsory Purchase Order (draft Supplementary CPO) was published in September 2016 in order to revise the route of Bencroft Lane, Rogiet, and to revise the route of a drainage outfall pipe from Water Treatment Area 12b.

1.5 Following further Scheme development, a second draft Supplementary Compulsory Purchase Order (draft Supplementary (No. 2) CPO) is needed to address the following:

1.6 The Welsh Ministers propose to include an additional eastbound off-slip at Magor. The proposed alignment and re-alignment of the side roads would require additional land take not included within the draft CPO. Land that is already included within the draft CPO that is affected by the additional off-slip would be removed from the draft CPO through a modification to that Order, and would be re-provided with the correct designation within this draft Supplementary (No. 2) CPO.The Welsh Ministers' draft Supplementary (No. 2) CPO makes provision for the necessary changes described above.

1.7 An Environmental Statement Supplement (March 2017) of the potential likely effects of the draft Supplementary (No. 2) CPO has been prepared in association with the above changes to the Scheme and is available for inspection.

1.8 The purpose of this statement is to:

a) Describe the specific elements of the proposed Scheme that are the subject of the draft Supplementary (No. 2) CPO;

b) Explain the reasons for producing the draft Supplementary (No. 2) CPO;

c) Explain the consequential modifications proposed to the Draft CPO and

d) Explain the statutory procedures that have to be completed before construction can start.

2 THE DRAFT COMPULSORY PURCHASE ORDER AND THE DRAFT SUPPLEMENTARY COMPULSORY PURCHASE ORDER

2.1 The full title of the draft Compulsory Purchase Order published under the Highways Act 1980 and the Acquisition of Land Act 1981 on 24th March 2016 is as follows:

THE WELSH MINISTERS (THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) AND THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON)) COMPULSORY PURCHASE ORDER 201-

2.2 The full title of the draft Supplementary Compulsory Purchase Order published under the Highways Act 1980 and the Acquisition of Land Act 1981 on 5th September 2016 is as follows:

THE WELSH MINISTERS (THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) AND THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON)) (SUPPLEMENTARY) COMPULSORY PURCHASE ORDER 201-

2.3 The full title of the draft Supplementary (No. 2) Compulsory Purchase Order to be published by Welsh Ministers under the Highways Act 1980 and the Acquisition of Land Act 1981 is as follows:

THE WELSH MINISTERS (THE M4 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) TO WEST OF JUNCTION 29 (CASTLETON) AND CONNECTING ROADS) AND THE M48 MOTORWAY (JUNCTION 23 (EAST OF MAGOR) CONNECTING ROAD) AND THE LONDON TO FISHGUARD TRUNK ROAD (EAST OF MAGOR TO CASTLETON)) SUPPLEMENTARY (NO. 2) COMPULSORY PURCHASE ORDER 201-

2.4 Subject to the provisions within the draft Supplementary (No. 2) CPO, The Welsh Ministers are authorised under sections 239, 240, 250 and 260 of the Highways Act 1980 and under section 2 of, and paragraph 1(1)(b), (3) and (4) of Part 1 of Schedule 2 to the Acquisition of Land Act 1981, and all other enabling powers (3), to purchase compulsorily the land and the new rights over land described in the draft Order.

3 BACKGROUND TO THE PROJECT

3.1 The Background to the Project is given in the Statement of Reasons for the Compulsory Purchase Order, as published in draft on the 24th March 2016.

4 POLICY CONTEXT

4.1 The Policy Context is given in the Statement of Reasons for the Compulsory Purchase Order as published in draft on the 24th March 2016.

5 EXISTING CONDITIONS

5.1 A description of the existing conditions is given in the Statement of Reasons for the Compulsory Purchase Order as published in draft on the 24th March 2016.

6 AIMS AND OBJECTIVES

6.1 The Aims and Objectives of the proposed Scheme are given in the Statement of Reasons for the Compulsory Purchase Order as published in draft on the 24th March 2016.

7 THE PROPOSED SCHEME

7.1 A description of the proposed Scheme was outlined in the Statement of Reasons for the Compulsory Purchase Order as published on the 24th March 2016.

7.2 A description of the proposals contained within the draft Supplementary CPO was outlined in the Statement of Reasons for the Compulsory Purchase Order as published on the 5th September.

7.3 A description of proposals contained within the draft Supplementary (No. 2) CPO is given in section 9 of this Statement of Reasons.

8 CONSULTATIONS

8.1 A summary of consultations leading up to the publication of the draft Orders was outlined in the Statement of Reasons for the Compulsory Purchase Order as published on the 24th March 2016. Since the publication of the draft Orders there has been further engagement with stakeholders and interested parties.

