

Kevin Martin Additional Comments for Examination in Chief

1. Red line Boundary

- 1.1. Mr Russell's Proof of Evidence (P) 3.50 notes that "*There has been a substantial increase in the red line boundaries for the site in the august 2103 SEI, to reflect the extent of the works now proposed....*". No further reference to red line is made in his Proof. My Rebuttal (R) 1.11 responds to this point indicating that there has been a significantly reduced scale of works and that PCC and NRW officials specifically requested the red line boundary to be conservative to allow discussions at the detailed design stage to consider appropriate embankment and cut detail.
- 1.2. However, suggested red line issues are raised for the first time in Mr Russell's Rebuttal. He seeks to highlight a red line issue despite PCC agreement that the highway works are technically feasible.
- 1.3. Mr Russell's R 2.1 quotes a PCC objection reference which is imprecise. PCC did not object due to the general lack of highways information and [my underline] lack of agreement with owners of land. P80 of the Cabinet report states that The Highway Officer concludes that there remains a high level of uncertainty whether the works would be provided and due to a lack of details regarding various aspects of the works, the Highway Authority are unable to support the proposal in the interests of highway safety.
- 1.4. The 'unable to support list' is on page 9 of the report and is as listed in my proof of evidence 1.3.2 which Mr Russell refers to. Land agreement is one of a number of concerns, not an 'and' in relation to their objection.
- 1.5. Mr Russell states that the Cabinet report also noted discrepancies in the red line boundary information. In fact only one issue was raised (2nd paragraph on p10 of the Cabinet Report) and the 'discrepancy' was which of two drawings was the correct drawing and stated "We need clarification as to the correct drawing". Clarification is a more appropriate description. One drawing included the existing junction the other did not.
- 1.6. In R 2.2 Mr Russell seeks to further his position by indicating that he considers that there are "still locations where the extent of the works lie outside of the red line" which he identifies later in his rebuttal. This was not his position in his Proof of Evidence and contradicts the position of PCC in

the agreement that the highway works are technically feasible. Point 2 below is relevant.

2. Electronic Drawings

- 2.1. Mr Russell's position regarding highway works outside the red line is supported by the suggestion in his R 2.2 that "...I have only recently received electronic copies of drawings requested of the applicant...". Comment has already been made in the Inquiry Session about 'matters only being able to be addressed very recently' due to electronic drawings only recently being made available.
- 2.2. This is simply incorrect.
- 2.3. Electronic drawings were provided to PCC on 7 June 2013. Electronic drawings were also provided in the CSEI submission in August 2013. These are in pdf format and perfectly capable of being used to take off quantities.
- 2.4. The very recent request was for CAD drawings which allow a CAD operator to take off quantities more quickly.
- 2.5. As I indicate above, PCC has had electronic drawings for a considerable period of time. The relationship between the works and the red line boundary does not change if inspected in CAD or pdf format. I have one of our drawings with me in both pdf and CAD format. They are exactly the same, as they would be. Simply different file formats.
- 2.6. Indeed, AECOM took quantities off both pdf and CAD drawings as a 'check and validation' exercise. The results correlated – as they would, of course.
- 2.7. In my opinion 'the very recent request for electronic drawings' appears to be presented as an explanation for PCC taking new issues and disregarding the PCC agreement on technical design. If PCC had not agreed with technical matters they would have said so. They have had the drawings since June 2013. Whilst numerous matters were discussed, further information provided and subsequently agreed post June on detail

associated with matters such as Gosen, Glen Menial and Dolwen Isaf the red line was not questioned.

- 2.8. It is clearly evident to me that PCC were satisfied that the level of detail provided was satisfactory and that the works were technically feasible in accordance with the AECOM drawings which incorporate the red line.
- 2.9. This resulted in agreement that the technical design is feasible being noted in both the PCC Statement of Case and the Statement of Common Ground. Neither of these documents indicates red line as a matter of concern to PCC.
- 2.10. Indeed, Jones Bros, on their review of the AECOM drawings, noted that the drawings have considered the land required for the construction process. This letter is contained within my Appendix 2.

3. Works Suggested to be Outwith the Red Line

- 3.1. Mr Russell's R 2.32 to R 2.36 refer to three locations at which he questions whether the works will impact on additional hedgerow or coppice or extend beyond the red line boundary. In all cases I consider that the works can be undertaken within the highway boundary without impacting on hedgerow or coppice.
- 3.2. The locations cross-relate to Mr Woodfield's amended Appendix DW8 which I will also be commenting upon in more detail.
- 3.3. I consider that the comments may relate to a, now corrected, reference in the Collett Transport Design Review which suggested a 5 m width requirement rather than a 4.5m highway width requirement.

