



Llywodraeth Cymru
Welsh Government

Eich Cyf/Your Ref:
Ein cyf/Our Ref: 910182B qA1164787 & qA1175808
Dyddiad/Date: 01 October 2014

Dear Sir/Madam,

HIGHWAYS ACT 1980

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060), CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) ORDER 1999, (GILWERN TO BRYNMAWR) (AMENDMENT) ORDER 201-

THE NEATH TO ABERGAVENNY TRUNK ROAD (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (GILWERN TO BRYNMAWR) (SIDE ROADS) ORDER 201-

THE WELSH MINISTERS (THE NEATH TO ABERGAVENNY TRUNK ROAD) (A465) (ABERGAVENNY TO HIRWAUN DUALLING AND SLIP ROADS) AND EAST OF ABERCYNON TO EAST OF DOWLAIS TRUNK ROAD (A4060) AND CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (CONNECTING ROADS) (GILWERN TO BRYNMAWR) COMPULSORY PURCHASE ORDER 201-

ENVIRONMENTAL IMPACT ASSESSMENT DECISION UNDER PART VA OF THE HIGHWAYS ACT 1980

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 - REGULATIONS 61, 62 AND 66

DELEGATION ARRANGEMENTS

1. The function of deciding whether or not to make the Orders identified above has been transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006. The decision falls under the responsibility of Edwina Hart MBE, CStJ, AM, Minister for Economy, Science and Transport (“the Minister”), one of the Welsh Ministers.

INTRODUCTION

2. A Public Inquiry (the Inquiry) into the above draft Orders and comments on the Environmental Statement was held from 18th March 2014 to 11th April 2014. The Inspector was Mr W S C Wadrup BEng (Hons), CEng, MICE, FCIHT.

CURRENT PROBLEMS

3. The following is a summary of the current problems associated with this section of the A465 between Gilwern and Brynmawr:-
 - a) sub-standard road alignment in places
 - b) sub-standard visibility in places
 - c) slow moving vehicles on uphill gradients through the Clydach Gorge
 - d) lack of overtaking opportunities
 - e) accident clusters, particularly at or near the existing junctions
 - f) a high ratio of serious and fatal accidents
 - g) congestion in places at peak times leading to increased journey time and poor journey time reliability
 - h) frequent interface between local and strategic traffic at junctions with traffic from side roads having difficulty accessing the trunk road
 - i) difficult conditions for effective highway maintenance and management of traffic
 - j) the existing route cuts through, and restricts connections between, local communities.
4. The proposed scheme is approximately 8.1km long and will extend from the west of Intermediate Road Bridge at Brynmawr to immediately east of the Glanbaiden Junction near Gilwern. It is proposed to upgrade the existing 3 lane road to a dual carriageway with free flowing grade-separated junctions. The scheme will include a 2.3km length of ‘off-line’ improvement with the remainder improved by on-line widening of the existing A465. The road cross-section would generally comprise twin 7.3m wide carriageways, with 0.5m wide hard strips, 2.3m wide verges and a 2.5m wide central reserve. The whole length of the scheme would be subject to a mandatory 50mph speed limit. The scheme aims to alleviate the problems identified in paragraph 3 and provide benefits to the local communities along the existing A465 corridor.

THE ORDERS

5. A Draft Amendment (Line) Order (AO) was published on 10th October 2013 to amend The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abergavenny to East of Dowlais

Trunk Road (A4060), Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) Order 1999 (S.I. 1999/2720) (“the 1999 Order”) in respect of the lengths of the new trunk road between Gilwern and Brynmawr. The AO, if made, would amend the 1999 Order to authorise changes to the construction of the line of the new trunk road, certain slip roads and junction arrangements and the de-trunking of existing trunk road between Gilwern and Brynmawr.

6. A Side Roads Order (SRO) was published on 10th October 2013 and draft Compulsory Purchase Order (CPO) was published on 31st October 2013. If made, they would authorise the stopping up and provision and improvement of highways; the stopping up of private means of access and provision of new means of access; the temporary stopping up and temporary provision of highways; the acquisition of land and rights necessary for the construction and future maintenance of the new trunk road; associated side roads works; ancillary works; the giving of land in exchange for the acquisition of common land/open space land and the implementation of measures to mitigate the impact on the environment.

COMMON LAND

7. On 31st October 2013 the Welsh Ministers gave formal notice of their intention to issue two certificates under Section 19 of the Acquisition of Land Act 1981 regarding the purchase of land forming part of two commons. If issued, the certificates would authorise the purchase of land forming part of the commons, and certify that land that would be given in exchange is not less in area and is equally advantageous to the persons entitled to rights of common, or other rights, and to the public.

OPEN SPACE

8. On 31st October 2013 the Welsh Ministers gave formal notice of their intention to issue a certificate under Section 19, and a certificate under Paragraph 6 of Schedule 3, to the Acquisition of Land Act 1981 regarding the purchase of land, and the acquisition of rights over land, forming part of two disused burial grounds designated as ‘open space’. If issued, the certificates would authorise the acquisition of open space land included in the CPO, certify that land to be given in exchange is not less in area and is equally advantageous to the persons entitled to rights of common, or other rights, and to the public, and authorise the acquisition of rights over land designated as ‘open space’.

THE ENVIRONMENTAL STATEMENT

Consultation

9. The Environmental Statement (ES) was issued on 10th October 2013, in accordance with EC Directive 85/337 (as amended). A supplementary update to the ES was published on 25th February 2014.

10. A "Statement to Inform an Appropriate Assessment" ("SIAA") that assessed the implications of the Scheme for the Special Areas of Conservation (SACs) and related matters was published with the Scheme's draft Line and Side Road Orders on 10th October 2013 in accordance with EC Directives and UK Regulation.
11. An addendum to the SIAA was published on the 25th February 2014. The addendum was prepared to amend the conclusion of the original SIAA as a result of discussions with National Resources Wales (NRW), where agreement could not be reached on the level of uncertainty as to the absence of the adverse effects on the Usk Bat Sites SAC.
12. A Statement about Alternative Solutions, Imperative Reasons of Overriding Public Interest and Compensatory Measures (SASICOM) was published on 25th February 2014 in accordance with EC Directives and UK Regulations.
13. In accordance with Section 105B of the Highways Act 1980 Public Notices, were placed in the London Gazette and Abergavenny Chronicle announcing publication and inviting comments, on 10th October 2013 for the ES & SIAA, and on 25th February 2014 for the ES Supplement, SIAA Addendum and SASICOM. The notices, together with all of the associated documents, were placed on deposit and sent, together with the Non Technical Summary (NTS) of the ES, to the list of statutory and non-statutory recipients at Annex A.