8.2 The public have been engaged on the proposals during a series of Statutory Orders Exhibitions during March 2016, supported by media including newsletters, radio advertising and the Scheme website.

8.3 The Local Planning Authorities and land owners have been consulted with during the Statutory Orders Exhibitions in March 2016, and since then during development of the proposals that relate to the draft Supplementary CPO and the draft Supplementary (No. 2) CPO through meetings and correspondence.

8.4 There is a Public Local Inquiry into the proposed Scheme, which started on 28 February 2017. The draft Supplementary (No. 2) CPO will be presented to the Inspector and considered as part of that Inquiry.

9 DESCRIPTION OF PROPOSALS CONTAINED IN THE DRAFT SUPPLEMENTARY COMPULSORY PURCHASE ORDER

Magor Eastbound Off-Slip

9.1 Following the publication of the draft Orders in March 2016, and the publication of the draft Supplementary Orders in September 2016, the need for an additional off-slip has been identified and it has been decided to revise the proposals accordingly.

9.2 A new eastbound off-slip would be provided, leaving the M4 west of Magor and joining the re-aligned Newport Road roundabout.

9.3 Newport Road Roundabout layout has been amended to incorporate a slip road off the proposed M4 mainline. This design would be more convenient for several of the major users of the road in comparison to the original alignment in the published draft Orders.

9.4 The addition of an eastbound off-slip would allow for improved accessibility to Magor Services and Junction 23A for users travelling eastbound on the new section of motorway.

9.5 Modifications are proposed to the draft Side Roads Order to incorporate the changes to local highways and Private Means of Access (PMA).

9.6 The draft Supplementary CPO is published under the Highways Act 1980 and the Acquisition of Land Act 1981. The draft Supplementary (No.2) CPO incorporates the necessary land and rights to provide the alternative arrangement. Any land included within the published draft CPO that needs to be altered would be removed through a proposed modification to the draft CPO, and re-provided in the draft Supplementary (No. 2) CPO. Plots in the draft CPO that would be modified or removed are 15/1c, 15/1d, 15/1e, 15/1f, 15/1g, 15/1h, 15/1j, 15/1k, 15/1m, 15/1n, 15/1p, 15/1q, 15/1s, 15/1t, 15/1u, 15/1v, 15/1w, 15/1x, 15/1y, 15/1ad, 15/1ae, 15/1af, 15/2ag, 15/2aj, 15/2am, 15/2an, 15/2ap, 15/2aq, 15/2ar, 15/2as, 15/2at, 15/2au, 15/2aw, 15/2ax, 15/2az, 15/2ba, 15/2bb, 15/9m, 15/9n, 15/11, 15/11a, 15/11d, 15/11e, 15/12, 15/12a, 15/16f, 15/20, 15/20a, 15/20b, 15/20c, 15/20d, 15/20e, 15/21a, 15/21c, 15/21d, 15/22a, 15/22b and 15/22c.

10 THE CASE FOR COMPULSORY PURCHASE

10.1 The draft Supplementary (No. 2) CPO is required to ensure the timely acquisition of land and rights required for the proposed Scheme and to enable the Welsh Ministers to fulfil their statutory duty to provide new highways and private means of access to premises to replace those being stopped up under the draft Side Roads Order.

10.2 The draft Supplementary (No.2) CPO if made, will also enable the position of some access points to be altered. The draft Orders taken together will, if made, enable the construction of appropriate environmental mitigation measures and alternative means of access to land affected by the proposed Scheme.

10.3 The amount of land identified in the draft Supplementary (No.2) CPO, together with the land identified in the draft CPO and draft Supplementary CPO, is considered to be the minimum necessary to construct and subsequently operate and maintain the proposed Scheme together with the provision and maintenance of the environmental mitigation measures.

10.4 In drawing up the proposals for the draft Supplementary CPO regard has been given to the interference with the rights of all those with interests in the draft Supplementary CPO and who would otherwise be affected by the proposed Scheme.

10.5 Further consideration has been given to the proposed Scheme, which was outlined in the Statement of Reasons for the Compulsory Purchase Order as published on the 24th March 2016 as a result of comments made in response to the draft Orders or new information being made available.

10.6 As set out in Section 3 (Policy Context) of the Statement of Reasons for the Compulsory Purchase Order as published in draft on the 24th March 2016, consideration has been had to the Human Rights Act 1998 and in accordance with The National Assembly for Wales Revised Circular on Compulsory Purchase Orders (NAFWC 14/2004), it is considered that there is a compelling case in the public interest for the purposes for which Welsh Ministers may decide to make a CPO, sufficiently justify interfering with the human rights of those with an interest in the land affected, having regard, in particular, to the provisions of Article 1 of The First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.

