

### Record of Determination, Welsh Government, Transport, Economic Infrastructure

For use with Annex II relevant projects only – under the Highways Act 1980.

<b>Name of project:</b> Ebbw River bridge fatigue and strengthening	<b>Location (including national grid reference):</b> The scheme carries the M4 motorway over the River Ebbw, located between J27 and J28 (ST 28521 86612), to the west of Newport.
<b>Insert file location (iShare/ TEDMMS):</b>	

Qualifying criteria for Annex II relevant project:

Improvement element of project is >1ha	√	Project is located within 'sensitive' area		Other impacts which may result in significant effect in the view of a Competent Expert (e.g. adjacent to sensitive site)	
--	---	--	--	--	--

Note: to inform the Environmental Impact Assessment (EIA) Screening assessment, please review the criteria set out in Annex II of the [EIA Directive \(2014/52/EU\)](#), [DMRB LA 102 – Screening projects for EIA](#), [the EIA \(Miscellaneous Amendments relating to Harbours, Highways and Transport\) Regulations 2017](#).

#### Annex III Screening Criteria

<b>A.</b>	<p><b>Description of project</b></p> <p>The scheme will comprise implementation of Urgent Intervention Measures to the M4 Ebbw River Bridge relating to the structural integrity of the hinge – focussing on interventions that ensure the safety of the bridge users. As the proposed works are strictly neither an 'improvement' or 'maintenance' project under the Highways Act 1980, as a precautionary measure, they have screened on the basis that they are 'improvements' works.</p> <p>Below is an indicative construction sequence developed in collaboration with the Early Contractor Involvement (ECI) Contractor and specialist sub-contractors, final details of temporary works/interface and access within the water course is to be confirmed.</p> <ul style="list-style-type: none"> <li>• Undertake site clearance, establish site access (construction of haulage roads) and compound(s), storage, craneage pads and assembly areas. The works are anticipated to take place outside the watercourse/channel;</li> <li>• Expose and make ready the pier footings – this includes the removal of the block stone presently in place along with the redundant flood bund beneath the south side span. These works may require plant working within the water course/channel;</li> <li>• Construct in situ leaf pier, encapsulate the existing lines of circular columns. These works are anticipated to take place outside the watercourse;</li> <li>• Install temporary works/support tower system upon which beams shall be placed and slid into position. These works may require plant working within the water course/channel;</li> <li>• Deliver fabricated steel beams on site;</li> <li>• Lift and place the beams on the temporary works/support tower system. These works may be required to take place over the watercourse, but not within it;</li> <li>• Beams to be slid into position. These works are anticipated to take place over the watercourse, but not within it;</li> <li>• Jacking of the steelwork and installation of bearings. These works are anticipated to take place over the watercourse, but not within it;</li> <li>• Remove all temporary works/support tower system. - These works may require plant working within the water course/channel;</li> </ul>
-----------	--

- Reinstate scour protection adjacent to riverbanks;
- Clear site and handover;

The Scheme has the potential to generate waste however it is designed in such a way as to repurpose as much of this as possible and incorporate it into the permanent works; for example the primary elements of the proposed works are structural steel elements which will be recycled. The Construction Environmental Management Plan (CEMP) will include proposals for dealing with material and waste generated by the Scheme

On completion of the strengthen works any hardstanding will be removed and the fence line will be restored. Planting within areas impacted by the development will be reinstated and its biodiversity enhanced through the creation of species rich grassland and additional native tree and shrub planting re-establishing connectivity with, and improving the resilience of, existing habitats

**B. Description of local environment (baseline), including statutory and non-statutory designations:**

The scheme area primarily comprises the Ebbw River bridge, which is located between M4 J27 and J28, to the west of Newport and the area below and adjoining it along the east and west banks of the river. In total the site area is approximately 2.25 hectares.

The Ebbw River flows directly beneath the bridge, in a southerly direction and is designated as a Site of Importance for Nature Conservation (SINC). Records from Natural Resource Wales (NRW) indicate it is an important Salmonid river. It drains into the River Usk Special Area of Conservation (SAC), located c.5.5km downstream. The embankments aligning the Ebbw River (beneath the scheme) are designated as land of high and medium flood risk from rivers and the flood attenuation area (reservoir), to the south west, of medium and low risk.

The site and adjacent area contain potentially suitable habitats for supporting protected species including bats, otters, breeding birds, dormice and reptiles.

Dense areas of Japanese Knotweed (JKW) are located within the scheme area.

The nearest residential receptors are approx. 180m north west of the scheme area.