DEPOSIT LOCATIONS

14. Copies of the draft Orders, ES, ES Supplement, NTS, SIAA, Addendum to the SIAA and the SASICOM were made available for inspection at the following locations:
 - i. Orders Branch,
Department for Economy, Science and Transport,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ.
 - ii. Blaenau Gwent County Borough Council,
Municipal Offices,
Civic Centre,
Ebbw Vale,
NP23 6XB.
 - iii. Monmouthshire County Council,
One Stop Shop,
Market Hall,
Cross Street,
Abergavenny,
NP7 5HD.

- iv. Brynmawr Library,
Market Square,
Brynmawr,
NP23 4AJ.
- v. Brecon Beacons National Park Authority,
Plas y Ffynnon,
Cambrian Way,
Brecon,
LD3 7HP.
- vi. Llanelly Community Council,
Gilwern Community Centre,
Common Road,
Gilwern NP7 0DS
(Open Monday to Wednesday from 9.30 to 12.30)

OBJECTIONS, REPRESENTATIONS AND SUPPORT

15. While 62 objections and 6 representations were received before the end of the Inquiry, this was reduced to 44 outstanding objections by the close of the Inquiry. 21 expressions of support for the principle of the scheme were received.

THE INSPECTOR'S REPORT

16. I enclose a copy of the Inspector's Report ('the Report'), which the Minister has now considered. All references in this letter to paragraph numbers are to paragraph numbers in the Report unless specifically stated otherwise. This letter sets out the Minister's decision.
17. Copies of the Report, this letter and the ES documents are also available for inspection at the deposit locations listed in paragraph 14 of this letter.
18. The documents and plans, sent in by the Inspector with his Report, are available for inspection during normal office hours at the Welsh Government's address referred to at paragraph 14 of this letter.
19. The following paragraphs of the Inspector's Report include comments on the ES along with objections to the draft Orders:
 - Section 4 - the case for the Welsh Government ("the Government") including the Environmental Statement and the environmental effects of the Scheme;
 - Section 5 - the case for the supporters;
 - Section 6 - the case for objectors;
 - Section 7 - the case for those making representation;

- Section 8 - the Welsh Government's response to objections and representations;
- Section 9 - the alternatives to the draft Orders;
- Section 10 - the Inspector's conclusions; and
- Section 11 - the Inspector's recommendations.

SPECIFIC ISSUES

20. National, Regional and Local Planning Policies

At paragraphs 10.17-10.19 the Inspector stated that there was an abundance of evidence to show that the scheme would comply with local, regional and National Policy for Transport and the Economy. He noted that the landscape and environmental policies would not all be advanced by the scheme, but these had been vigorously addressed as part of the scheme development and clear strategies were in place to make the impact acceptable. The Inspector concluded that the scheme is supported by most policies and is compatible with the principles of them.

21. The Needs of Agriculture

While the Inspector concluded at paragraph 10.20 that the effect on Agriculture would be adverse, he was satisfied that it would not be disproportionate. He continued that very little land classified as best and most versatile would be affected and satisfactory reinstatement of soil would restore much of it. Where individual farms or holdings are affected he considered that suitable measures have been advanced to reduce the impact on these where practicable. He concluded that the effect of the scheme on agriculture overall can be regarded as minor in national terms.

22. The Capacity of the Existing and Proposed Highway

The Inspector noted in paragraph 10.21 that there was compelling evidence to show that the scheme would provide a highway of sufficient capacity for the 2032 design year traffic and that, without the widening of this section of the A465, by then traffic conditions would become problematic on a daily basis and a substantial impediment to economic regeneration in the Heads of the Valleys area.

23. The Physical Effects of the Proposed Highway

In paragraph 10.22 the Inspector considered that there were clear proposals for the control of construction activities established and these would safeguard the public and environment during the construction phase to an acceptable level. The incorporation in the scheme of noise absorbent surfacing material, noise bunds and a modern road lighting system would be of significant benefit for many in the surrounding area.

24. Engineering and Construction

In paragraph 10.23, the Inspector recognised that the scheme has been difficult to engineer without recourse to variations from normal design standards, but these departures are acceptable, having regard to the

impositions of the terrain, the substantial cost of designing a scheme that would be fully compliant with Standards and the significant additional environmental impact that a fully compliant scheme would have.

The Inspector continued in paragraph 10.24, that the scheme, and in particular its construction, would have an impact on bridleways, a cycleway and footpaths, but, in his opinion, whilst the temporary construction period effects are reasonable, after construction the scheme and its supplementary effects would enhance the networks for long-term public convenience and enjoyment. The Inspector concluded that the scheme would provide long-term benefits for those using public rights of way.

25. Economics and Objectives

The Inspector confirms his belief in paragraph 10.27 that the scheme would have a proven economically beneficial case notwithstanding its more wide ranging potential. He concludes that there is a good economic case for proceeding with the scheme and that its construction should aid efforts to regenerate the Heads of the Valleys area. All objectives would be substantially achieved and the meeting of those objectives would, in his view, constitute a significant public benefit for through traffic and potentially the economy of the South Wales Valleys.

26. The Impact on Special Areas of Conservation, on Species and Habitats

In paragraph 10.28 the Inspector considers that the Welsh Government have carefully undertaken studies in order to assess the impact that the scheme would have on the three Special Areas of Conservation: the Usk Bat Sites, the Cwm Clydach Woodlands and the River Usk. These have resulted in the preparation of a comprehensive Statement to Inform an Appropriate Assessment of the impact that the scheme could have on the Special Areas of Conservation (SACs).

The opinion of the Welsh Government's expert and officers of Natural Resources Wales (NRW) convinces the Inspector that there could be some short-term adverse effect on the lesser horseshoe bat, as tree and shrub removal in the early stages of the construction would not be totally mitigated until replacement planting had matured sufficiently. However, the Inspector is satisfied that the impact should be of minor consequence for the species and that beyond the short-term, it is clear that the measures that would be introduced for mitigation, compensation planting and new bat roosts would be extensive, well maintained and targeted and eventually an enhancement of the current situation.

