

M4 Corridor around Newport, Draft Side Road Orders and Environmental Impact Assessment Response

A Response from

Newport City Council to Welsh Government

April 2016

IN GENERAL

This report is provided by Newport City Council as a joint officer response to the

**M4 Corridor around Newport Environmental Impact Assessment
M4 Corridor around Newport Environmental Statement
Draft Statutory Orders (1-5) including the Draft Compulsory Purchase Order**

This report has been compiled by the Authority of Newport City Council, in response to the information provided by the Welsh Government in support of the development of the M4 Corridor around Newport. Newport City Council as an Authority has registered its support for the project overall and therefore this response is considered to be for the assistance and guidance of the Welsh Ministers in their decision to confirm, or not, Highway and Compulsory Purchase Orders and determine if Environmental Impacts of the scheme have been fully assessed.

The Authority met with representatives of Welsh Government and their consultant teams regularly, to ensure continuous dialogue and transparent exchange regarding various aspects of the scheme, to assist in the decision making process and ensure the best outcome for the city, its people and its unique environmental features.

Environmental Statement Chapters 1-5

The Draft Orders and the EIA has considered the severance of the development on the local highway and Public Rights of Way network. The provision of a replacement road bridges including delineated shared use routes, an equestrian bridge to maintain the connectivity of the route of the Newport Cardiff Cycleway along Percoed Lane, pedestrian refuges, crossing points and shared use routes under bridges is considered to be essential to avoid community severance.

The Authority understands that any stopped up route will be physically gated/ stopped up with vehicle prevention measures to be agreed.

The route of the Wales Coastal Path, the Cardiff Newport Cycle way and other PROW routes will be temporarily and permanently altered through the construction phases and also on completion of the

development. The existing alignments will be affected both in the short term and long term. The short to medium term impacts of route will be during the construction phase where the temporary diversion of the routes will be needed to suit the construction program. The confirmation that the WCP and other key links on the PROW network will remain open throughout the construction program is welcomed and the Authority will expect the Welsh Government, their agents and contractors to manage and monitor their program to achieve this continuity.

The Authority is satisfied that potential of Community severance of the local highway network has been considered in the short to medium construction phases and also in the long term final network proposals. For construction phases The Authority will expect details of HGV and staff movements, management and location of works and storage to be advised, agreed, monitored and reviewed.

The EIA confirms that the proposals are it is fully compliant with the Active Travel (Wales) Act 2013. It is therefore a matter for the The Welsh Ministers to determine if their proposals are in compliance with the duty under ATA to '....enhance the provision made for walkers and cyclists'.

Section 6 **Legislative and Policy Context**

The Welsh government have acknowledged that they've considered the Newport Local Development Plan. The accesses to the strategic sites of Newport Docks and the Celtic Business Park (at Glan Llyn) are still in place and these are supported.

The Authority would indicate that the 'Local Development Areas' on the 'M4 Corridor around Newport Context Diagram' do not entirely match up with the Local Development Plan allocations. An example of this is Duffryn School which is indicated as a 'Local Development Area' which is not allocated in the LDP. There are other examples of areas which they have included but are not in the LDP and vice versa. These anomalies should be acknowledged and corrected.

In terms of the environmental consequences and potential impacts on the SSSI, appropriate mitigation is obviously necessary in accordance with national and LDP policies.

Where the development corridor is affecting trees protected under the Town and Country Planning (Trees) Regulations 1999 or hedgerows protected under the Hedgerow Regulations 1997 the authority will seek compensation for the loss the detail of which must be agreed with the Authority officers

Section 7 **Air Quality**

We have reviewed Chapter 7 Air Quality and associated appendices, in general the air quality impact of the M4CaN once complete appears to be beneficial to Newport. However, we have strong concerns regarding the construction of the scheme on air quality which is likely to take (a minimum of) 4 years. Nor do we believe the objectives of the Well-being of Future Generations (Wales) Act 2015 will be fully realised with the proposal as it currently stands.

CONSTRUCTION PHASE

Paragraph 7.7.35 of the assessment of reviews the effects from additional HGV movements during the construction phase (2018) for both human health and ecology receptors. The results of this assessment at each of the assessed receptors are shown in Table 7.3.1 to 7.3.3 of Appendix 7.3.

Currently the construction phase and impact upon air quality from HGVs has been modelled for the year 2018 only (Paragraph 7.7.35 Table 7.3.1 and 7.3.3). The results of the model indicate a negligible impact upon human health.