11 POWERS TO CONSTRUCT THE PROPOSED SCHEME

11.1 The proposed Scheme is being promoted and would be constructed using the powers of the Welsh Ministers as Highway Authority in accordance with the Highways Act 1980.

11.2 The powers to construct the proposed new section of motorway, sections of trunk road and to reclassify parts of the existing M4 and A48(M) would be obtained through the statutory Orders, listed below:

a) The M4 Motorway (Junction 23 (East of Magor) to West of Junction 29 (Castleton) and Connecting Roads) and The M48 Motorway (Junction 23 (East of Magor) Connecting Road) Scheme 201-

b) The London to Fishguard Trunk Road (East of Magor to Castleton) Order 201-

c) The M4 Motorway (West of Magor to East of Castleton) and the A48(M) Motorway (West of Castleton to St Mellons) (Variation of Various Schemes) Scheme 201-

d) The M4 Motorway (Junction 23 (East of Magor) to West of Junction 29 (Castleton) and Connecting Roads) and The M48 Motorway (Junction 23 (East of Magor) Connecting Road) (Supplementary) Scheme 201-

e) The M4 Motorway (Junction 23 (East of Magor) to West of Junction 29 (Castleton) and Connecting Roads) and The M48 Motorway (Junction 23 (East of Magor) Connecting Road) Amendment Scheme 201-

11.3 The power to stop up, alter and improve highways, restricted by-ways, bridleways, footpaths and private means of access would be obtained through the Side Roads Order, that was also published in draft on March 10th 2016 namely:

a) The M4 Motorway (Junction 23 (East of Magor) to West of Junction 29 (Castleton) and Connecting Roads) and The M48 Motorway (Junction 23 (East of Magor) Connecting Road) and The London to Fishguard Trunk Road (East of Magor to Castleton) (Side Roads) Order 201-

12 DEPOSIT POINTS

12.1 Copies of the draft Supplementary CPO and the Environmental Statement Supplement along with the published draft Schemes, Orders, the Environmental Statement, and other supporting information, may be inspected free of charge during normal working hours at any of the following deposit points:

Orders Branch, Transport,
Department for Economy and Infrastructure,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ.

Newport City Council,
Civic Centre,
Godfrey Road,
Newport,
NP20 4UR.

Monmouthshire County Council,
County Hall,
Rhadyr,
Usk,
NP15 1GA.

Monmouthshire County Council,
Innovation House,
Wales 1 Business Park,
Magor,

Monmouthshire,
NP26 3DG.

Newport Central Library,
John Frost Square,
Newport,
NP20 1PA.

12.2 Additional copies of the published information may be obtained from the Welsh Government.

13 LODGING OBJECTIONS TO THE DRAFT SUPPLEMENTARY (NO. 2) CPO

13.1 Any person wishing to object, support or submit alternatives may do so by writing to:

Orders Branch, Transport,
Department for Economy and Infrastructure
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ.

13.2 Should you wish to object or support, your correspondence will be considered by the Project Team and we may need to consult with people and organisations outside the Welsh Government. As part of the process of consulting with the others we may pass information to them, including information you have given to us and your personal data. We will however, only disclose your personal details where it is necessary to do so to enable us to deal with issues you brought to our attention.

13.3 The proposed Scheme along with objections to the Supplementary (No.2) CPO will be the subject of a Public Local Inquiry (PLI) and all correspondence will be copied to the Inspector of the PLI and kept in the PLI Library and become publicly available.

13.4 Any objections, supports or submitted alternatives should be despatched to arrive no later than 25th April 2017.

GWEINIDOGION CYMRU

Gorchymyn Prynu Gorfodol Atodol (Rhif 2) (Trafforddyr M4 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) i Fan i'r Gorllewin o Gyffordd 29 (Cas-bach) a Ffyrdd Cysylltu) a Thrafforddyr M48 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) Ffordd Gysylltu) a Chefnffordd Llundain i Abergwaun (Man i'r Dwyrain o Fagwyr i Gas-bach)) 201- Gweinidogion Cymru

DATGANIAD O RESYMAU

1 CYFLWYNIAD

1.1 Mae Gweinidogion Cymru yn gyfrifol am ffyrdd arbennig (gan gynnwys traffyrdd) a chefnffyrdd yng Nghymru. Yn ogystal â gwasanaethu cymunedau lleol, mae'r M4 o amgylch Casnewydd yn strategol bwysig ar lefel ranbarthol, genedlaethol a rhyngwladol, gan gysylltu de a gorllewin Cymru i dde-orllewin Lloegr, ac mae'n ffurfio rhan o lwybrau strategol i Iwerddon, Canolbarth Lloegr, de-ddwyrain Lloegr ac ymhellach i gyfandir Ewrop (y Rhwydwaith Trafnidiaeth Traws-Ewropeaidd).