The Inspector concludes at paragraph 10.35 that it was demonstrated that there are no alternatives that could reasonably deliver the objectives of the scheme; it is clear that construction of the scheme is imperative in the public interest; the compensatory measures are varied, widespread and extensive and these would ensure that the overall coherence of Natura 2000 is protected.

It is the Inspector's opinion, at paragraph 10.36, that the Welsh Ministers (as the Competent Authority) can be assured that the tests imposed by the

Regulations have been satisfied and consequently that the scheme may proceed.

27. The Environmental Statement and its Supplement

The Inspector, at paragraph 10.37, states that the Welsh Government's ES was published in accordance with European and UK Directives and it is noted that all the Statutory Authorities have been consulted in the course of the scheme's development. He continues that there were no serious challenges to the ES that were not addressed by the Supplemental ES, and correspondence between the parties.

The Inspector concludes at paragraph 10.38 that he is satisfied that the ES and its Supplement meet the requirements of the various Acts and Directives and satisfy the concerns of NRW, the Brecon Beacons National Park Authority, Blaenau Gwent County Borough Council and the Monmouthshire County Council.

On general environmental impact the Inspector notes at paragraph 10.39 that by the close of the Inquiry NRW, the BBNPA and the Local Authorities have all accepted the scheme and its environmental impact, subject to continued monitoring and the carrying out of the tasks set out in the Register of Commitments.

28. Road Traffic Noise, Construction Noise and Vibration

The Inspector concludes at paragraph 10.40 that the scheme would substantially reduce existing traffic noise alongside the A465. Significantly more properties would benefit than suffer a detriment. No property would be subject to unacceptable noise levels. The impact on sensitive open areas is balanced with some experiencing an increase but a disproportionate impact would not occur at any. He further concludes that the scheme would be acceptable in traffic noise terms everywhere and, overall, would be markedly beneficial in reducing perceptible noise in residential areas. There would be considerable impacts during the construction period and the deployment of a Public Liaison Officer is a necessity, but with that in place, overall the impact of construction noise whilst detrimental would be acceptable.

At paragraph 10.41 the Inspector highlights that there was no evidence to support fears over vibration and stability issues, providing appropriate monitoring is deployed.

29. Air Quality

The Inspector in paragraph 10.42 states that he is convinced that no relevant air quality thresholds or human health issues are threatened by the proposals and that air pollution would not cause the natural environment to suffer in any unacceptable way.

30. The Landscape

The Inspector concludes at paragraph 10.43 -10.45 that, overall, the landscaping proposals have been thoroughly considered. The environment, through which the scheme would pass, whilst already affected by the existing

road and other prominent infrastructure, is sensitive, but the Inspector considers that providing discussions with the Statutory Bodies on these details continue, a satisfactory outcome will ensue.

31. Cultural Heritage

While the Inspector noted in paragraph 10.46 that much of the scheme would run through or near areas that are rich and concentrated in terms of cultural heritage and, in so doing, cause some adverse impacts, he was convinced that these impacts would not be disproportionate and would be beneficial in places. He concluded that providing that cautionary approach is practiced in relation to sensitivities of certain sites and in accordance with commitments given, the impact of the scheme on cultural heritage would be quite acceptable.

32. Natural Resources Wales (NRW) and Brecon Beacons National Park Authority (BBNPA)

The Inspector noted at paragraph 10.50 that NRW, BBNPA and Welsh Government had worked together to reach agreement on the contents of a Register of Commitments and a Protocol to be followed before, and during construction, and during the maintenance period enabling the scheme's development to be steered in accordance with the agreements which must be binding.

33. Dan-Y-Coed Footbridge

Despite acknowledging that the modification to the footbridge presented by the Welsh Government (referenced Modification R) would improve on the proposal put forward in the published scheme, the Inspector considers that it is still not acceptable on aesthetic grounds and therefore recommends that the current ramp is replaced by either steps or a straight ramp. Consideration of the Inspector's suggested revised modification (referenced Modification X) is detailed at paragraph 54 of this letter.

34. Hayman's Cottage

The Inspector considers that a close boarded fence along the boundary of Hayman's Cottage would be ineffective at abating traffic noise and would come at an unacceptable cost. As an alternative, the Inspector recommends at paragraph 10.79 a solid barrier could be constructed alongside the west-bound carriageway, in place of a standard metal barrier, which would be necessary to comply with safety standards.

35. Gilwern Footbridge and Gilwern Bus Stops

See comments on Alternative 2a & 2b in paragraphs 43 & 44 of this letter. At paragraph 10.97 the Inspector accepts that the placement of bus stops on the A465 would be extremely difficult, and given his recommendation in respect of the Gilwern Footbridge, concludes that the proposals for replacement bus stops at Gilwern, whilst not ideal, are reasonable.

36. Ongoing Consultation & Commitments

The Inspector highlights several examples where ongoing consultation between the project team and external stakeholders (including the Public) is a key requirement during the construction period. In addition, the Inspector acknowledges that the commitments raised in the register address several concerns.

37. The Canal and River Trust

The Inspector has noted at paragraph 10.175 that, for all practical purposes agreement had virtually been reached subject to precise wording of the Commitments Register. At paragraphs 10.11 and 10.174 -10.176, in response to the Trust objecting to the compulsory purchase of its land, the Inspector has concluded that there would be no serious detriment to the undertaking of any duties of the Canal Trust that were expressed at the Inquiry. Objections from statutory undertakers ordinarily require the issue of a certificate from the 'appropriate Minister' to that effect under section 16(2) of the Acquisition of Land Act 1981 before the land in question can be included in the compulsory purchase order. However, the Welsh Ministers are not the 'appropriate Minister' for the purposes of section 16 of the Act and are therefore unable to issue such a certificate. Furthermore, it is noted that no representation was made to the 'appropriate Minister' within the statutory objection period.

ALTERNATIVES

38. Eight alternatives to the published scheme were submitted and presented to the Public Inquiry. These consisted of:

- Alternative 1a – Additional westbound exit slip road at Gilwern
- Alternative 1b – Westbound exit and entry slip roads at Gilwern
- Alternative 2a – A new footbridge with steps at Gilwern
- Alternative 2b – A new footbridge with ramps at Gilwern
- Alternative 3 – Reconfiguration of the Brynmawr Junction (Options 1 & 2)
- Alternative 4 – Gilwern underbridge without any slip roads
- Alternative 5 – At grade mixture of single and dual carriageways
- Alternative 6 – A low standard road through the Clydach Gorge.

