

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



**Objection Ref OBJ0154**

Llywodraeth Cymru  
Welsh Government

**File Ref WG/REB/OBJ0154 - Lowe**

**Response to Objector's Evidence: Laurence Lowe**

## **1. GROUNDS FOR OBJECTION**

### **1.1. Details**

1.1.1. Laurence Lowe has submitted a Statement of Evidence dated 5<sup>th</sup> March 2017 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 Laurence Lowe's Statement to be based on the following:

1. Suggested the decision by Welsh Government to pursue the 'Black Route' will have a significant, disproportionate and negative impact on: the affected communities, the environment, and far reaching impacts for Wales as a whole. Does not believe that these issues have been appropriately considered by the Welsh Government.
2. Concerned that practical measures have not been enforced and put in place to ease traffic flow and congestion through the Newport section of the existing M4. Examples are provided including average speed check measures being enforced; practical measures to prevent lane jumping at J25a; and appropriate signage to direct Newport bound traffic off the M4 and via the SDR at J23a.
3. Concerned that there are serious traffic congestion issues on the A48(M) Cardiff bound after separation from the M4 west bound at J29 and if the flow rate of west bound M4 traffic were to increase as a consequence of this proposal, it follows that this congestion problem will be compounded on the A48(M) and lead to queuing traffic likely to back up onto the M4.
4. Suggested that the Welsh Government did not properly consider reasonable alternatives to the Black Route and that a public inquiry is necessary to review other options.
5. Suggested there is a lack of understanding and evidence how the proposal fits with current public transport projects such as the metro city link scheme, and an investment of this scale and magnitude (c£1.3billion) should be directed at an integrated transport solution.

6. Concerned that the cost of the project would make other major infrastructure projects less likely, and that the Welsh Government plan to use much of the 1 billion of direct borrowing powers granted to Wales in the Wales Bill to fund the Black Route.
7. Concerned that the Welsh Government consultation regarding the M4 relief road was too limited and other options (such as the upgrading of the A4810 SDR – known as the ‘Blue Route’) were swiftly rejected. It’s been a case of “do nothing or build a road”. There is a perceived arrogance regarding their whole approach and that they have deliberately set out to limit and discredit other options without due consideration. We should be making the best use of the roads we have e.g. progressing the Blue Route.
8. Concerned that compulsory purchase orders have been served on many parts of the Gwent Levels including a section of Gwent Wildlife Trust Nature Reserve at Magor Marsh, which is the last relatively natural area of fenland on the Gwent Levels, what will be left of these areas will be fragmented and irreversibly damaged.
9. Suggested the proposals are incredibly complex to understand and it is difficult for local people affected to properly appreciate the impact on them and comment easily on the plans. Suggested that the information made available at the consultation was generally very poor, as was the level of responses provided by officers. Overall, the amount of public consultation, awareness and exhibitions held has been inadequate for the size, scale and impact of this proposal.
10. Suggested that some of the key information such as that relating to noise, air pollution and the construction phase was not clearly available. E.g. the need to transport circa 2 million tonnes of stone from Ifton Quarry along adjacent haul roads for 3 years in huge trucks operating Monday to Friday, 7am to 7pm. Consequently, the proposals will have a far more significant and detrimental impact on local environmental amenity and quiet enjoyment than was presented and understood.
11. Concerned that there is a lack of any clear evidence that the M4 traffic flows demand the construction of an extra 23km of 6 lane motorway, the case has not been proven.

12. Suggested the proposals will irreparably damage the environment and will leave a poor legacy for future generations. Concerned that the Black Route proposals are inconsistent with Welsh Government's own legislation, in particular in terms of the Wellbeing of Future Generations Bill.
13. Concerned that the 'Black Route' would travel through the heart of the Gwent Levels and run through five SSSI areas (Sites of Special Scientific Interest). These are both nationally and internationally important. Building a motorway through this unique and irreplaceable area will result in damage to biodiversity, agriculture, small businesses and local tourism. The complex series of unique ditches (reens) and the ecosystems they support will be lost as there is no way to replace these despite the 'manufactured' alternatives being proposed by the scheme.
14. Suggested that the current proposals will have a more significant and detrimental impact on local environmental amenity and quiet enjoyment than was presented.
15. Suggested the Scheme has failed to provide proper consideration to the adverse impact it will have on those who enjoy this peaceful and relaxing environment and the proposals should provide attractive quiet lanes and side roads for tourists, walkers and cyclists.
16. Concerned that the Black Route is the wrong solution, and if it were to go ahead, it requires significant rework to mitigate against the impacts on the local communities affected (both during and post construction phase).
17. Concerned that if it were to go ahead, it requires significant rework to provide greater environmental protection.