1.2 Cyhoeddodd Gweinidogion Cymru gynigion drafft ar 10 Mawrth 2016 ar gyfer rhan newydd o draffordd i'r de o Gasnewydd, ochr yn ochr â mesurau ategol.

1.3 Mae'r cynigion a gyhoeddwyd ar gyfer prosiect Coridor yr M4 o amgylch Casnewydd (y cyfeirir ato fel 'y Cynllun') fel a ganlyn:

a) Gorchymyn Cynllun drafft i ddarparu hyd newydd o draffordd ddeuol 3 lôn rhwng Magwyr a Chas-bach i'r de o Gasnewydd, ei ffyrdd ymuno/ymadael newydd a ffyrdd cysylltu. Mae hefyd yn darparu ar gyfer pontydd sy'n mynd dros ddyfrffyrdd mordwyadwy;

b) Gorchymyn Amrywio Cynllun drafft i ddileu'r dosbarthiad ffordd arbennig o hydoedd amrywiol o draffordd yr M4 rhwng Magwyr a Chas-bach a thraffordd yr A48(M) rhwng Cas-bach a Llaneirwg. Er na fyddai'r ffyrdd hyn yn draffyrdd mwyach, byddent yn parhau i fod yn gefnffyrdd;

c) Gorchymyn Llinell drafft i ddarparu ar gyfer yr hydoedd newydd o gefnffyrdd sy'n ofynnol ar gyfer y Cynllun;

ch) Gorchymyn Ffyrdd Ochr drafft i gau, gwella neu newid rhai hydoedd o ffyrdd, llwybrau troed, llwybrau beicio, cilffyrdd, llwybrau ceffylau a ffyrdd mynediad preifat presennol, er mwyn adeiladu priffyrdd newydd a darparu ffyrdd mynediad preifat newydd;

d) Gorchymyn Prynu Gorfodol drafft (CPO drafft), sy'n darparu ar gyfer caffael yr holl dir a hawliau sy'n angenrheidiol ar gyfer adeiladu, gweithredu a chynnal a chadw'r draffordd newydd a'r gefnffordd newydd a'u cynigion ffyrdd ochr cysylltiedig; a

dd) Tystysgrifau adran 19 drafft, sy'n darparu ar gyfer disodli Tir Comin a rhandiroedd a dileu hawliau presennol.

1.4 Cyhoeddwyd Gorchymyn Prynu Gorfodol Atodol drafft (CPO Atodol drafft) ym mis Medi 2016 i ddiwygio llwybr Lôn Bencroft, Rogiet, a diwygio llwybr pibell gofer draenio o Ardal Trin Dŵr 12b.

1.5 Yn dilyn datblygu'r Cynllun ymhellach, mae angen ail Orchymyn Prynu Gorfodol Atodol drafft (CPO Atodol drafft (Rhif 2)) i fynd i'r afael â'r canlynol:

1.6 Mae Gweinidogion Cymru yn bwriadu cynnwys ffordd ymadael ychwanegol tua'r dwyrain ym Magwyr. Byddai aliniad ac ailaliniad arfaethedig y ffyrdd ochr yn golygu bod angen cymryd mwy o dir nad yw wedi'i gynnwys yn y CPO drafft. Byddai tir sydd eisoes wedi'i gynnwys yn y CPO drafft y byddai'r ffordd ymadael ychwanegol yn effeithio arno yn cael ei ddileu o'r CPO drafft trwy addasiad i'r Gorchymyn hwnnw, a byddai'n cael ei ailddarparu gyda'r dynodiad cywir yn y CPO Atodol drafft (Rhif 2) hwn. Mae CPO Atodol drafft (Rhif 2) Gweinidogion Cymru yn darparu ar gyfer y newidiadau angenrheidiol a ddisgrifir uchod.

1.7 Mae Datganiad Amgylcheddol Atodol (Mawrth 2017) ynglŷn ag effeithiau tebygol posibl CPO Atodol drafft (Rhif 2) wedi'i baratoi mewn perthynas â'r newidiadau uchod i'r Cynllun ac mae ar gael i'w archwilio.

1.8 Diben y datganiad hwn yw:

a) Disgrifio elfennau penodol y Cynllun arfaethedig sy'n ddarostyngedig i CPO Atodol drafft (Rhif 2);

b) Esbonio'r rhesymau dros gynhyrchu CPO Atodol drafft (Rhif 2);

c) Esbonio'r addasiadau canlyniadol a gynigir i'r CPO Drafft ac

ch) Esbonio'r gweithdrefnau statudol y mae'n rhaid eu cwblhau cyn y gall y gwaith adeiladu ddechrau.