Aside from Alternative 6, the details of these Alternative Options were published and circulated in the local area. All of the Alternatives were considered by the Inspector during the Inquiry together with the responses received to these suggestions and his conclusions on the Alternatives are highlighted in his Report at paragraphs 10.184 -10.212.

ALTERNATIVE 1a

39. The Inspector acknowledged that the Alternative was put forward in the belief that it would provide a more expedient link from Abergavenny to the Station Road and Old Trap Road area. The Inspector conceded that this was the case, however it was his belief that it would also provide a more attractive option for vehicles into Gilwern and through to Crickhowell. This would cause an almost doubling of flows on the confined and sensitive Main Road, Gilwern, an area

which local people requested not be burdened by additional traffic during the Inquiry. The Inspector therefore questioned whether the additional cost could be justified to serve the communities of Station Road and Old Trap Road, bearing in mind the disadvantages that would occur along Main Road. The Inspector also highlighted the degree of conflict that would be introduced on the A465 with the proximity of this junction in relation to the Glanbaiden westbound on-slip road.

40. The Inspector surmised that the alternative had little to commend it and would carry significant disadvantages and therefore concluded that it should not be considered further.

ALTERNATIVE 1b

41. The Inspector noted the rough balance of local people promoting and opposing this alternative option. The Inspector acknowledged that this alternative would reduce the travelling distance for residents of Station Road and Old Trap Road heading towards Brynmawr by approximately 3km, although noted that this would be on a largely modern, commodious road network when compared to their current provision and therefore the extra journey time would be minimal, although by a fine margin would constitute a reasonable alternative for motorised traffic. However, the Inspector was convinced that the alternative would draw an appreciable volume of traffic to burden Main Road and Back Road and that there would be an appreciable conflict of weaving traffic with the existing proximity of the Glanbaiden westbound on-slip road.
42. The Inspector concluded that Alternative 1b did have merit, which was counterbalanced by the impact on Main Road and Back Road, Gilwern. The Inspector therefore concluded that it need not be built as part of the scheme, but the concept should not be permanently dismissed.

ALTERNATIVES 2a & 2b

43. The Inspector considered these two similar alternatives to provide a footbridge at Gilwern together. The Inspector surmised that he did not consider that the alternative pedestrian route across the vehicle bridge could be considered a reasonably convenient alternative for pedestrians. In addition, he considered that the lack of a footbridge would discourage walking instead of driving and therefore be contrary to some of the scheme objectives. The Inspector therefore concluded that there was a need for a footbridge at Gilwern.
44. Of the two footbridge options presented, the Inspector considered that although both were acceptable, Alternative 2a was better as it would provide a shorter pedestrian route, be less expensive and obtrusive and also in terms of the environment prove to be a more sustainable option. The Inspector noted that the existing structure had steps so there would be no relative disadvantage to disabled persons who would be catered for by the road bridge footway to the

east. The Inspector therefore recommended that the Orders should be modified to incorporate Alternative 2a (Included as Modification W detailed at Annex C of the report and Annex B to this letter).

ALTERNATIVES 3a AND 3b

45. The Inspector accepts that the Alternative 3a would avoid the former Anacomp Factory Site, which has planning approval for residential development, and this would represent a significant advantage over the published scheme. He also considered that it has merit as it would have a smaller footprint at Brynmawr with a lower visual impact on residential areas. However, the Inspector does not consider the alternative would provide much extra benefit for the significant extra cost and although offering lower journey times would not solve problems of heavy traffic running past the school. It would also have a succession of adverse impacts on heritage and landscape interests, particularly the Brynmawr Site of Special Scientific Interest (SSSI).
46. The Inspector concludes at paragraph 10.204 that Alternative 3a would offer an acceptable highway solution, but is convinced that the published scheme would be even more acceptable and therefore recommends at paragraph 10.204 that the alternative is not pursued further.
47. Similarly, the Inspector considers that the second option at Brynmawr Junction (Alternative 3b) has merit as a highway solution, but again has large environmental impact and the benefits are insufficient or are able to offset the disadvantages. Therefore the Inspector concludes at paragraph 10.205 that the alternative is not better overall and should not be pursued.

ALTERNATIVE 4

48. In response to the proposal that all slip roads should be removed from the Gilwern Junction, the Inspector concludes in Paragraph 10.206 that although beneficial to the Navigation Hotel, the proposal would have an adverse effect on residential properties and would be significantly inferior in terms of service to the A465 for the local communities and should therefore not be pursued further.

ALTERNATIVE 5

49. The Inspector summarised in Paragraph 10.207 that this Alternative proposal would be significantly less expensive and would minimise disruption through the Clydach Gorge, however it would substantially fail to deliver the scheme objectives and its inability to cater for predicted traffic flows would mean it would fail to give an adequate return on public funds. The Inspector recommends that the Alternative is not pursued further as it fails to deliver any meaningful improvement to the A465.

ALTERNATIVE 6

50. The Inspector noted in Paragraph 10.208 & 10.209 that the merits of this Alternative could not be fully assessed due to the failure of the promoter to confirm the specific proposal, however the proposal was addressed in some detail during the Inquiry and also drew a definitive conclusion of rejection from the Inspector of the 1998 Public Inquiry, when a similar Alternative was put forward. The Inspector therefore concluded that this Alternative would not address the scheme objectives and should not be considered further.

COMMON LAND

51. The Inspector recommends at paragraph 10.226 that the associated certificates be granted as he is satisfied that the tests set out at paragraphs 10.6 and 10.7 of his Report have been met.

OPEN SPACE LAND

52. The Inspector recommends at paragraph 10.226 that the associated certificates be granted as he is satisfied that the tests set out at paragraphs 10.6 and 10.7 of his Report have been met.