## 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                        | 10                         | 2.1.2                        |
| 2                          | 2.1.2                        | 11                         | 2.3.1                        |
| 3                          | 2.2.1                        | 12                         | 2.1.2                        |
| 4                          | 2.1.2                        | 13                         | 2.1.2                        |
| 5                          | 2.1.2                        | 14                         | 2.1.2                        |
| 6                          | 2.2.2                        | 15                         | 2.1.2                        |
| 7                          | 2.1.2                        | 16                         | 2.1.2                        |
| 8                          | 2.2.3                        | 17                         | 2.4.1                        |
| 9                          | 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** (*Suggested the decision by Welsh Government to pursue the 'Black Route' will have a significant, disproportionate and negative impact on: the affected communities, the environment, and far reaching impacts for Wales as a whole. Does not believe that these issues have been appropriately considered by the Welsh Government*) / Matthew Jones' Proof of Evidence at section 3 outlines the background to the Scheme, whilst section 24 summarises the likely impacts and benefits of the Scheme. These issues are also comprehensively addressed in the Environmental Statement (Document 2.3.2) and its Supplements (Documents 2.4.4, 2.4.14, 2.5.1 and 2.6.1).

2. **Points 2 and 4** (*Concerned that practical measures have not been enforced and put in place to ease traffic flow and congestion through the Newport section of the existing M4. Examples are provided including average speed check measures being enforced; practical measures to prevent lane jumping at J25a; and appropriate signage to direct Newport bound traffic off the M4 and via the SDR at J23a*), (*Suggested that the Welsh Government did not properly consider reasonable alternatives to the Black Route and that a public inquiry is necessary to review other options*) / Matthew Jones' Proof of Evidence at section 3 outlines the background to the Scheme including consideration of alternatives, whilst section 23 outlines how objector's suggested alternatives are being considered.
3. **Point 5** (*Suggested there is a lack of understanding and evidence how the proposal fits with current public transport projects such as the metro city link scheme, and an investment of this scale and magnitude (c£1.3billion) should be directed at an integrated transport solution*) /

The public transport network that has been modelled in the M4CaN transport model comprises:

- a) Great Western Route Modernisation including the electrification of the Great Western Mainline from London Paddington to Cardiff by 2017
- b) opening of new stations on the Valley Lines (Metro Phase 1)
- c) Valley Lines electrification (Metro Phase 2)

Outside the transport model, an alternative approach has been developed which assumes further rail elements of a South Wales Metro and a strategic Park and Ride site at Llanwern (Metro Phase 3) together with Newport Bus Rapid Transit in order to assess the potential effect on traffic flows on the existing M4 corridor.

For this project, we have therefore fully taken account of the planned mainline rail electrification and the committed elements of Cardiff Metro in our core scenario, and have carried out a sensitivity test on a higher level of Metro investment and Newport Rapid Transport.

The results show that the combined effect of these public transport schemes is to reduce M4 traffic by a maximum of 6% and therefore does

not resolve the problems on the M4. This does not mean to say that development of an efficient public transport system is not valid.

Public transport should be seen as complementary to the M4 proposal and not in competition with it, as is explained further in how public transport has been taken into account by the Welsh Government in the evidence of Matthew Jones in section 9 of WG1.1.1.

4. **Point 7** (*Concerned that the Welsh Government consultation regarding the M4 relief road was too limited and other options (such as the upgrading of the A4810 SDR – known as the ‘Blue Route’) were swiftly rejected. It’s been a case of “do nothing or build a road”. There is a perceived arrogance regarding their whole approach and that they have deliberately set out to limit and discredit other options without due consideration. We should be making the best use of the roads we have e.g. progressing the Blue Route*) / Matthew Jones’ Proof of Evidence at section 3 outlines the background to the Scheme including consultations carried out and consideration of alternatives, whilst section 23 outlines how objector’s suggested alternatives are being considered. 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 set out in WG1.1.1 paragraph 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 Governments vision for an efficient and integrated transport network for Wales.
5. **Point 9** (*Suggested the proposals are incredibly complex to understand and it is difficult for local people affected to properly appreciate the impact on them and comment easily on the plans. Suggested that the information made available at the consultation was generally very poor, as were the level of responses provided by officers. Overall, the amount of public consultation, awareness and exhibitions held has been inadequate for the size, scale and impact of this proposal*) / Matthew Jones’ Proof of Evidence at WG1.1.1 paragraphs 5.3-5.9 explain how engagement has informed the development of the Scheme and clarifies that engagement