2 Y GORCHYMYN PRYNU GORFODOL DRAFFT A'R GORCHYMYN PRYNU GORFODOL ATODOL DRAFFT

2.1 Mae teitl llawn y Gorchymyn Prynu Gorfodol drafft a gyhoeddwyd o dan Ddeddf Priffyrdd 1980 a Deddf Caffael Tir 1981 ar 24 Mawrth 2016 fel a ganlyn:

GORCHYMYN PRYNU GORFODOL (TRAFFORDD YR M4 (CYFFORDD 23 (MAN I'R DWYRAIN O FAGWYR) I FAN I'R GORLLEWIN O GYFFORDD 29 (CAS-BACH) A FFYRDD CYSYLLTU) A THRAFFORDD YR M48 (CYFFORDD 23 (MAN I'R DWYRAIN O FAGWYR) FFORDD GYSYLLTU) A CHEFNFFORDD LLUNDAIN I ABERGWAUN (MAN I'R DWYRAIN O FAGWYR I GAS-BACH)) 201- GWEINIDOGION CYMRU

2.2 Mae teitl llawn y Gorchymyn Prynu Gorfodol Atodol drafft a gyhoeddwyd o dan Ddeddf Priffyrdd 1980 a Deddf Caffael Tir 1981 ar 5 Medi 2016 fel a ganlyn:

GORCHYMYN PRYNU GORFODOL (ATODOL) (TRAFFORDD YR M4 (CYFFORDD 23 (MAN I'R DWYRAIN O FAGWYR) I FAN I'R GORLLEWIN O GYFFORDD 29 (CAS-BACH) A FFYRDD CYSYLLTU) A THRAFFORDD YR M48 (CYFFORDD 23 (MAN I'R DWYRAIN O FAGWYR) FFORDD GYSYLLTU) A CHEFNFFORDD LLUNDAIN I ABERGWAUN (MAN I'R DWYRAIN O FAGWYR I GAS-BACH)) 201- GWEINIDOGION CYMRU

2.3 Mae teitl llawn Gorchymyn Prynu Gorfodol Atodol drafft (Rhif 2) sydd i'w gyhoeddi gan Weinidogion Cymru o dan Ddeddf Priffyrdd 1980 a Deddf Caffael Tir 1981 fel a ganlyn:

GORCHYMYN PRYNU GORFODOL ATODOL (RHIF 2) (TRAFFORDD YR M4 (CYFFORDD 23 (MAN I'R DWYRAIN O FAGWYR) I FAN I'R GORLLEWIN O GYFFORDD 29 (CAS-BACH) A FFYRDD CYSYLLTU) A THRAFFORDD YR M48 (CYFFORDD 23 (MAN I'R DWYRAIN O FAGWYR) FFORDD GYSYLLTU) A CHEFNFFORDD LLUNDAIN I ABERGWAUN (MAN I'R DWYRAIN O FAGWYR I GAS-BACH)) 201- GWEINIDOGION CYMRU

2.4 Yn amodol ar y darpariaethau yn y CPO Atodol drafft (Rhif 2), mae gan Weinidogion Cymru yr awdurdod o dan adrannau 239, 240, 250 a 260 Deddf Priffyrdd 1980 ac o dan adran 2, a pharagraff 1(1)(b), (3) a (4) Rhan 1 Atodlen 2 Deddf Caffael Tir 1981, a phob pŵer galluogi arall (3), i brynu'r tir a'r hawliau newydd dros y tir a ddisgrifir yn y Gorchymyn drafft yn orfodol.

3 CEFNDIR Y PROSIECT

3.1 Rhoddir Cefndir y Prosiect yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol, fel y'i cyhoeddwyd yn y drafft ar 24 Mawrth 2016.

4 CYD-DESTUN POLISI

4.1 Rhoddir y Cyd-destun Polisi yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol, fel y'i cyhoeddwyd yn y drafft ar 24 Mawrth 2016.

5 AMODAU PRESENNOL

5.1 Rhoddir disgrifiad o'r amodau presennol yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd yn y drafft ar 24 Mawrth 2016.

6 NODAU AC AMCANION

6.1 Rhoddir Nodau ac Amcanion y Cynllun arfaethedig yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd yn y drafft ar 24 Mawrth 2016.

7 Y CYNLLUN ARFAETHEDIG

7.1 Rhoddwyd disgrifiad o'r Cynllun arfaethedig yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd yn y drafft ar 24 Mawrth 2016.

7.2 Rhoddwyd disgrifiad o'r cynigion a gynhwysir yn y CPO Atodol drafft yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd ar 5 Medi.