MODIFICATIONS TO THE ORDERS

53. The Welsh Government proposed modifications to the published draft Side Roads Order (SRO) and the published draft Compulsory Purchase Order (CPO). These were submitted to the Public inquiry and are listed as SRO and CPO modifications A-U at Annex B to this letter and listed at Annex C of the Inspectors Report. (Modification A, that detailed minor typographical or clarification changes or minor amendments to update ownership details to all three draft Orders, included some minor clarification changes to the Amendment (Line) Order (AO)).
54. The Inspector recommended three further modifications, that he concluded at paragraph 10.230 would enhance the scheme and make it more locally acceptable, and referenced and detailed these modifications as V, W and X at Annex C of his Report. The Inspector recommended that Modification X be adopted in lieu of Modification R. These three modifications, in respect of Intermediate Road, Dan Y Coed Footbridge and the footpath related to the adoption of Alternative 2a have been accepted and included as SRO modifications V, W and X at Annex B of this letter.
55. Modification Y at Annex B to this letter details and introduces, minor changes necessary to update ownership details since the Public Inquiry and to make further typographical and clarification changes including a reorganisation of CPO plots to enable the inclusion of modification H and include a new private means of access (SRO reference 2/2a) at Field House.

56. Following the Public Inquiry, a further minor modification to the SRO has also been introduced by Welsh Ministers in relation to new highways 2/A, 2/B & private means of access 2/13a at Pont Harri Isaac and referenced as modification AA at Annex B of this letter. A formal consultation brochure 'Modification – Lowered Eastbound Carriageway Between Brynmawr Junction Overbridge and the Water Works' was published and issued on 1st August 2014 to interested statutory and non-statutory consultation bodies and individuals that would be effected by this change. Comments were invited by 22nd August 2014 and three responses were received, the details of which are outlined in paragraphs 57-59 below. The Minister's consideration of the correspondence received in response to this modification is detailed at paragraph 75 below.
57. Cadw considered that the advantages of the modification in reducing the bulk of the proposed structures outweigh any disadvantages associated with the impact of passing traffic on the scheduled ancient monument (Hafod Arch). Therefore they consider that the modification would be preferable to the published scheme.
58. BBNPA stated that they were supportive of the proposed modification overall as they considered that it would reduce visual impact of the central retaining wall, improve accessibility and safety for pedestrians and equestrians and also acknowledge the clear cost saving. However, they did request further clarification on the visual and landscape impacts as a result of the retaining structures to the north of the carriageway associated with the modification.
59. NRW offered neither, support or objection, to the modification, stating that further information was required in relation to the retaining structures to the north of the carriageway in order to fully assess the visual impact. However, NRW did acknowledge that the change may be neutral in relation to the published scheme. NRW also raised several general comments relating to other aspects of the modification that they acknowledged would not lead to a significant change over that shown in the published scheme.

THE INSPECTOR'S OVERALL CONCLUSIONS FOR THE SCHEME

60. At paragraphs 10.228 -10.233 the Inspector concludes that there is a compelling case for the Scheme as it meets its objectives well and would provide a major public benefit. In coming to this view he had regard to proposed modifications submitted at the Inquiry, and modifications that he has recommended in his report that he considers are needed, and all objections, representations and alternative suggestions presented at the Inquiry together those made in writing, or made orally at the Inquiry, but individually or collectively, they did not outweigh the conclusions he reached.

MINISTER'S CONSIDERATION

SPECIFIC ISSUES

61. National and Local Policy

The Minister is satisfied that preparation of the scheme has had regard to National and Local Planning and would, on a clear balance of national policies be acceptable.

62. Effect on Agriculture

The Minister notes and agrees with the Inspector's conclusions in paragraph 10.21 that the effect of the scheme on agriculture can be regarded as minor in national terms.

63. Capacity of the existing and proposed highway

The Minister agrees with the Inspector that without the scheme, traffic conditions would become problematic and a substantial impediment to economic regeneration in the Heads of the Valleys area.

64. Physical Effects of the proposed Highway

The Minister agrees with the Inspector's findings that there are clear proposals for the control of construction activities established and these would safeguard the public and environment during the construction phase to an acceptable level.

65. Engineering and construction

The Minister agrees with the Inspector's summary of the engineering constraints and that, with the introduction of the proposed modifications, and acknowledging the potential for temporary disruption during the construction period, the network of footpaths and cycle route would be enhanced and that the scheme provides a comprehensive package of measures to assist equestrians.

66. Economic and Objectives

The Minister agrees with the Inspector's opinion that the scheme would be economically beneficial and that its construction should aid efforts to regenerate the Heads of the Valleys area.

67. The Impact on Special Areas of Conservation on Species and Habitats

The Minister agrees with the Inspector's conclusion that a comprehensive Statement to Inform an Appropriate Assessment of the impact that the scheme could have on the SACs has been prepared and that the tests imposed by the Regulations have been satisfied and consequently that the scheme may proceed.

68. The Environmental Statement and its Supplement

The Minister is satisfied that the requirements of the various Acts and Directives have been met. See paragraphs 82 to 84 of this letter.

69. Road Traffic Noise, Construction Noise & Vibrations

The Minister agrees with the Inspector's conclusion that the scheme would substantially reduce existing traffic noise alongside the A465 and that significantly more properties would benefit than suffer a detriment. No property would be subject to unacceptable noise levels. With regard to construction noise, again the Minister acknowledges the Inspector's summary that the overall impact, whilst detrimental would be acceptable and that concerns over vibration and stability should not materialise providing appropriate monitoring is deployed.

70. Air Quality

The Minister concurs with the Inspector's view that on the basis of the evidence presented at the Inquiry there are no human health issues threatened by the proposals and the natural environment will not suffer in an unacceptable way.

71. Landscape, Ongoing Consultation & Commitments

The Minister notes the Inspector's conclusion that landscape issues have been thoroughly considered in consultation with the relevant Statutory Bodies and continued interaction would result in a satisfactory solution to the scheme passing through this sensitive area. The Minister agrees that ongoing consultation between the project team and statutory and non-statutory consultation bodies, external stakeholders (including the Public) is a key requirement and is satisfied that commitments, and on-going discussions as detailed design progresses, will address any outstanding concerns.

72. Cultural Heritage

The Minister accepts the Inspector's conclusion that the scheme would cause some adverse impact, but that these impacts would not be disproportionate and would be beneficial in places.

73. Dan Y Coed Footbridge

The Minister accepts the comments made by the Inspector in relation to the visual impact that the bridge alignment would have on the residents of Dan-y-Coed. The Minister therefore accepts the modification referenced Modification X proposed by the Inspector.

74. Gilwern Footbridge & Gilwern Bus Stops

The Minister agrees with the Inspector's conclusion that a footbridge should be provided at Gilwern and the Minister has taken account of the Equality Act 2010 when considering the two alternatives put forward.