on the problems, objectives and possible solutions to the M4 around Newport has been ongoing since the early 1990s. The background to the development of the Scheme including engagement with others is set out in section 3 of WG1.1.1. Significant efforts were made to help people with an interest in the proposals understand the available information and have any queries addressed appropriately. As was recorded in the 2015 Public Information Exhibitions Report<sup>1</sup>, an evaluation survey of attendees showed 90% 'tended to agree' or 'strongly agreed' that the exhibitions helped them to understand the proposals. Furthermore, 92% selected 'YES' on a touchscreen computer which asked "Have you found all the information you wanted today? YES / NO". In addition, a designated Public Liaison Officer aims to help people contact the project team to help address any concerns or queries where possible.

6. **Point 10** (*Suggested that some of the key information such as that relating to noise, air pollution and the construction phase was not clearly available. Consequently, the proposals will have a far more significant and detrimental impact on local environmental amenity and quiet enjoyment than was presented and understood*) / These issues are fully described in the ES and the ES Supplements. With regard to the effects of noise and vibration during the construction and operational phases of the Scheme, see the Proof of Evidence of Philip Evans on noise and vibration (WG 1.14.1). Air quality matters are address by Michael Bull in his evidence (WG1.12.1). Barry Woodman in his evidence (WG1.16.1) considers the construction phase.
7. **Point 12** (*Suggested the proposals will irreparably damage the environment and will leave a poor legacy for future generations. Concerned that the Black Route proposals are inconsistent with Welsh Government's own legislation, in particular in terms of the Wellbeing of Future Generations Bill*) / Environmental issues are fully described in the ES and the ES Supplements. John Davies addresses the Well Being of Future Generations Act 2015 in his Proof of Evidence (WG1.23.1) at paragraphs 26-48 and 198-216. John Davies (WG1.23.1) and Matthew Jones (WG1.1.1) consider the balance between environmental, economic,

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<sup>1</sup> (<http://gov.wales/docs/det/publications/170117-m4-corridor-around-newport-en.zip>)

social and cultural impacts and conclude that the Scheme should proceed.

8. **Point 13** (*Concerned that the 'Black Route' would travel through the heart of the Gwent Levels and run through five SSSI areas (Sites of Special Scientific Interest). These are both nationally and internationally important. Building a motorway through this unique and irreplaceable area will result in damage to biodiversity, agriculture, small businesses and local tourism. The complex series of unique ditches (reens) and the ecosystems they support will be lost as there is no way to replace these despite the 'manufactured' alternatives being proposed by the scheme*) / 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.
9. **Point 14** (*Suggested that the current proposals will have a more significant and detrimental impact on local environmental amenity and quiet enjoyment than was presented*) / 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 though 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 situated on the Newport Wetlands, 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 number of properties experiencing benefit rather than disbenefit.

10. **Point 15** (*Suggested the Scheme has failed to provide proper consideration to the adverse impact it will have on those who enjoy this peaceful and relaxing environment and the proposals should provide attractive quiet lanes and side roads for tourists, walkers and cyclists*) / Matthew Jones' Proof of Evidence WG1.1.1 at section 10.14 outlines that measures have been incorporated into the design of the Scheme to help ensure that there would be no significant adverse effects on all travellers, whilst some new lengths of cycleways, bridleways and footpaths seek to encourage non-motorised modes of transport for local journeys. For example, five new public bridleways and one new public footpath would be created, including one providing an off-road link between National Cycle Network Route 4 and Magor. Further information relating to all travellers is provided in the Proof of Evidence of Ms Julia Tindale (WG 1.10.1). Phillip Evan's Proof of Evidence WG1.14.1 provides further information in relation to noise. The spread of noise effects across the Gwent Levels have been predicted where they lie within 1 km of the Published Scheme, and will inform the Inspector's decision. Much of the levels are already characterised by industrial, agricultural and road traffic noise, and are not currently undisturbed by anthropic sources.
11. **Point 16** (*Concerned that the Black Route is the wrong solution, and if it were to go ahead, it requires significant rework to mitigate against the impacts on the local communities affected (both during and post construction phase)*) / Barry Woodman addresses the likely impacts during construction in his Proof of Evidence at WG1.6.1 paragraphs 5.16 to 5.19 and 9.2, with further information provided in the Environmental Statement Supplement December 2016 (Document 2.4.14) sections 2.4, 6.2, 6.8, 7.2.1, 7.2.3 and 7.2.5. Julia Tindale further considers the impacts on local communities in her evidence (WG1.10.1).