However, the construction phase is likely to last for at least 4 years, until 2022 (assuming the deadline for completion is met), but the model only provides results only for 2018. Furthermore, there is no assessment of the impact of site workers, or even an estimate of the number of site workers. Assuming a bare minimum of 2500 (site workers, support staff etc) would contribute a significant increase in road traffic across Newport. A very rough estimate of HGV and site worker movements is provided below:

	Estimated Daily Movements (2 Way)	Working Days in average year	Working Days Duration of Project (years 18 – 22)
HGVs	239 ⁺	456 DAYS	1826 DAYS
WORKERS (2,500)*	2500*	1,140,000*	4,565,000*

*No estimated of the number of site workers has been provided – it is assumed at least 2,500 (minimum) will be present on site at any one time.

+It is assumed the reported (estimated) HGV movements 239 (Paragraph 7.3.35) is two way. If this is not the case, the above figures are underestimates.

Even with strict management of HGV routes, the associated traffic from site workers cannot be fully mitigated, thus the scheme is highly likely to have cumulative effects on the wider Newport Road Traffic Network; in turn impacting local air quality.

In our opinion, in the mid-term (4+ years) the impact would not meet the Well-being of Future Generations (Wales) Act 2015 goals: A Resilient Wales, A healthier Wales, A globally Responsible Wales. In this Act any public body must act in manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Therefore (with respect to the construction phase) the needs of the future generation are being put before the needs of the present. However, we do believe in the long term, the operational phase the scheme would be beneficial.

To offset and mitigate the potential air quality impact and for the local authority (and other bodies) to meet the goals under the Well-being of Future Generations (Wales) Act 2015, we recommend that the scheme provide The Authority with additional annual funding (for the duration of the construction phase) to enable Newport City Council to support projects designed to improve air quality. The funding would be used for some of the following:

- Help bring a scheme of HGV management to Newport in an effort to reduce the number of HGV movements across the whole of the city. It has been proven that HGVs make up roughly 10% of traffic which generate 50% of air pollution within Newport. This scheme is designed to reduce the number of HGVs in turn improving air quality. Participation of contractors / subcontractors in the M4 scheme should be strongly encouraged, if not compulsory during the construction phase.
- Provision of Electric Charge points across the city
- Air quality monitoring
- Educational programmes designed to raise awareness for air quality

- Support local air quality action groups
- Various other projects designed to improve air quality.

We would also recommend that a highly detailed travel plan for staff and HGVs be developed and adhered to, this should include (but not limited to) the following:

- Promoting and supporting public transport to all site staff
- Provide / support low emission transport for all site staff, such as electric/hybrid cars, cycle routes etc.
- Locate staff car parking sites at locations that will not be detrimental to air quality, possibly including a park and ride (electric buses).
- A dedicated member of staff should be employed to monitor, maintain, promote and improve the sustainable / low emission travel plan throughout the period of the M4 construction phase.
- HGV travel plan.

The project has the potential to generate a substantial amount of dust. Standard mitigation measures have been proposed, along with some monitoring. Further details of the mitigation measures should be discussed with Newport City Council.

OPERATIONAL PHASE

We agree in general with the modelled results of the new proposed M4. With respect to the health impact of air quality the scheme appears, on the whole, to be beneficial to Newport.

However, we do not believe all the possibilities with the existing M4 and reclassification to an A-road have been explored. Capitalising upon the reduced traffic flow along the existing M4 should be explored to determine what benefits could be gained. For example providing Caerleon (a known area of poor air quality due to traffic congestion) a slip road on to the A4042 allowing traffic to access the old M4.

Furthermore, a speed restriction along the old route of the M4 should be implemented, as this has already been proven to be beneficial for air quality. Such a speed restriction should comprise of an average speed restriction between Junctions 24 and 28 and this should be linked to real time air quality monitoring in order that higher speeds can be permitted when air quality is acceptable. This would support the work of Newport City Council to meet the statutory requirements of the Environment Act 1995 in relation to designated Air Quality Management Areas that are associated with the operation of the old M4. Again, this would also go a long way in meeting the objectives outlined in the Well-being of Future Generations (Wales) Act 2015.

Section 8 Cultural Heritage

The M4CaN development will have an impact on the setting of the Transporter Bridge and Tatton Farm. It is requested that when detailed design is being considered, that the Conservation Officer is consulted so efforts can be made to try and mitigate the impact as much as possible.

BASELINE

The LVIA baseline assessment information to determine landscape and visual effects is acceptable. As requested the LVIA assessment has made a conscious effort to consider the historical and cultural aspects of Levels and the LANDMAP criteria within the landscape Character Assessments. However the Authority is not satisfied that the WG have taken on board the comments raised at scoping stage in regard to the key LVIA locations and sensitive receptor points particularly on the Wales Coast Path and long distance cycle routes.