The Minister has accepted Alternative 2a and the modifications as recommended by the Inspector to the Side Roads Order in respect of Gilwern Footbridge at paragraphs 10.201 and 10.212.

The Minister also agrees with the Inspector's conclusion on the bus stops at Gilwern and concludes that the provisions within the published scheme are reasonable.

75. Modification – 'Lowered Eastbound Carriageway Between Brynmawr Junction Overbridge and the Water Works'

The Minister notes that the comments received in response to the consultation brochure were generally supportive or neutral and that the only points of concern can be addressed by ongoing discussions and the inclusion of commitments as the scheme progresses. Overall, the Minister considers that design and construction would be simplified, reducing cost, improving safety in terms of construction and maintenance of retaining walls and cut slopes, will reduce disruption during construction and allow a footbridge/subway combination at Pont Harri to be replaced by a more user friendly bridleway bridge.

76. Hayman's Cottage

The Minister accepts the Inspector's comments on the need for a solid fence alongside the carriageway in this location and agrees to this provision.

77. Ongoing Consultation & Commitments

The Minister acknowledges the considerable consultation that has taken place in progressing the scheme to this stage and the commitments made to various parties in the Commitments Register. The Minister agrees that these commitments will be met as part of the scheme and appropriate levels of consultation will continue.

78. The Canal and River Trust

The Minister agrees with the Inspector's conclusion that no serious detriment to the undertaking of the duties of the Trust as a 'statutory undertaker' had been expressed and that agreement had virtually been reached on wording of the Commitments Register.

ALTERNATIVES

79. The Minister agrees with the Inspector's conclusion at paragraph 10.210 – 10.212 that alternatives 1a, 3a, 4, 5, & 6 are inferior to the proposals outlined in the draft Orders and although 3b has merits, is not better than the proposed scheme. Therefore these do not justify further consideration.

80. The Minister acknowledges the Inspector's comments with regards to the merits of Alternative 1b, but agrees that this should not be considered further at this time.

81. As outlined in paragraph 74 above the Minister agrees with the Inspector's assessment of Alternatives 2a and 2b and accepts that a footbridge, in line with Alternative 2a, should be adopted.

ENVIROMENTAL STATEMENT, STATEMENT TO INFORM AN APPROPRIATE ASSESSMENT & STATEMENT ABOUT ALTERNATIVE SOLUTIONS, IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST AND COMPENSATORY MEASURES

82. The Minister has carefully considered the case for the Scheme, the ES and all the opinions expressed on the ES by members of the public and consultation bodies. The Minister accepts that this Scheme is needed to address the existing problems outlined in paragraph 3 of this letter, but that this need must be balanced against the environmental impact of the Scheme and any opinions expressed by members of the public and consultation bodies.
83. The Minister is satisfied that responses to the ES and the ES Supplement have been adequately addressed. The Minister notes that no statutory environmental body has maintained an objection or made a serious challenge to the ES and the ES Supplement and the Minister agrees with the Inspector that the impact of the scheme would not be disproportionate providing the mitigation measures proposed are successfully incorporated. The Minister is satisfied that the environmental impact assessment, reported in the ES, meets the requirements of Council Directive 85/337/EEC (as amended). The Minister is also satisfied that the Assessment of Implications on European Sites reported in the SIAA and the SIAA Addendum of the potential effects of the scheme on a Special Area of Conservation (SAC) is in accordance with the Conservation of Habitats and Species Regulations 2010, implementing Council Directive 92/43/EEC. The Minister notes that the Minister for Natural Resources is satisfied that the Scheme may proceed in accordance with Regulations 61, 62, 66 and 84 of the Habitats Regulations in light of the following conclusions:
- That there are no alternative solutions that would achieve the scheme objectives ;
 - That there are no priority habitats or species that would be adversely affected by the proposal ;
 - That there are imperative reasons of overriding public interest as set out in the SASICOM;
 - That the coherence of the Natura 2000 network will be maintained by compensatory measures.
84. The Minister is therefore satisfied that the comments made following the publication of the ES, ES Supplement, SIAA, SIAA Addendum and SASICOM have been carefully and properly considered and that none of the issues raised require further changes to the Scheme proposals/mitigation measures and thus the ES.

COMMON LAND & OPEN SPACE LAND

85. The Minister notes that the Inspector is satisfied that the areas earmarked for replacement land, where required, would not be less than the areas to be acquired, would be suitable in terms of proximity to the area proposed for

compulsory purchase, and of a similar quality and character. The Minister also notes the Inspector's conclusion that it would be appropriate to issue the three Section 19 Certificates and the Certificate under paragraph 6 of Schedule 3 of the Acquisition of Land Act 1981, for the Common Land and Open Space Land.

MAKING OF THE ORDERS

86. The Minister has found nothing to disagree with the Inspector's findings and has accepted the Inspector's recommendations at Section 11 that the Orders should be made incorporating the modifications at Annex C and Annex D of the Report and detailed in Annex B to this letter.
87. In accepting the Inspector's recommendations, the Minister has carefully considered whether the purposes for which the CPO was prepared, incorporating the modifications put forward at the Inquiry and the modifications put forward by the Inspector, sufficiently justify interfering with the human rights of those with interests in the affected lands and who will otherwise be affected by the scheme and the Minister is satisfied that such interference is justified since the Minister is satisfied that there is a compelling need in the public interest for the land, the subject of the CPO, to be compulsorily acquired. The Minister is satisfied that the purposes of the Orders could not be achieved by other means. In particular, the Minister has considered the provisions of Article 8 of, and Article 1 of the First Protocol to, the European Convention on Human Rights. In this respect the Minister is satisfied that in making the CPO a fair balance has been struck between the use of compulsory purchase powers, the relevant orders and the rights of the objectors, including those not included in the CPO.
88. The Minister considers that the modification, published since the Inquiry, and detailed in the consultation brochure 'Modification – Lowered Eastbound Carriageway Between Brynmawr Junction Overbridge and the Water Works', adds value to the scheme and should be adopted by the inclusion of Modification AA referenced and detailed at Annex B to this letter.
89. Consequently, the Minister has decided that this much needed improvement can proceed and the draft Orders made incorporating the modifications referred to at Annex C and Annex D of the Report and detailed in Annex B to this letter. The Orders will become operative on the date on which the notice announcing their making is first published.