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

## 2.2. Matthew Jones (Chief Witness)

2.2.1. Response to **Point 3** (Concerned that there are serious traffic congestion issues on the A48(M) Cardiff bound after separation from the M4 west bound at J29 and if the flow rate of west bound M4 traffic were to increase as a consequence of this proposal, it follows that this congestion problem will be compounded on the A48(M) and lead to queuing traffic likely to back up onto the M4):

1. The Scheme has been developed with involvement from officers of Cardiff Council, from a range of departments including those responsible for transport and the economy. The traffic forecasts as addressed in the Proof of Evidence of Bryan Whittaker (WG1.2.1) indicate that, with the scheme in place, the average daily traffic levels along the A48 (M) would be expected to increase by around 2% in the opening year of 2022 and 5% in the design year of 2037 compared to the situation without the scheme. Although the A48 (M) currently experiences operational problems, particularly during peak periods on weekdays, the scheme is not expected to materially affect those operational problems.

2.2.2. Response to **Point 6** (Concerned that the cost of the project would make other major infrastructure projects less likely, and that the Welsh Government plan to use much of the direct borrowing powers granted to Wales in the Wales Bill to fund the Black Route):

1. Matthew Jones's 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. The Welsh Government 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 would be separate to the M4 Scheme and includes match funding from the European Regional Development Fund that the Welsh Government expect the UK Government to guarantee. The Welsh Government 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. The Welsh Government are planning to submit a major project notification (MPN) to the European 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.
- 2.2.3. Response to **Point 8** (Concerned that compulsory purchase orders have been served on many parts of the Gwent Levels including a section of Gwent Wildlife Trust Nature Reserve at Magor Marsh, which is the last relatively natural area of fenland on the Gwent Levels, what will be left of these areas will be fragmented and irreversibly damaged):
1. Neither the Newport Wetlands National Nature Reserve and RSPB Reserve, nor the Magor Marsh and Great Traston Meadows Gwent Wildlife Trust Nature Reserves would be significantly affected, although a small area of land owned by the Gwent Wildlife Trust would be acquired. Views of the new section of motorway from Magor Marsh Nature Reserve would be screened by the existing woodland and vegetation within and surrounding the nature reserve and residential properties within Magor. It should be noted that the Newport Wetlands National Nature Reserve is

not remote from the existing motorway network, which forms part of its environmental context.

2. The draft CPO (and hence the footprint of the Scheme) covers 3395 sq m (0.34 ha) at the northern corner of this land (excluding the adjacent section of road - 766 sq m) and thus only some 3% of the area (11.3 ha) of the fields Gwent Wildlife Trust purchased in 2012.

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

### **2.3. Bryan Whittaker (Traffic)**

2.3.1. Response to **Point 11** (Concerned that there is a lack of any clear evidence that the M4 traffic flows demand the construction of an extra 23km of 6 lane motorway, the case has not been proven):

1. Section 16 of Bryan Whittaker's Proof of Evidence (WG1.2.1) outlines the traffic case for the Scheme. In terms of traffic flows, there was sustained growth on all sections of the motorway between Junctions 23 and 29 in the period between 1989 and 2007 with the exception of that through Brynglas Tunnels in the mid-1990s with the completion of the A4042 Malpas Road and Brynglas Tunnels Relief scheme. There was however, a reduction in traffic volumes on almost all motorway sections around the time of the global economic recession in 2008. By 2011 when the economy was in the period of recovery and at the same time variable speeds limits had been implemented, traffic travels were again increasing and have continued to do so up to 2016.
2. Table 3 shows the two-way annual average daily traffic (AADT) on the M4 around Newport between 2011 and 2016. Table 4 shows the corresponding traffic growth rates.