LVI ASSESSMENT

The landscape and visual impact assessment LVIA has determined the impact of the development as ranging from 'significant' and 'large' at receptors close to the development to 'negligible' or 'no impact' at receptors over distance. We agree with the majority of the findings with the exceptions described below.

On the Wentlooge and Caldicot Levels the Landscape Character Assessment has categorised the landscape quality as 'High'. The structure of the embankment carrying the road will be elevated above the existing landscape. The cumulative impacts of the embankments with the additional infrastructure associated with the road development, will be significant obstructions and intrusions and the impacts of these need to be fully understood. The sections of road corridor across the landscape may not be fully illuminated however the gantries etc. will include illuminated signage and other structures that will intrude into the landscape in the day and the night. In combination with the embankment and road infrastructure, these high level structures of the new bridges carrying the minor roads and diverted footpaths will be significant in terms of their visual intrusion, rising above the surrounding landscape particularly when viewed from the footpaths, property and PROW network crossing the Gwent Levels. The LVI assessment has not explored this.

Newly created views that will be afforded from the new over-bridges could be considered as a beneficial to visual amenity of the development. It has been acknowledged that the engineering team designers have located the pedestrian access on the southern elevations of each over-bridge to maximize this. This potential positive impact should be captured within the assessment.

The bridge over the Ebbw and Usk will be elevated and likely to be highly visible over a wider area. The assessment of the bridge and associated structures has not been fully explored as the impact of such a structure will be significant long term visual impact, even though it is viewed within the context of the city scape from vantage points on the higher ground and from across the Channel. There are clear views of the development area from locations across the Bristol Channel particularly Clevedon. The photographic appraisal was undertaken in weather conditions that were not able to demonstrate the impacts and this should have resulted in a requirement for a further assessment visit. A development of this scale and significance warrants visits in different weather conditions.

The NCC scoping response of the 13th October 2015 made specific reference to the Wales Coast Path and NCN as they cross below the bridges and supporting structures. This is possibly the most significant impact on landscape and visual amenity and the LVIA does not include this area. In Table 9.2 there is no reference to the landscape consultation response of the scoping report and how the points made have been considered. Consequently there is no assessment of the short distance and close views on the on visual amenity of those using footpaths and routes close to the bridge particularly those using the Wales Coast Path from Nash to the Transporter Bridge. A large section of this route will be unavailable during the construction phase which should be considered to be of major, short term, significance. If this is to be included fully in Chapter 14 then reference needs to be made here. In addition the route will be significantly affected by the eventual construction of the main River Usk bridge as the route travels beneath the structure and between the bridge supports at least three times from Picked Lane to the point at which it turns North on FP401/4. The resulting change in the visitor experience will potentially be a major impact

as is a departure from the current vegetated, open and semi-rural route from Traston meadows. This would be altered to a hard surfaced, structure, the design of which will need to be carefully considered to ensure the area does not attract antisocial behavior. The assessment has not fully explored the potential significant long term impact on the landscape and visual amenity of the development at this point and should be revisited.

The assessment has considered the impacts of night-time views of the potential development although there are no visual representations of this within the photomontages. This would be expected given the anticipated impacts of the lighting levels.

MITIGATION

Significant tree cover will be lost through this development. This loss has been mitigated through the planting of woodland areas suggesting a net gain in woodland areas over all. However species choice, ratios and proposed management are to be agreed with the local authority as should long term management responsibility particularly where this has been undertaken to mitigate landscape and visual effects. The introduction of woodland must also be considered in terms of the existing ecology of these areas, particularly where the introduction of woodland could lead to adverse impacts such as shading of water features. Details of specific mitigation for grassland and other planting should be discussed with the landscape and ecological officer at the development stage of the project.

The Authority requires confirmation of the tree/woodland losses, overall proposed areas and specifics in terms of TPOs and hedgerow lengths. The long term management and maintenance to establishment of mitigation planting and compensation habitat creation, has not been agreed at this stage. The Authority would consider facilitating this only with appropriate funding provided in the form of a commuted sum.