CONVEYANCE OF DECISION

90. This letter and the enclosed Public Notice (PN) have been sent to all those who expressed an opinion on the scheme and other interested parties and can be viewed at <http://wales.gov.uk/topics/transport/roads/schemes/reports/?lang=en>. Copies of this letter, the Inspector's Report and the enclosed PN,

together with the ES, ES Supplement, NTS, SIAA and SIAA Addendum and SASICOM are also available for inspection at the locations listed in paragraph 14 above until 13 November 2014.

RIGHT OF CHALLENGE

91. If any person aggrieved by the AO or SRO desires to question the validity of them, or of any of the provisions contained in them, on the ground that:
- a. it is not within the powers of the Highways Act 1980; or
 - b. that any requirement of the Act or of regulations made under it has not been complied with,

that person may, within 6 weeks of them becoming operative make an application for the purpose to the High Court.

92. If any person aggrieved by the CPO desires to question the validity of the Order, or of any of the provisions contained therein, on the ground that:
- a. the authorisation of a compulsory purchase thereby granted is not empowered to be granted under the Acquisition of Land Act 1981 or any such enactment as is mentioned in section 1(1) of the Act; or
 - b. any relevant requirement has not been complied with,

that person may, within 6 weeks of it becoming operative make an application to the High Court.

Yours faithfully

SHEENA HAGUE
Deputy Director
Network Management Division

Annex A

Mr. David Waggett
Chief Executive of Blaenau
Gwent County Borough Council
Municipal Offices
Civic Centre
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Mr Paul Matthews
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Mr John Cook
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Cambrian Way
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Natural Resources Wales
FAO Kayna Tregay
Tŷ Cambria
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Cardiff
CF24 0TP

Mr Richard Kevern
Protection & Policy
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CF15 7QQ

Chief Constable
Gwent Constabulary HQ
Croesyceiliog
Torfaen

South Wales Fire & Rescue
Service HQ
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Llantrisant
Pontyclun
CF72 8LX

Mr. Dave Parry - Regional
Utilisation Manager
Welsh Ambulance Services
Trust
South East Region Headqu
Vantage Point House
Vantage Point Office Park
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Cwmbran NP44 7HF

Openreach National Notice
Handling Centre
Post Point 3WW58
Telecom House
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Staffordshire
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Cable & Wireless UK
C/o Atkins Telecoms
The Hub
500 Park Avenue
Aztec West
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Western Power Distribution
NRSWA Section
Mapping Centre
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Wales & West Utilities
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NP10 8FZ

National Grid Plant Protection
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Virgin Media
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Dwr Cymru
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Mr C Murrin
(FOA Mr Andrew Flemming,
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Blaenau Gwent County Borough
Council
Enterprise House
Rassau Industrial Estate
Ebbw Vale
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Mr J Martin
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Rights of Way Officer
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Mr E Jones
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Llanelly Community Council
The Clerk of the Community
Council
FAO Adrian Edwards
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School Lane
Gilwern
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Llangattock Community Council
The Clerk of the Community
Council
FAO Adrian Edwards
Ty Nant
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Vale of Grwyney Community
Council
The Clerk of the Community
Council
FAO Maria James
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NP7 7LH

Crickhowell Town Council
The Clerk of the Town Council
Mrs Jill Pritchard
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Hillside
Llangattock
NP8 1LH

Llangynidr Community Council
The Clerk of the Community
Council
Mrs Williams
Willow Cottage
Forge Row
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Cwm Du Community Council
The Clerk of the Community
Council
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15 Danygrug
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Brynmawr Town Council
The Clerk of the Town Council
FAO Mrs. Angela Davies
Town Clerk
Town Council Office
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NP23 4ET

Abergavenny Town Council
The Clerk of the Town Council
FAO Peter Johns
Town Clerk
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Right to Ride Network
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British Caving Association
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SK17 8RG

Bat Conservation Trust
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Canal & Rivers Trust
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Tudor Baldwin
Land Charges Officer
Monmouthshire County Council
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Caldicot
NP26 9AN

Annex B

Modification A - AO, SRO, CPO

A number of minor typographical errors or omissions appeared in the draft Orders. The Orders should be modified on making to correct these.

Modification B - CPO

Reduce plot 5/18e from 54,755 square metres to 52,477 square metres.

Modification C - CPO

Remove plot 2/15 and replace it with plots 2/15n, 2/15o and 2/15p. Plot 2/15o would carry an essential licence.

Increase the size of plot 2/15a by 651 square metres at the request of the owner, the intention is to negotiate for a licence for this plot. Remove plot 1/12j and replace it with plots 1/12L and 1/12m. Overall the area would be the same.

Modification D - CPO

Reduce plot 3/26 from 954 square metres to 108 square metres. Introduce an easement right over 426 square metres of plot 3/26, to be referenced as plot 3/26a.

Modification E – SRO and CPO

Amend the extent of the improved highway of the realigned road leading from the new Brynmawr junction to the existing Old Abergavenny Road shown on Site Plan 1A.

Remove plot 1/13.

Remove plots 1/11, 1/11a, and 1/11b and replace them with plots 1/11h, 1/11i, 1/11j, 1/11k, and 1/19 with an overall reduced land take area.

Remove plot 1/11d and replace it with plot 1/11g, 1/11k with an overall reduced area of land. Plot 1/11k would include 205 square metres of land owned by Mint Blue Properties Ltd which Welsh Government had previously intended to negotiate for a licence; however now intend to acquire title.

Modification F – SRO and CPO

Remove title plots 1/2c, 1/2d, 1/2pp and replace with 1/2tt, 1/2uu, 1/2vv, 1/2ww. Plot 1/2tt and 1/2uu are part of common BCL 018 and have been reorganised but not changed in overall size.

Remove plots 1/4c and 1/4d and replace with 1/4f, 1/4g, 1/20 and 1/20a.

Plot 1/2v would reduce in area from 49 square metres to 37 square metres.

Create a turning "hammer-head" instead of the roundabout shown on SRO Site Plan 1/ A by amending the new highway 1/1B shown on Inset A of Site Plan 1A.

Modification G - SRO and CPO

Correct the position of the stopping up of PMA 5/6 shown on inset C of Site Plan 5.

Create new PMA 5/6a as shown on inset D of Site Plan 5.

Remove plots 5/12a, 5/2b and 5/2d and replace them with plots 5/2k, 5/12b and 5/2L. The overall area of land take would reduce.