Table 3: Two-way AADT on M4 around Newport (2011-16)

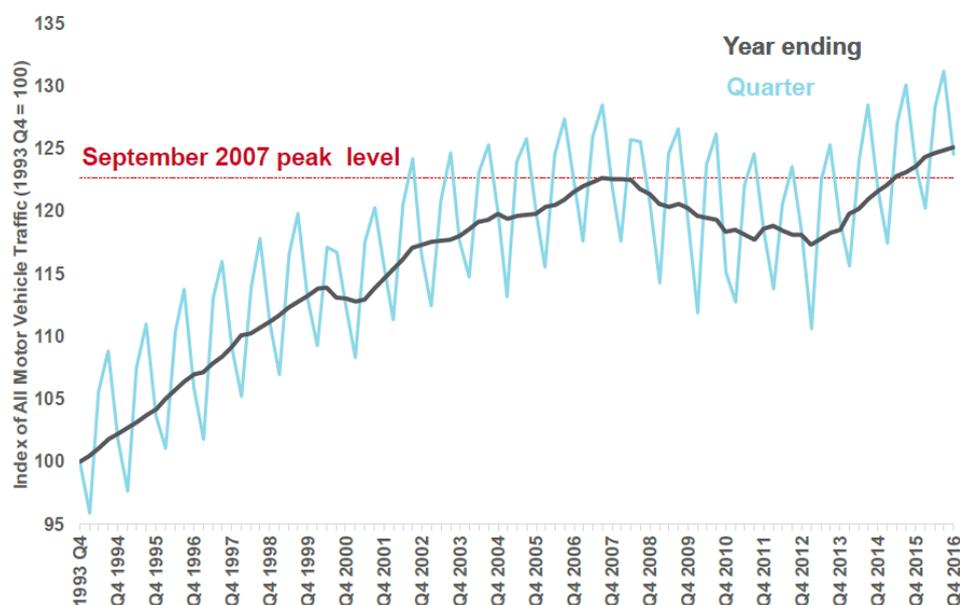
| MIDAS Traffic Count Location          | 2011            | 2012    | 2013    | 2014    | 2015    | 2016    |
|---------------------------------------|-----------------|---------|---------|---------|---------|---------|
|                                       | Both directions |         |         |         |         |         |
| Magor - Coldra Jns. 23a-24            | 77,532          | 76,703  | 78,205  | 77,743  | 80,374  | 82,234  |
| Coldra - Caerleon Jns. 24-25          | 92,766          | 92,412  | 94,104  | 97,030  | 99,638  | 101,255 |
| Brynglas Tunnels Jns. 25-26           | 70,618          | 72,872  | 73,706  | 75,369  | 78,602  | 78,919  |
| Malpas - High Cross Jns. 26-27        | 101,820         | 103,078 | 104,229 | 106,442 | 111,224 | 114,900 |
| High Cross - Tredegar Park Jns. 27-28 | 99,367          | 101,237 | 102,454 | 105,333 | 109,229 | 111,569 |
| Tredegar Park - Castleton Jns. 28-29  | 103,361         | 104,544 | 106,145 | 109,410 | 114,508 | 117,848 |

Table 4: Historic traffic growth rates on M4 around Newport (2011-16)

| MIDAS Traffic Count Location          | 2011-12         | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2011-16 |
|---------------------------------------|-----------------|---------|---------|---------|---------|---------|
|                                       | Both directions |         |         |         |         |         |
| Magor - Coldra Jns. 23a-24            | -1.1%           | 2.0%    | -0.6%   | 3.4%    | 2.3%    | 6.1%    |
| Coldra - Caerleon Jns. 24-25          | -0.4%           | 1.8%    | 3.1%    | 2.7%    | 1.6%    | 9.2%    |
| Brynglas Tunnels Jns. 25-26           | 3.2%            | 1.1%    | 2.3%    | 4.3%    | 0.4%    | 11.8%   |
| Malpas - High Cross Jns. 26-27        | 1.2%            | 1.1%    | 2.1%    | 4.5%    | 3.3%    | 12.8%   |
| High Cross - Tredegar Park Jns. 27-28 | 1.9%            | 1.2%    | 2.8%    | 3.7%    | 2.1%    | 12.3%   |
| Tredegar Park - Castleton Jns. 28-29  | 1.1%            | 1.5%    | 3.1%    | 4.7%    | 2.9%    | 14.0%   |