Section 10 Ecology and Nature Conservation

BIRDS

ARUP undertook an initial breeding bird survey in 2014 and 8 transects were walked between April and June. Two surveyors were used and the report states at least one of these was a bird expert. Each transect was walked three occasions between April and June. The report states that this methodology was confirmed with NRW. The transects were selected and 'designed to be representative of the predominant habits suitable for breeding bird assemblages'. There are large areas which have not been included in the survey. Could we seek clarification as to why local bird groups, who have expert local knowledge regarding bird species and assemblages were not consulted. We would recommend that local birds groups are consulted regarding proposed mitigation and compensation;

Thompson Ecology were commissioned in 2015 to undertake a further breeding bird surveys of three areas and a 500m buffer of the proposed footprint of the M4. This admittedly does 'fill in' some of the gaps from the ARUP survey. As a result of lack of access large areas have not been surveyed.. The surveys used PROW and roads to survey fields, and admittedly the report (Section 1.3.2) states that due to land access more fields were able to be surveyed during the second visit than the third or first. Other limitations of this survey were that the surveys were undertaken in May and June only. Could we seek clarification as to whether the proposed mitigation and compensation will be based upon this 'snap shot' of the proposed route. We also require clarification as to why local bird groups, who have expert local knowledge regarding bird species and assemblages were not consulted and would recommend that local birds groups are consulted regarding proposed mitigation and compensation.

Surveys were essentially undertaken over one season (as only small parts of the areas surveyed overlap in the two reports). If local bird groups are consulted they can provide a more detailed account of how bird

populations are fluctuating over the area from year to year. If this has been a poor year for certain species they may not have been picked up during the survey.

ARUP undertook an overwintering bird survey in 2013/2014. Three visits were undertaken between January to March. Four hour vantage points surveys carried out each month at the proposed crossings near to River Ebbw and River Usk. Could we seek clarification as to what areas were walked during the surveys, we are unable to find them on the maps. We understand again that only PROW and roads were used to survey areas but the actual routes taken are not clearly shown.

Hyder Consulting undertook an overwintering birds survey between September 2014 and April 2015. 65% of land was surveyed according to the report. Again several part of actual footprint of the proposed M4 were not surveyed, as they may not have had PROW or roads running through them;

GREAT CRESTED NEWTS

ARUP surveyed 55/89 of the waterbodies identified as being potentially suitable for GCN between 24th April and 29th May. Limitations due to accessing the water bodies for reasons including safety meant that certain waterbodies did not received the full survey, e.g. steep sides therefore too dangerous to undertake egg search.

EDNA testing was agreed to be undertaken with NRW in 2015. 283 waterbodies were accessed and a water sample obtained between May-June 2015. 37 waterbodies were inaccessible. Four waterbodies found to contain GCN on the eastern side of the River Usk. Further surveys to ascertain population are to be undertaken this summer. Mitigation should be based upon this.

BATS

The methodology has been agreed with NRW. We believe further surveys of those buildings/tree that were inaccessible are expected in 2016 and we require clarification of this.

WATER VOLES

Unsure as to what discussions have taken place with GWT with regards to recent water vole introduction. We require clarification of this.

DORMICE

ARUP survey 2014 found dormice in New Park Farm and Castleton as well as Magor side by Tata. RPS commissioned to undertake further surveys in 2015. Several tubes were installed in June or August , however this is considered to be late in the season. We need clarification as to why there was this delay.

BADGER

Unable to locate Confidential Appendix 10.37 and 10.38. These reports are to be provided.

HEDGEHOG

Welcome recommendation of hedgehog mitigation plans but have queries with regards to practical execution on ground, please see comments re. mitigation below;

REPTILES

Assumed presence of grass snakes throughout the Gwent Levels. Targeted surveys of certain areas found slow worms, common lizard and grass snake. This assumption is reasonable given the habitat. Mitigation strategy will be required as well as details of compensation.

TERRESTRIAL INVERTEBRATES

Rachel Hacking commissioned by ARUP to undertake survey. Three visits were made during May, July and September. Recommendations made include surveys along Usk estuary, Newport Docks, surveys of ditches

and ruderal habitats surrounding M4 toll booth and Rogiet, further surveys of species rich sites particular around Tata Steel, and finally static collection techniques. It may have been useful to consult Newport Biodiversity Partnership to gain a further understanding of the knowledge of the existing assemblages of invertebrates in these areas.

David J. Gibbs undertook Invertebrate Survey of ABP land Newport Docks, (as recommended by Rachel Hacking). Section 6 of the report suggests that it is high quality for invertebrates and has the same quality as some LNR's. Seven red data book species and one first record for Britain. Careful, detailed mitigation will be required in particular to section F near the River Ebbwas a high number of species were recorded in one visit. The report states it will not be possible to recreate this habitat elsewhere, therefore this will need to be addressed. David J Gibbs also undertook a Bumblebee survey of Gwent Levels in 2015. Three visits were made. 12 species of bumblebee recorded. Compensation will be paramount to minimise impact on bumblebees. David J. Gibbs undertook an invertebrate survey of Tata Steel Land 2015. Mitigation on this site will need to be carefully planned.