Modification H - SRO and CPO

Reduce the extent of the stopping up of PMA 4/3 shown on inset C of Site Plan 4 from 102 metres to 5 metres, create new PMA 4/3a to be included in Schedule 4 and shown on site plan 4 of the SRO.

Introduce new plots 4/9b of 9 square metres, and 4/1j of 7 square metres, to provide a private means of access. (Also refer to modification Y).

Modification I- SRO and CPO

Provide new PMA 3/2b to be included in Schedule 3 and shown on Site Plan 3 of the SRO.

Remove plot 3/17 and replace it with plots 3/17d, 3/17e and 3/17f. These plots would together cover the same land area as plot 3/17 but access rights would be provided through plot 3/17e.

Modification J- SRO and CPO

Create a new bridleway connecting the western end of Restricted Byway 52/94 with Main Road, in place of connecting Restricted Byway 52/94 with Footpath 52/64; stop up Footpath 52/35, Footpath 52/64 and unauthorised footpath; improve Footpath 52/63 and Restricted Byway 52/94; all to be included in Schedule 3 and shown on site plan 3 of the SRO.

Renumber plot 3/7a as plot 3/29c. Renumber plot 3/7b as plot 3/29d, which becomes a rights plot. Add new plots 3/29, 3/29a and 3/29b. The additions to the CPO account for 1,460 square metres of land.

Modification K - SRO

Remove the temporary stopping up of a section of Footpath 52/34 and replace it with a permanent stopping up of the same section. Remove the improvement of Footpath 52/34 and create a new highway (4/G), designated as a bridleway over this extent as shown on the insert A on Site Plan 4. New highway 4/C would be created as a bridleway.

Modification L - CPO

Reduce the size of plot 5/7 from 886 square metres to 519 square metres.

Modification M - CPO

Divide plot 2/21 into plots 2/21d, 2/21e and 2/21f. The overall area of the plots remains the same as plot 2/21, although the intention would be to negotiate for only a licence to undertake essential work in plot 2/21f. (Ownership would remain with the landowner unless negotiations for the licence failed).

Modification N - SRO and CPO

Enlarge the access labelled 2/11a as shown on inset. D of Site Plan 2.

Increase the size of plot 2/1r and correspondingly reduce plot 2/1q. The overall area remains unaltered.

Modification O - not used**Modification P - SRO and CPO**

Stop up PMA referenced 3/3 as shown on the new inset at Site Plan 3. Provide a new PMA from Dan y Code and referenced as 3/3a on Site Plan 3.

Remove title plot 3/11 and easement plot 3/11a and replace it with title plot 3/11b, title plot 3/11c, and easement plot 3/11d. The overall area in the CPO would reduce.

Modification Q -SRO

Show a different alignment of the new highway 2/D in inset B of Site Plan 2 and include the stopping up of PMA 2/10 in Schedule 2 and on the main plan of Site Plan 2.

Modification R -SRO

Not used

Modification S - CPO

Add the description of the rights of access to plots 1/9e and 1/9f.

Modification T – CPO

Remove plots 5/17c, 5/17e, 5/17f, 5/17g, 5/17h and replace with 5/17k, 5/17L, 5/17m, 5/17p and 5/17q. Include a new plot 5/17n. Overall the area of land would be reduced.

Modification U -SRO and CPO

Add a new highway 4/F and an improvement of Brunant Road to the west and Old Trap Road to the east to be added to Schedule 4 and Site Plan 4 as an inset.

Remove title plot 4/6i and replace with title plot 4/6L, 4/6m and 4/6n. Remove title plot 5/3 and replace with title plots 5/3a and 5/3b.

Note: As a result of modification U and the improvement of part of Old Trap Road and Brunant Road, it is necessary to add 2 new title plots forming the half width of Old Trap Road and Brunant Road, 4/6o of 109 square metres and 5/3c of 70 square metres.

Modification V

Site Plan 1/A and Page 2 of the SRO

Re-establish an equestrian right across the A465 at Intermediate Road by including such a right on New Highway 1/C in Schedule 1 and on Site Plan 1A. The bridleway should connect to the New Highway 1/B on Site Plan 1A, as modified under Modification F above.

Modification W

Page 24 of the Side Roads Order.

Consequent upon the stopping up of the footpath and footbridge described on page 24 of the Side Roads Order as: "the un-referenced footway bridge of the trunk road A465 north of Pentwyn Bungalow", create a New Highway 5/E (footpath) to cross the A465. Add New Highway Reference 5/E to Schedule 5 of the Side Roads Order to reflect Alternative 2a, and show on the main plan of Site Plan 5.

Modification X (Replaced Modification R)

Site Plan 3 and Page 18 of the Side Roads Order.

In lieu of proposed Modification R above amend the alignment of new highway 3/B Inset C on Site Plan 3 to reflect the removal of the curved section of southern access ramp to the Dan y Coed Footbridge and replace it with an access to the footbridge

that would be parallel to the carriageway to the west of the bridge. This access footpath would connect up with Footpath 52/50 on Site Plan 3.

Modification Y – SRO and CPO

Further modifications and updates following the Public Local Inquiry. Since the inquiry a number of updates to ownership and minor typographical errors or omissions have been identified. The Orders should be amended to correct these. In accordance with the recommendations of Modification H the CPO should be modified to clarify the requirements of various plots already included in the CPO. Divide title plot 4/1g into 4/1g and 4/1k, divide title plot 4/1h into 4/1h and 4/1L, divide title plot 4/1 into 4/1 and 4/1m, and divide title plot 4/16 into 4/16 and 4/16a; overall the area would be the same.

A new plot of land, plot 3/1u being 6 square metres, in the ownership of Welsh Minister is required to provide a private means of access (SRO reference 2/2a) for the benefit of Welsh Ministers as owners of Field House.

Modification Z

As a result of more detailed design of the realignment of Main Road (adjacent to Lamb House) the extent of the highway to be improved and associated CPO plots forming the half width of Main Road be reduced to exclude the verge accordingly: Plot 4/11 from 54 to 37 square metres, Plot 4/12 from 68 to 49 square metres, 4/12a from 45 to 31 square metres, 4/13 from 58 to 37 square metres.

Modification AA

The modification to the draft Side Roads Order which involves the lowering of the eastbound carriageway between Brynmawr Junction Overbridge and the Water Works requires minor amendment of the alignment of new highways 2/A and 2/B and private means of access 2/13a, as well as the route of the new trunk road which are shown on Inset A of Site Plan 2.