

Adran yr Economi a'r Seilwaith  
Department for Economy and Infrastructure



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Llywodraeth Cymru  
Welsh Government

**Objection Ref OBJ6907**

**File Ref WG/REB/OBJ6907 - Cllr Brian Miles**

**Response to Objector's Evidence: Cllr Brian Miles**

## **1. GROUNDS FOR OBJECTION**

### **1.1. Details**

- 1.1.1. Cllr Brian Miles has submitted an undated Statement of Evidence in relation to the draft statutory Orders associated with the Welsh Government's proposals for the M4 Corridor around Newport, which has been received via the Programme Officer.
- 1.1.2. The Welsh Government understands the evidence submitted within their Statement to be based on the following:
1. States opposition to the proposal to build the Scheme through the Gwent Levels. The impact upon the levels would be irreversible and the area would never recover.
  2. Concerns that the impacts of the Scheme upon the Gwent Levels Ancient Landscape are not sustainable.
  3. Concerns that wildlife would be affected by noise pollution, rendering returning wildlife programmes meaningless.
  4. States that the Scheme does not accord with the Well-being of Future Generations Act.
  5. Suggests that the Welsh Government should consider the Blue Route as an alternative.
  6. Concerns that it is unclear whether ground conditions have been fully investigated.
  7. States that the current costs estimates appear highly optimistic, with other roads costing nearly double in pounds per metre and has concerns that the ground conditions, higher construction costs and higher than forecast land prices would undermine the economic benefit cost ratio (BCR).
  8. Suggests that the Welsh Government should encourage cars off the road by providing greener transport options.
  9. Concerns that the level of funding required would leave little funding for other projects in the rest of Wales.

## 2. REBUTTAL

### 2.1. Points Raised

2.1.1. Some of the above points have already been addressed in previous proofs of evidence. Others are dealt with by topic by the relevant witness in the following sections, in addition to their general proofs of evidence, to which readers should also make reference in their entirety for a full understanding of the Welsh Government's case. For ease of reference the places where the above points are addressed in this Rebuttal are listed in the table below:

Objector's point reference	Rebuttal paragraph reference	Objector's point reference	Rebuttal paragraph reference
1	2.1.2	6	2.2.1
2	2.1.2	7	2.1.2
3	2.1.2	8	2.1.2
4	2.1.2	9	2.3.1
5	2.1.2		

2.1.2. Some of the Objector's points have already been covered in previous proofs of evidence as follows:

1. **Point 1** (*States opposition to the proposal to build the Scheme through the Gwent Levels. The impact upon the levels would be irreversible and the area would never recover*) / The effect of building and operating the new section of motorway on the environment is set out in the Environmental Statement (Document 2.3.2) and its Supplements (Documents 2.4.4 and 2.4.14). The Environmental Statement acknowledges the importance of the Gwent Levels and clearly identifies the magnitude and significance of effects on a wide range of environmental features and assets.
2. **Points 2 and 4** (*Concerns that the impacts of the Scheme upon the Gwent Levels Ancient Landscape are not sustainable*), (*States that the Scheme does not accord with the Well-being of Future Generations Act*) / Chapter 9 of the ES (Document 2.3.2) and the Proof of Evidence of Mr Nicholas Rowson (WG1.8.1) deals with the landscape and visual impact of the Scheme. The Proof of Evidence of John Davies WG1.23.1 at paragraphs 26-48 considers the 2015 Well-being of Future Generations Act and the sustainable development principle. At paragraph 74 John

Davies sets out that paragraph 4.6.4 of Planning Policy Wales (PPW) states that the countryside must be conserved for, amongst other things, its historic, archaeological, and agricultural value and landscape resources; the Gwent Levels are designated as a Landscape of Outstanding Historic Interest. However, this paragraph also advises that conservation must be balanced against the economic, social and recreational needs of local communities and visitors. PPW Chapter 5 sets out the Welsh Government's objectives in respect of natural heritage and amongst these is the conservation of the landscape. Paragraph 5.5.1 emphasises the need to consider landscape impact whilst balancing conservation objectives with the wider economic needs of local businesses and communities.