In the NCC response in 2015 it was recommended that a moth trap be set up in several locations during the 2015 NCC scoping response to ascertain the level of moth activity along the proposed route. This has not been addressed in the report and surveys not undertaken. Could I seek clarification as to why it was felt that this was not necessary? The Newport Biodiversity Partnership has not been consulted with regards to survey effort/methodology and we would recommend that they are consulted with regards to species specific surveys as well as specific taxonomic group surveys;

FUNGI

2 sites along proposed route have been surveyed for fungi. Both sites can be considered as being locally important with the site at Pwll Diwaelod meeting SINC criteria;

SINC:

The proposed route will directly impact upon the following designated SINC's within Newport:

- River Ebbw, Marshalls, Solutia, Spencer Works 3,
- Could we seek confirmation as to the rate of 'provision' for loss of SINC. In the response to the previous NCC response in 2015 it was stated that 'compensation' should be at a rate of 1:1:5. Table 10.2 states that this has been addressed and that "*The target is to replace BAP habitats lost at a ratio of 1:5:1, not just those habitats within SINC's*" Could we seek clarification if this is the case. Section 10.7.36 states that 26.1 ha of species rich grassland will be created however the total loss of grassland noted from the existing SINC's alone is at least 25.7 as stated in the report. The surveys undertaken have also identified further sites which qualify as SINC's and it is not clear if these have been considered in this section. List of all SINC loss is compiled, and this should include the sites/areas that have been identified as meeting SINC criteria from the 2014/2015 surveys associated with the scheme;

The proposed route will directly impact upon the following SINC's within Monmouthshire:

- Barecroft Fields, Upper Grange Farm Field, Grange Road

LOCAL NATURE RESERVES

Table 10.19 Chapter 10, ES Volume 1 Text 2. States that there is no impact on any LNR's, however if part of Magor Marsh is to be included in the proposals this should be assessed.

INVASIVE SPECIES ACTION PLAN

An action to prevent spread of invasive should be submitted. This should contribute to the Newport GAP for invasive as well as the work that NRW undertake along the Gwent Levels. Could I seek clarification as to what areas will be treated, e.g. will there areas within the 100m buffer area be treated as well?

HRA IN COMBINATION EFFECTS

Proposed mitigation:

- SSSI- Refer to NRW to assess proposed mitigation for loss/impacts on SSSI.
- Mammal fencing-The proposed mammal crossing appear to conflict with the high boundary fencing in some areas, for example Figure 2.6 sheet 1. The mammal crossing crosses the road then there appears to be a reed bed then the highway boundary fencing? It is unclear as to where the mammal crossing will emerge from either side of the road. It appears from the plans that the proposed area of permanent and temporary works will be fenced off thus preventing animals from entering leaving and this should be clarified;
- Local experts (and those that form part of the Newport Biodiversity Partnership) to be consulted regarding mitigation;
- NCC require clarification as to what is deemed to be mitigation and compensation. There is a mitigation strategy to minimise impacts upon features of reens, coastal marsh etc. however it is unclear what the compensation for loss of reens, saltmarsh etc. will be.

The CIEEM definition of both is below:

Mitigation: normally involves measures that reduce and/or minimise impacts within the site boundary such as: changes to timing, engineering design, use of different piling techniques, sediment by-passing to avoid sediment loss or reductions to the extent of a project. However, there will be circumstances where there are impacts that affect mobile species and functionally linked habitats, which may involve measures to address these impacts beyond the boundaries of designated sites.

Compensation: involves measures, such as new habitat creation, taken beyond the site boundary that offset the residual impacts that have a detrimental impact upon the conservation objectives for a protected site. Compensation is a last resort and should only be considered where there are residual adverse effects on site integrity that the competent authority agrees cannot be mitigated. However, strict tests have to be met before compensation is considered

- See more at: <http://www.cieem.net/mitigation-compensation-and-enhancement#sthash.Kxj0e69g.dpuf>

There are a number of other matters that also need further input. These are:

- the success rates of 'lifting and replanting' coppice stools of hazel;
- the success rates of translocating wax cap turf. If this is not viable what are other options;
- NRW response dated 13th December 2014 with regards to Draft Plan, "with respect to local biodiversity considerations we refer you to Newport City Council and Monmouthshire City Council". Any proposed species mitigation (other than EPS related or those species fully protected under the Wildlife and Countryside Act as amended) the NCC Ecological Officer should be consulted;
- Monitoring should be undertaken on the measures employed to mitigate for loss of habitat etc. For example the mammal passes will need to be monitored not only for otters, badgers but hedgehogs as well. Nesting birds should also be monitored post construction to ascertain a) whether the road itself has impacted upon their behaviour and b) whether the 'mitigation' habitats are proving to be effective for bird species.