3. Published UK government statistics on national traffic totals and Bryan Whittaker's evidence (WG1.2.1) on M4 traffic levels (using data from automatic counters on the M4 as stated above both show a high degree of commonality with traffic growing strongly through the period 2013-2016, ending a decline that started around 2008 at the time of global recession. If anything, traffic growth recovered slightly earlier in South Wales than Great Britain. The data in both South Wales and Great Britain shows no plateau and no continuing fall, but rather a clear underlying growth trend that was interrupted over a period of several years for what seems highly likely to be economic reasons. The published UK government statistics are shown below in Table 5.

Table 5: Rolling Annual and Quarterly Indices of Road Traffic in Great Britain, from 1993



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

**2.4. Keith Jones (Ecology)**

2.4.1. Response to **Point 17** (Concerned that if it were to go ahead, it requires significant rework to provide greater environmental protection):

1. The SSSI habitat losses have been clearly set out at all stages of the assessment of the impacts of the Scheme. As stated in the September 2016 Environmental Statement Supplement (Document 2.4.4) a total of some 125 ha of land within the Gwent Levels SSSIs would be affected by the Scheme. Of this some 86 ha would be grazing marsh (measured as all grassland within the Gwent Levels SSSIs within the footprint of the proposed new section of motorway). Similarly the figures for loss of reens and distiches are from the same Document 2.4.4. The measures to mitigate for these impacts are set out in its SSSI Mitigation Strategy and the Reen Mitigation Strategy respectively.

2. The extensive planting and habitat establishment proposed as part of the scheme and shown on the Environmental Management Plan (EMP), and the habitat enhancements which would be implemented across the three SSSI mitigation areas will benefit a wide range of wildlife, not just those species specifically addressed in the Environmental Statement (Document 2.3.2).
3. The ecology surveys carried out to inform the Environmental Statement (Document 2.3.2) have been extensive and have considered those species considered to be of most importance in the context of the Scheme, both in terms of their conservation status and susceptibility to adverse impacts as a result of the Scheme, and for which specific mitigation measures are required. It is not reasonable, or cost effective, to survey specifically for all species which may be present in the area of the Scheme.
4. The SSSI mitigation strategy sets out the measures proposed to convert existing arable land to grassland and to enhance existing grassland habitats. The measures proposed are not novel and there is no reason to doubt their success. It is inevitable that issues will arise, such as the need to eradicate invasive weed species, but these can be addressed through appropriate monitoring and management.
5. The Contractor would be responsible for implementing the Environmental, Landscape and Ecology Aftercare Plan (see March 2016 Environmental Statement (Document 2.3.2, section 18.8) and this would include monitoring the performance of the completed Environmental Design for the duration of the Aftercare Period (5 years from completion of construction). The environmental performance of the project would be monitored against the commitments, objectives and targets identified in the Environmental Management System and more specifically, the Register of Environmental Commitments (updated in Appendix SR18.1 of the December 2016 Environmental Statement Supplement (Document 2.4.14)), which would include the mitigation requirements as set out in the AIES (Document 2.2.7), Environmental Statement (Document 2.3.2), licences/consents, and other documentation.

6. Following the 5 year aftercare period responsibility for the management and maintenance of the Scheme's soft estate, including all elements of the environmental design and mitigation, would revert to Welsh Government. In common with other strategic highways that are the responsibility of the Welsh Government a specification for that ongoing management and maintenance would be produced at that time.
  7. It would incorporate measures to address ongoing commitments made previously with respect to the Scheme. However the Environmental Statement (Document 2.3.2) acknowledges that there would be significant adverse effects on the Gwent Levels SSSIs as a result of the land take for the Scheme, even after mitigation.
  8. The new reens and ditches would be in close proximity to the new section of Motorway through the Gwent Levels and thus would be within the SSSIs. The measurement of the land take for the scheme includes the area of the new reens and ditches.
  9. The ratios for provision of mitigation has been agreed with NRW. For example the reason that the ratio of new to existing reens is not greater is because NRW were concerned that the original proposals (7,610 m of new reens and 11,800 m of new ditches) could have had adverse effects on the hydrology of the levels.
- 2.4.2. I confirm that the statement of truth and professional obligations to the inquiry from my main proof still applies.