7.3 Rhoddir disgrifiad o'r cynigion a gynhwysir yn y CPO Atodol drafft (Rhif 2) yn adran 9 y Datganiad o Resymau hwn.

8 YMGYNGHORIADAU

8.1 Amlinellwyd crynodeb o ymgynghoriadau a gynhaliwyd yn arwain at gyhoeddi'r Gorchmynion drafft yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd ar 24 Mawrth 2016. Ymgysylltwyd ymhellach â rhanddeiliaid a phartïon â buddiant ers cyhoeddi'r Gorchmynion drafft.

8.2 Ymgynghorwyd â'r cyhoedd ynglŷn â'r cynigion yn ystod cyfres o Arddangosfeydd Gorchmynion Statudol yn ystod mis Mawrth 2016, a ategwyd gan gyfryngau gan gynnwys cylchlythyrau, hysbysebu ar y radio a gwefan y Cynllun.

8.3 Ymgynghorwyd â'r Awdurdodau Cynllunio Lleol a thirfeddianwyr yn ystod yr Arddangosfeydd Gorchmynion Statudol ym mis Mawrth 2016, ac ers hynny wrth ddatblygu'r cynigion yn ymwneud â'r CPO Atodol drafft a CPO Atodol drafft (Rhif 2) trwy gyfarfodydd a gohebiaeth.

8.4 Cynhelir Ymchwiliad Lleol Cyhoeddus ynglŷn â'r Cynllun arfaethedig, a ddechreuodd ar 28 Chwefror 2017. Bydd CPO Atodol drafft (Rhif 2) yn cael ei gyflwyno i'r Arolygydd a'i ystyried yn rhan o'r Ymchwiliad hwnnw.

9 DISGRIFIAD O'R CYNIGION A GYNHWYSIR YN Y GORCHYMYN PRYNU GORFODOL ATODOL DRAFFT

Ffordd Ymadael Magwyr tua'r Dwyrain

9.1 Yn dilyn cyhoeddi'r Gorchmynion drafft ym mis Mawrth 2016, a chyhoeddi'r Gorchmynion Atodol drafft ym mis Medi 2016, amlygwyd yr angen am ffordd ymadael ychwanegol a phenderfynwyd diwygio'r cynigion yn unol â hynny.

9.2 Byddai ffordd ymadael newydd tua'r dwyrain yn cael ei darparu, yn gadael yr M4 o fan i'r gorllewin o Fagwyr ac yn ymuno â chylchfan Heol Casnewydd wedi'i hailalinio.

9.3 Mae gosodiad Cylchfan Heol Casnewydd wedi cael ei ddiwygio i gynnwys ffordd ymadael oddi ar brif linell arfaethedig yr M4. Byddai'r dyluniad hwn yn fwy cyfleus i nifer o brif ddefnyddwyr y ffordd o gymharu â'r aliniad gwreiddiol yn y Gorchmynion drafft cyhoeddedig.

9.4 Byddai ychwanegu ffordd ymadael tua'r dwyrain yn gwella hygyrchedd i Wasanaethau Magwyr a Chyffordd 23A ar gyfer defnyddwyr sy'n teithio tua'r dwyrain ar y rhan newydd o draffordd.

9.5 Cynigir addasiadau i'r Gorchymyn Ffyrdd Ochr drafft er mwyn ymgorffori'r newidiadau i briffyrdd a Ffyrdd Mynediad Preifat lleol.

9.6 Cyhoeddir y CPO Atodol drafft o dan Ddeddf Priffyrdd 1980 a Deddf Caffael Tir 1981. Mae CPO Atodol drafft (Rhif 2) yn cynnwys y tir a'r hawliau sy'n angenrheidiol i ddarparu'r trefniant amgen. Byddai unrhyw dir sydd wedi'i gynnwys yn y CPO drafft cyhoeddedig y mae angen ei newid yn cael ei ddileu trwy addasiad arfaethedig i'r CPO drafft, a'i ailddarparu yn CPO Atodol drafft (Rhif 2). Y lleiniau yn y CPO drafft a fyddai'n cael eu haddasu neu eu dileu yw 15/1c, 15/1d, 15/1e, 15/1f, 15/1g, 15/1h, 15/1j, 15/1k, 15/1m, 15/1n, 15/1p, 15/1q, 15/1s, 15/1t, 15/1u, 15/1v, 15/1w, 15/1x, 15/1y, 15/1ad, 15/1ae, 15/1af, 15/2ag, 15/2aj, 15/2am, 15/2an, 15/2ap, 15/2aq, 15/2ar, 15/2as, 15/2at, 15/2au, 15/2aw, 15/2ax, 15/2az, 15/2ba, 15/2bb, 15/9m, 15/9n, 15/11, 15/11a, 15/11d, 15/11e, 15/12, 15/12a, 15/16f, 15/20, 15/20a, 15/20b, 15/20c, 15/20d, 15/20e, 15/21a, 15/21c, 15/21d, 15/22a, 15/22b a 15/22c.