Section 11 Geology and Soils

CONTAMINATED LAND

Overall, the scheme is likely to be beneficial in tackling some areas of historic contamination within Newport. If done correctly this would meet the Well-being of Future Generations (Wales) Act 2015 goals and the Environmental Protection 1990. To ensure there is no risk to human health and/or the environment all measures involving contaminated land along the proposed route rely on strict management and control. This is both for the construction phase and operational phase.

Newport City Council and other stakeholders have already agreed some principles on tackling contaminated land within the scheme. This has included the use of S4CIs as a screening criteria.

However, given the scale of the development and the number of contaminated areas the scheme is to encounter, we recommend funding is provided to Newport City Council to ensure regulatory oversight. If funding cannot be provided, it is likely the work load generated by the project will likely put other statutory duties at risk. In turn the principles behind the Well-being of Future Generations (Wales) Act 2015 – the public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs – would be put in jeopardy.

Further contaminated land investigation is required to fully comprehend the extent of remediation required, with regard to soils, gas and water. Additionally, unexploded ordnance (UXOs) has been identified as a potential risk. The response provided here is a brief summary of how the above should be considered. Further details of the contaminated land issues should be discussed with all regulatory bodies. During the construction phase a formal schedule of regulatory contact should be formalised.

The main concern would be the generation of Part IIA sites (contaminated land sites) caused off site by the activities of construction / operation of the M4. Formal assurance should be made to ensure that any potential off site Part IIA area caused by the construction / operation of the M4 is dealt with by the project and not left for Newport City Council or other regulatory body to remediate.

SOILS

A highly detailed soil management plan should be in place throughout the scheme, ensuring that no new areas of contamination are generated through the construction phase of the project Annex A of Appendix 11.2 does provide some detail but should be discussed further.

Any contaminated materials that are deemed as waste that shall ensure extraction and transportation does not cause a risk to human health / the environment.

GAS

The gas risk has been fully determined. Given the volume of soils that are proposed to be disturbed and / or moved it is strongly recommend that a progressive gas risk assessment is undertaken throughout the construction phase and should continue for a period after its completion. All potential receptors that may be at risk from gas generation / migration should be investigated and risk assessed. This should include the reuse of potentially gas generating materials. There is a small potential for gas migration to be a risk to human health/property that may result in a Part IIA site, even after the construction has finished.

WATER

NRW are the regulatory body with regard to controlled waters. There is a potential risk of liquid contaminants such as hydrocarbons migrating off site if disturbed, be it during remediation or unforeseen contamination. The outline remediation strategy does encompass this scenario. However, assurances

should be sort ensuring any migration of liquid contamination off site by the activities of the M4 construction programme is dealt with at the time, so not cause any potential Part IIA site, now or within a reasonable time frame after its completion.

UXOs

Several sites of potential UXOs have been identified along the proposed route as shown in Appendix 11.4. This is not unexpected given Newport's industrial nature during the Second World War. The area of the docks has been identified a high risk area, which is close to the city centre.

We therefore recommend a full emergency procedure is developed and tested involving all relevant stake holders and emergency services. Additionally all workers should have training on the procedure and their individual duties made clear.

Section 12 Materials

No comment from The Authority as we are not the waste regulator.

Section 13 Noise and Vibration

OPERATIONAL NOISE

We refer to the Welsh Government consultation on the M4 Corridor around Newport, in particular with regards to the operational noise impact of the scheme.

The impact of the scheme, in terms of the newly proposed route is concerning, and it is disappointing that proposals for mitigation have not been considered and explored more fully, considering the public health impacts which can occur through introduction of a new source of transport noise.

It is well known that there is a direct correlation between community exposure to transport noise and ill health effects, in particular elevated blood pressure, sleep disturbance and cardiovascular disease. Growing evidence also supports a link between exposure to environmental noise and impaired cognitive performance in children.

It is also known that those living in quiet areas, particularly rural areas have a better quality of life i.e. quiet areas have a positive health impact.

The EU's Environmental Noise Directive has initiated action plans in Member States to reduce environmental noise exposure and its effects and to preserve quiet areas in order to improve health.