3. **Point 3** (*Concerns that wildlife would be affected by noise pollution, rendering returning wildlife programmes meaningless*) / Phillip Evan's Proof of Evidence WG1.14.1 at paragraph 9.1.9 sets out that the Scheme would result in a positive improvement in the noise environment surrounding the existing M4 through Newport. For the new section of motorway, the published Scheme has been designed to minimise noise effects whilst not resulting in other unacceptable environmental effects. However, it is accepted that, for some areas, significant adverse effects on local amenity will occur and are unavoidable. On balance, however, the assessment indicates that the Scheme results in a considerably greater benefit than disbenefit. The Proof of Evidence of Keith Jones (1.18.1) considers the impact on wildlife.
4. **Points 5 and 8** (*Suggests that the Welsh Government should consider the Blue Route as an alternative*), (*Suggests that the Welsh Government should encourage cars off the road by providing greener transport options*) / Matthew Jones' Proof of Evidence WG1.1.1 at section 3 outlines the background to the development of the Scheme, including consideration of alternatives. Section 24 of WG1.1.1 explains how objectors' suggested alternatives are being taken into account. An Appraisal of Objectors' Alternative Blue Route Proposals Report (Document 6.2.35) considers the Blue Route and confirms it would not address the problems or achieve the objectives of the M4 Corridor around Newport. As stated in WG1.1.1 para 24.17, the Scheme is

considered by Welsh Government to be the long term, sustainable solution to the serious problems experienced on the M4 around Newport. In collaboration with proposals for a South Wales Metro, it forms a vital part of the Welsh Government's vision for an efficient and integrated transport network for Wales. There is a compelling case in the public interest for the Scheme to proceed.

5. **Point 7** (*States that the current costs estimates appear highly optimistic, with other roads costing nearly double in pounds per metre and has concerns that the ground conditions, higher construction costs and higher than forecast land prices would undermine the economic benefit cost ratio (BCR)*) / Matthew Jones' Proof of Evidence WG1.1.1 at section 13 addresses cost and budgets. At section 13.2 it explains the cost estimate is not highly optimistic as is suggested by Cllr Brian Miles, as it was developed in light of extensive ground investigation, environmental surveys, stakeholder consultation and general development work undertaken in collaboration with the ECI contractor, designers and employer's agent. I am unaware of evidence to support Cllr Brian Miles' suggestion that other roads cost "nearly double in pounds per metre", and would welcome any clarification from Cllr Brian Miles to the Inspectors about comparable highway projects to substantiate this claim. Stephen Bussell provides evidence on economic appraisal, including the BCR calculations in his Proof of Evidence (WG1.3.1).

- 2.1.3. The other points are responded to by specialist topic in turn in the sections following.

## **2.2. Barry Woodman (Construction)**

2.2.1. Response to **Point 6** (Concerns that it is unclear whether ground conditions have been fully investigated):

1. Extensive and detailed ground investigation works have been undertaken since 1997 along various route options of the M4 CAN and at the Duffryn Rail Bridge to River Ebbw site. This has presented detailed information of the underlying geology and its engineering properties. This information has been analysed by our Geotechnical Design teams to develop the appropriate geotechnical solutions along the route. The Ground investigation data has also been used by our specialist piling contractors to ensure appropriate piling methods will be adopted realistic construction outputs and associated construction programme durations used in similar ground conditions. We are therefore confident that the works can be delivered in accordance with our anticipated programme and budget.

2.2.2. I confirm that the statement of truth and professional obligations to the inquiry from my main proof still applies.

## **2.3. Matthew Jones (Chief Witness)**

2.3.1. Response to **Point 9** (Concerns that the level of funding required would leave little funding for other projects in the rest of Wales.)

1. Matthew Jones' Proof of Evidence WG1.1.1 at paragraph 13.5 explains that funding for the delivery of this project has been explicitly identified and provision set aside within the Welsh Government's published capital plans for the next four years. Allocations are not made beyond a 4 year period but suitable forecasts are in place to enable assurance to be given that the full funding requirements associated with the project are available within a reasonable timescale should the decision be taken to proceed.

2. The Project would be funded through a combination of UK Government borrowing and Welsh Government Transport capital budgets. We would not be allocating the full amount of our borrowing capacity to this scheme, important though it is. The balance of the current borrowing limit, over £500m, will be available to fund schemes in other parts of Wales from 2018/19 onwards when Stamp Duty & Landfill Tax are planned to be devolved to Welsh Government.
  3. The Metro Phase 2 project has been estimated at £734 million and the final cost will be determined during procurement negotiations. Funding includes match funding from the European Regional Development Fund that we expect the UK Government to guarantee. We are engaging with the Welsh European Funding Office and the European Commission as we develop the bid for ERDF funding for the South Wales Metro. We are planning to submit a major project notification (MPN) to the Commission next year and have held a number of meetings with the European Investment Bank's JASPERS programme which have a key role in advising the Commission. The UK Government agreed a contribution of £125m toward the cost of the scheme as part of the deal to transfer executive functions for franchising in 2014. Welsh Government spend will be funded as money becomes available through the agreed City Deal.
- 2.3.2. I confirm that the statement of truth and professional obligations to the inquiry from my main proof still applies.