10 YR ACHOS DROS BRYNU GORFODOL

10.1 Mae CPO Atodol drafft (Rhif 2) yn angenrheidiol er mwyn sicrhau bod y tir a'r hawliau sy'n ofynnol ar gyfer y Cynllun arfaethedig yn cael eu caffael yn amserol ac er mwyn galluogi Gweinidogion Cymru i gyflawni eu dyletswydd statudol i ddarparu priffyrdd a ffyrdd mynediad preifat newydd i safleoedd yn lle'r rhai sy'n cael eu cau o dan y Gorchymyn Ffyrdd Ochr drafft.

10.2 Bydd CPO Atodol drafft (Rhif 2), os caiff ei weithredu, hefyd yn golygu y gellir newid safle rhai pwyntiau mynediad. Bydd y Gorchmynion drafft gyda'i gilydd, os cânt eu gweithredu, yn golygu y gellir adeiladu mesurau lliniaru amgylcheddol priodol a dulliau mynediad amgen i dir y mae'r Cynllun arfaethedig yn effeithio arno.

10.3 Ystyrir mai'r tir a amlygir yn CPO Atodol drafft (Rhif 2), ynghyd â'r tir a amlygir yn y CPO drafft a'r CPO Atodol drafft, yw'r lleiaf sydd ei angen i adeiladu ac yna gweithredu a chynnal a chadw'r Cynllun arfaethedig, ynghyd â darparu a chynnal a chadw'r mesurau lliniaru amgylcheddol.

10.4 Wrth lunio'r cynigion ar gyfer y CPO Atodol drafft, rhoddwyd ystyriaeth i amharu ar hawliau'r holl rai hynny sydd â buddiant yn y CPO Atodol drafft ac y byddai'r Cynllun arfaethedig yn effeithio arnynt fel arall.

10.5 Rhoddwyd ystyriaeth bellach i'r Cynllun arfaethedig, a amlinellwyd yn y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd ar 24 Mawrth 2016, o ganlyniad i sylwadau a wnaed mewn ymateb i'r Gorchmynion drafft neu wybodaeth newydd a ddaeth i'r amlwg.

10.6 Fel yr amlinellir yn Adran 3 (Cyd-destun Polisi) y Datganiad o Resymau ar gyfer y Gorchymyn Prynu Gorfodol fel y'i cyhoeddwyd ar ffurf ddrafft ar 24 Mawrth 2016, rhoddwyd ystyriaeth i Ddeddf Hawliau Dynol 1998 ac yn unol â Chylchlythyr Diwygiedig Cynulliad Cenedlaethol Cymru ar Orchmynion Prynu Gorfodol (NAFWC 14/2004), ystyrir bod achos cymhellol er budd y cyhoedd dros y dibenion y gallai Gweinidogion Cymru wneud CPO ar eu cyfer, sy'n rhoi cyfiawnhad digonol dros amharu ar hawliau dynol y rhai hynny sydd â buddiant yn y tir yr effeithir arno, gan roi ystyriaeth, yn arbennig, i ddarpariaethau Erthygl 1 Protocol Cyntaf y Confensiwn Ewropeaidd ar Hawliau Dynol ac, yn achos annedd, Erthygl 8 y Confensiwn.

11 PWERAU I ADEILADU'R CYNLLUN ARFAETHEDIG

11.1 Mae'r Cynllun arfaethedig yn cael ei hyrwyddo a byddai'n cael ei adeiladu gan ddefnyddio pwerau Gweinidogion Cymru fel yr Awdurdod Priffyrdd yn unol â Deddf Priffyrdd 1980.

11.2 Byddai'r pwerau i adeiladu'r rhan newydd arfaethedig o draffordd, rhannau o gefnffordd ac ailddosbarthu rhannau o'r M4 a'r A48(M) bresennol yn cael eu sicrhau trwy'r Gorchmynion statudol, a restrir isod:

a) Cynllun Traffordd yr M4 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) i Fan i'r Gorllewin o Gyffordd 29 (Cas-bach) a Ffyrdd Cysylltu) a Thraffordd yr M48 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) Ffordd Gysylltu) 201-

b) Gorchymyn Cefnffordd Llundain i Abergwaun (Man i'r Dwyrain o Fagwyr i Gas-bach) 201-

c) Cynllun (Amrywio Cynlluniau Amrywiol) Traffordd yr M4 (Man i'r Gorllewin o Fagwyr i Fan i'r Dwyrain o Gas-bach) a Thraffordd yr A48(M) (Man i'r Gorllewin o Gas-bach i Laneirwg) 201-

ch) Cynllun (Atodol) Traffordd yr M4 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) i Fan i'r Gorllewin o Gyffordd 29 (Cas-bach) a Ffyrdd Cysylltu) a Thraffordd yr M48 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) Ffordd Gysylltu) 201-

d) Cynllun Diwygio Traffordd yr M4 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) i Fan i'r Gorllewin o Gyffordd 29 (Cas-bach) a Ffyrdd Cysylltu) a Thraffordd yr M48 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) Ffordd Gysylltu) 201-