Whilst it is recognised that noise exposure for residents near the current route may improve, the proposals for the new M4 corridor will have a detrimental impact on many residents by increasing their exposure to noise and by removing currently quiet, tranquil areas.

Additionally the proposals may undermine the duty to improve the social, economic, environmental and cultural well-being of Wales introduced by the Well Being of Future Generations (Wales) Act 2015, in particular in relation to the goal of “a healthier Wales”. The well-being goal of a healthier Wales is described as a society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.

With regards to mitigating the noise impact of the scheme, it is stated within the noise assessment that “there is no intention to restrict HGV use or to restrict normal motorway speeds on the main carriageways to reduce noise”. It is well known that speed restriction is one of the best methods to reduce noise from traffic at source and therefore should the current scheme be pursued, options for speed control on the new route and the existing route should be fully explored.

In addition it is vital that in conjunction with the above, options for mitigating the transmission of noise to sensitive receivers are fully considered and explored. The report only considers noise barriers in 4 locations along the route, of only 2 metre height and in areas where there are groups of properties. The health and wellbeing of residents must be protected and it is therefore crucial that all options for noise mitigation are fully considered in order to ensure that the risk to public health is minimised.

Lastly, there is concern regarding the data used to map the impact of the scheme. The baseline noise levels in rural areas are reported as 40-50dB LAeq and 30-40dB LA90 day time with night time levels of 35-45dB LAeq and 25-35 dB LA90. Also it is stated that “as an indication of the lower noise level typically experienced away from urban areas, a level of 40dB LAeq, 16 hour has been adopted”. This equates to a level of 42dB LAeq, 18 hour. Existing noise levels in rural areas are likely to be much lower than predicted and therefore the impact of the scheme is likely to be much greater. Further information is required regarding the noise levels experienced in rural areas and the impact should be assessed against those levels rather than an adopted level of 40dB LAeq as stated above.

CONSTRUCTION NOISE AND VIBRATION

Detailed assessments together with detailed mitigation proposals should be submitted prior to commencement of construction work and should consider the impact of the construction works on receivers 1km either side of the proposed M4 corridor and existing M4 (I note that a Construction and Environmental Management Plan is to be submitted).

During construction noise and vibration monitoring will be required to check compliance with agreed limits and as suggested, a Public Liaison Officer and Environmental Clerk of Works should be appointed.

As per comments above for operational noise, further information is required to determine the noise levels experienced in rural areas in order to quantify the impact more accurately.

For the purposes of construction, normal hours of work are considered to be 08:00-18:00 Monday to Friday and 08:00 – 13:00 Saturday. Where blasting is proposed to take place, this should be restricted to 08:00-17:00 Monday to Friday only (except Bank Holidays). Approval should be sought for works outside of these hours.

PRE-CEMP (PRE- CONSTRUCTION DESIGN AND MANAGEMENT PLAN)

The proposed hours of work detailed in paragraph 2.4.1 are 07:00-19:00 Monday to Friday and 07:00-17:00 on Saturday.

Newport City Council consider normal hours of work as 08:00-18:00 Monday to Friday and 08:00 – 13:00 Saturday. Therefore the CEMP should be amended to reflect this. Where blasting or piling is proposed to take place, this should be further restricted to 08:00-17:00 Monday to Friday only (except Bank Holidays). Approval should be sought for works outside of these hours.

Paragraph 6.2.21 states that burning of waste should be avoided. This should be amended to state that no burning of waste will be permitted on site.

Paragraph 6.2.26 Newport City Council would require physical dust monitoring.

It is stated that an Environmental Liaison Group would be set up consisting of key stakeholders including National Resources Wales (paragraph 8.1.4 Annex E). The purpose of the group would be to meet regularly throughout the construction period to review progress of the new section of the motorway and its construction and to focus on specific environmental issues. It would be beneficial for Newport City Council (Environmental Health) to be included in this group.

With regards to table 2.1 Annex E, the Environmental Coordinator should also liaise with Newport City Council (Environmental Health).

Section 14 All Travellers

The Authority has held detailed discussions and negotiations with WG on the matters affecting all travellers, community severance and the amenity of NMUs. The detailed discussions, consultation responses and requirements have been reflected in the proposals and the issues raised throughout the process have been dealt with. The Authority is satisfied that the outcomes for the PROW and NMU networks over the corridor have been dealt with to ensure the best outcome. The Authority is also satisfied that the network that will remain connected during the construction phases of the project and the project sponsors will ensure that users will be able to access national routes such as the Wales Coast Path and the NCN.