**Statutory and non-statutory designations:** The Wye Valley and Forest of Dean Bat SAC and Usk Bat Sites SAC are located within 30km of the scheme and designated for bat species. Gwent Levels – St. Brides Sites of Special Scientific Interest (SSSI) and Allt-Yr-Yn Local Nature Reserve (LNR) are located within 2km of the scheme. There are 13 SINC sites, including the Afon Ebbw River SINC, within 2km of the scheme location. There are no South Wales Trunk Road Agent (SWTRA) Biodiversity Sites within 2km of the scheme. Noise Action Plan Priority Areas (NAPPA) Nos. 324, 539, 543, 537, and 326 are located within 2km of the scheme. 25 Listed buildings and structures are located within 2km of the scheme. Tredegar Park, Grade II\* Historic Park and Garden abuts the Ebbw River bridge to the east. With the Grade II listed footbridge some 75m upstream of the scheme area.

**C. Type and characteristics of potential environmental effects (including mitigation/ enhancement):**

Vegetation including woodland and trees beside the bridge piers need to be cleared to accommodate the proposed works area, the access routes to them from the M4, and the works compound the areas impacted will be reinstated at the end of the scheme.

Despite the scheme area containing habitats suitable for supporting protected species, more detailed species surveys did not find evidence of their presence. However, a summer dormouse nest from 2020 was found during the partial clearance of vegetation from the south west quadrant of the site and otters, king fishers and bats have been observed to travel along this section of the river. Aquatic surveys found European eel, bullhead, stone loach and minnow. Salmon are not expected to be found in this section of the river until later in the year and there is a commitment to consult with NRW if works interact with the salmonid season. The impacts of the proposed on the works on dormice and their habitat will be managed through the conditions imposed by a European Protected Species Licence.

Although it is not proposed to eradicate the JKW, a methodology for dealing with the JKW to prevent it from spreading as a result of construction activities has been agreed with NRW.

The Ebbw River is a supporting habitat linked to the function of the River Usk SAC as such construction activities at the site could, if not appropriately managed and mitigated, impact migratory species using the Ebbw river as a connecting channel to the SAC e.g. salmon, otters etc. An HRA/AA has been undertaken to assess any potential effects of the works on the River Usk SAC. A Flood Risk Assessment (FRA), Water Framework Directive (WFD) and Geomorphological assessment is currently being undertaken in order to determine the potential significant effects upon the water environment. However it is considered that with the adoption of a Precautionary Method of Works (PMoW) it is unlikely that the scheme will have any significant impacts on these protected species and the SAC.

Construction activities are likely to give rise to an increase pollutant including noise and emissions to air such as dust, sediment and pollutants (fuel) that if not properly managed may impact sensitive receptors such as Ebbw river, the River Usk SAC and local residents. The potential sources of pollution will be controlled using standard best practise working methodologies included within the (CEMP). A Flood Risk Activity Permit (FRAP) has also been submitted.

Minor adverse impacts on the setting of Grade II Listed footbridge are anticipated due to an increase in activity, noise and disturbance during construction and loss of vegetation. Whilst the local topography of the scheme area, surround land uses and its peripheral location suggest the proposed works will have a minimal impact on the setting of Tredegar Park Historic Park and Garden.

The main environmental effects primarily relate to the construction phase of the scheme. The best practice measures included within the CEMP and the adoption of a PMoW will manage and mitigate these effects.

**D. Details of extent of EIA work (including limitations) undertaken including summary of consultation undertaken with the statutory consultation bodies (including Cadw, Natural Resources Wales and the relevant Local and National Park Authority):**

A SWTRA Environmental Screening Report has been written for these improvement works where an EIA screening was undertaken. Newport City Council have been consulted as works are within a SINC. They have confirmed that no consent is required following the receipt of the PMoW. NRW have been consulted in the methodology for the treatment of JKW and the geomorphological assessment and the FRAP requirements.

**E. Determination decision, statement of case in support of this decision as to whether EIA is/is not required:**

The scheme covers an area more of than the Annex II size threshold of 1 hectare and is therefore a “relevant project” under Annex II of the EIA directive. Although the results of the geomorphology assessment are outstanding, the results of all of the other surveys and assessments undertaken suggest the scheme will not cause significant environmental effects and as such will not require a statutory EIA.

File references of supporting documentation for future reference:

I have determined, following discussions with the Welsh Government’s /Trunk Road Agent’s Environmental Advisor that a statutory Environmental Impact Assessment ~~is~~ **is not** required for this project.

Signature Project Director



Dated: 02 September 2021

Authorisation to publish Notice of Determination:

Signature Welsh Ministers’ Nominee:



Dated: 07 September 2021

Richard Morgan  
Head of Asset Management & Standards