11.3 Byddai'r pŵer i gau, newid a gwella priffyrdd, cilffyrdd cyfyngedig, llwybrau ceffylau, llwybrau troed a ffyrdd mynediad preifat yn cael ei sicrhau trwy'r Gorchymyn Ffyrdd Ochr, a gyhoeddwyd hefyd ar ffurf ddrafft ar 10 Mawrth 2016, sef:

a) Gorchymyn (Ffyrdd Ochr) Traffordd yr M4 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) i Fan i'r Gorllewin o Gyffordd 29 (Cas-bach) a Ffyrdd Cysylltu) a Thraffordd yr M48 (Cyffordd 23 (Man i'r Dwyrain o Fagwyr) Ffordd Gysylltu) a Chefnffordd Llundain i Abergwaun (Man i'r Dwyrain o Fagwyr i Gas-bach) 201-

12 MANNAU ADNEUO

12.1 Gellir gweld copïau o'r CPO Atodol drafft a'r Datganiad Amgylcheddol Atodol ynghyd â'r Cynlluniau a'r Gorchmynion drafft cyhoeddedig, y Datganiad Amgylcheddol, a gwybodaeth ategol arall, yn rhad ac am ddim yn ystod oriau gwaith arferol yn unrhyw un o'r mannau adneuo canlynol:

Y Gangen Orchmynion, Trafnidiaeth,
Adran yr Economi a'r Seilwaith,
Llywodraeth Cymru,
Parc Cathays,
Caerdydd,
CF10 3NQ.

Cyngor Dinas Casnewydd,
Y Ganolfan Ddinesig,
Heol Godfrey,
Casnewydd,
NP20 4UR.

Cyngor Sir Fynwy,
Neuadd y Sir,
Rhadyr,
Brynbuga,
NP15 1GA.

Cyngor Sir Fynwy,
Tŷ Arloesedd,
Parc Busnes Cymru 1,
Magwyr,

Sir Fynwy,
NP26 3DG.

Llyfrgell Ganolog Casnewydd,
Sgwâr John Frost,
Casnewydd,
NP20 1PA.

12.2 Gellir cael copïau ychwanegol o'r wybodaeth gyhoeddedig gan Lywodraeth Cymru.

13 CYFLWYNO GWRTHWYNEBIADAU I CPO ATODOL DRAFFT (RHIF 2)

13.1 Caiff unrhyw un sy'n dymuno gwrthwynebu, cefnogi neu gynnig dewisiadau amgen wneud hynny trwy ysgrifennu i'r cyfeiriad canlynol:

Y Gangen Orchmynion, Trafnidiaeth,
Adran yr Economi a'r Seilwaith
Llywodraeth Cymru,
Parc Cathays,
Caerdydd,
CF10 3NQ.

13.2 Os hoffech wrthwynebu neu gefnogi, bydd eich gohebiaeth yn cael ei hystyried gan Dîm y Prosiect ac mae'n bosibl y bydd angen i ni ymgynghori â phobl a sefydliadau y tu allan i Lywodraeth Cymru. Yn rhan o'r broses o ymgynghori â'r bobl a'r sefydliadau eraill hyn, mae'n bosibl y byddwn yn trosglwyddo gwybodaeth iddynt, gan gynnwys gwybodaeth a roesoch i ni a'ch data personol. Fodd bynnag, byddwn yn datgelu eich manylion personol dim ond pan fydd hynny'n angenrheidiol er mwyn i ni allu ymdrin â'r materion a godwyd gennych.

13.3 Bydd y Cynllun arfaethedig, ynghyd â gwrthwynebiadau i CPO Atodol (Rhif 2) yn destun Ymchwiliad Lleol Cyhoeddus. Bydd copi o'r holl ohebiaeth yn cael ei roi i Arolygydd yr Ymchwiliad, a bydd yn cael ei gadw yn Llyfrgell yr Ymchwiliad ac ar gael i'r cyhoedd.

13.4 Dylai unrhyw wrthwynebiadau, cefnogaeth neu ddewisiadau amgen a gyflwynir gyrraedd erbyn 25 Ebrill 2017 fan bellaf.