The authority does not agree that the long term effect on the amenity of the Wales Coast Path and the NCN 4 will have only minor environmental effects and, as stated in Chapter 9, have requested that a visual impact assessment of the national routes is undertaken. This should look specifically at the relationship of the existing and proposed routes in relation to the to the new Usk bridge crossing. This should also form part of the LVIA and photomontages or other visual material should be utilised to demonstrate the impact on this route.

The consultation has considered the impact of stopping up orders on the local network and suitable turning head facilities have been proposed where required. The Authority would require details on the extent and finish for removal of road surfacing for stopped up roads.

The immediate concern of the Authority is length of time that diversions on key routes will have to be in place to enable the works. Further detailed discussion around this will be required particularly with the route of the All Wales Coast Path where a number of diversions are required.

The route known as 'Green Lane' or Pont Ystyll will be stopped up. This route is a key north south route that connects the network across the coastal plain. We are satisfied that connectivity will remain via the newly created PMA to Maerdy Farm and that this new connecting route will be designated as bridleway from the point at which it leaves Green Lane follows the new PMA to the west and then uses the existing northern section of the Maerdy Farm road to the point where it meets the link at the base of Percoed lane new Bridge.

We have had confirmation that all bus stops affected by the development have been identified and provision has been made at other locations on the network so that there is no impact on the public. We will seek further clarification as the development details emerge throughout the construct process to ensure no community severance occurs. A HGV movement management plan is required.

Section 15 Community and Private Assets

PRIVATE ASSETS

The authority does not have any specific comment to make on private assets or the designation of these assets, where they exist, in the LDP. The Castleton Grow Your Own scheme is not a registered allotment site and therefore the authority although in support of local initiatives, cannot directly comment on the impact on the site.

COMMUNITY ASSETS

The main impact on community assets are on the PROW network. This has been discussed in Chapter 14. It is the view of the authority that where the proposal affects common land then these matters have been considered and there will be no net loss of common land within the authority.

The effect on tourist assets namely the National Cycle Route and the All Wales coast Path have been considered in Chapter 14.

COMPLIMENTARY MEASURES

The complimentary measures include re classifying the existing M4 motorway a trunk road. Improved safety including lower speed limits will be welcomed.

Section 16 Road Drainage and the Water Environment

WATER TREATMENT AREAS

The Water Treatment Areas that NCC shall be responsible appear to be fairly minor in size on the drawings, and thus not subject to the reservoirs act. However, Welsh Government need to confirm the volume capacity and the details of their construction. This should be for both the WTAs that WG and those that it is proposed that NCC will be responsible for.

NCC will also require the access to these sites to be confirmed. The drawings show that at present their does not appear to be an issue, an access methodology and design needs to be proposed in order to ensure that NCC colleagues can safely and effectively access the WTA's'.

Any amendments or impact to an ordinary watercourse (due to the WTA's) shall require ordinary watercourse consent, via NCC.

PRIVATE WATER SUPPLIES

Within Chapter 16 there is reference to a private water supply in Castleton, Newport. Newport City Council will need more information on the temporary alternative source to be provided to ensure it complies with the Private Water Supplies (Wales) Regulations 2010.

Before the temporary alternative source is removed and the residents start using the Private Water Supply Newport City Council will require a risk assessment, microbiological and chemical analysis as agreed by Newport City Council. Any costs should be paid by the contractor to ensure the private water supply complies with the Private Water Supplies (Wales) Regulations 2010.

Any other tainted private water supply reported to the Council, that may be influenced by the M4 Corridor shall be investigated by the contractor and a detailed report of the findings and action take submitted to Newport City Council.

Details of private water supplies known to Newport City Council have already been supplied by Newport City Council. We request the submission of information detailing the risk assessments that have been undertaken to confirm this project will have no impact on any of these other supplies.

Section 17 Cumulative effects and interrelationships

Newport City Council would need to see the Public Communication Strategy as well as the Residential Communication Strategy. We would expect full co-ordination under NRSWA 1991 and permissions submitted for Road Space/ Lane Closures etc. in a timely manner according to legislation so we can assess the impact of traffic disruption across the whole Highway Network given the other major projects happening at the same time i.e. Brynglas Tunnels Refurbishment, Network Rail Electrification, Utility Works, etc.

Construction traffic routes and their effect on local communities and the highway network that serves them will need to be agreed at detail stage of the project and actions taken to mitigate the affect.

Section 18 Environmental Management

This section should include information about the existing and proposed AQMZs.