4. PCC and the Consideration of a Carnedd Wen Shared Access

- 4.1. Mr Russell's R 2.4 to 2.7 seems to suggest that PCC highway officials raised the issue of a Carnedd Wen shared access with RES/AECOM before early July 2013.
- 4.2. If this is the case, this is incorrect.

- 4.3. NRW, as far back as November 2010, have requested that consideration be given to the potential for shared access roads with the adjacent Carnedd Wen windfarm proposal.
- 4.4. When AECOM became involved in January 2013 we discussed the outstanding concerns of both PCC and NRW at joint meetings between the parties from January to May 2013.
- 4.5. Whilst PCC, as the highway authority, were in attendance at these meetings, they did not indicate any interest or potential involvement in this particular matter.
- 4.6. This was one of a list of items that required to be addressed to enable AECOM to be able to approach the Inquiry with as much technical resolution as possible on the list of outstanding items from both parties.
- 4.7. This was a NRW outstanding item.
- 4.8. Indeed, PCC, only as recently as 18 April 2013, indicated that the overall strategy of bringing in AILs from Talerddig and the general construction traffic from Talerddig appears sensible. This is my Appendix 1.
- 4.9. RES provided their reasons verbally during these meetings. However, on the basis that we were in an Inquiry lead in, it was evident that these reasons needed to be formally recorded.
- 4.10. E-mails were issued to Carol Fielding of NRW and David Williams of PCC on 14 June 2013 indicating that the drawings to be incorporated within the forthcoming SEI submission, which represented the culmination of a series of inter-active design meetings with them, had been issued on 7 June 2013. The e-mails included details of the additional work undertaken, or in progress, to respond to the outstanding issues of the parties. This included comment that "The option of a shared access with Carnedd Wen has been considered and RES will be issuing correspondence to you regarding this".
- 4.11. Both e-mails were attached to my Rebuttal.
- 4.12. A letter from RES dated 5 July 2013, to NRW and PCC, explained why they were not proposing to share access with Carnedd Wen.
- 4.13. By e-mail dated, 16 July 2013, PCC indicated that they were of the opinion that the AIL route via Carnedd Wen would have considerable merit.

- 4.14. This subsequently led to PCC confirming to RES, on 15 August 2013, that they would like to give more consideration to the concept and a drawing of a potential shared access solution was issued to RES on 1 October 2013.
- 4.15. In summary, PCC highway officials did not raise the NRW shared access suggestion with RES/AECOM until July 2013 even though they were aware of it since 2010. PCC decided to consider the matter further on 15 August 2013 and produced an associated drawing on 1st October 2013.
- 4.16. A conclusion that can be drawn is that the highway authority did not consider it necessary to consider shared access - until very recently.

5. Temporary Closures and Delay/Inconvenience to Road Users

- 5.1. Mr Russell's Proof of Evidence 3.36 indicates that he anticipates more lengthy closures will be required than set out in the LTMP Chapter 6.3.5. However, the position in the LTMP was superseded by the issue of the Temporary Closures Note to PCC on 27 August 2013. This matter is also addressed in my rebuttal 1.32.
- 5.2. I am now aware that Mr Russell did not have access to PCC files/correspondence until more recently and his comments in his Proof of Evidence may relate to the content of the LTMP and not the more recent Note.
- 5.3. However, Mr Russell's Rebuttal 2.38 to 2.40 seeks to suggest that a greater number of closures will still be required (after having seen the Temporary Closures Note) and he expresses his concern in relation to 'buildability' of the works in relation to available road widths.
- 5.4. This directly conflicts with the position adopted by PCC prior to Mr Russell's involvement.
- 5.5. We had provided PCC with a Buildability Note in July 2013 as well as the Temporary Road Closures Note in August 2013. These are recorded in my proof of Evidence 1.3.7.
- 5.6. Indeed, he further suggests that Mr Williams of PCC retained concerns about the extent of road closures and disruption and quotes the PCC e-mail of 30 August 2013 contained within my Appendix 2 as demonstrating this.
- 5.7. Road closures and disruption are not mentioned in the e-mail.

- 5.8. Technical matters were agreed between Mr Williams of PCC and myself. However, we were both aware that the one matter we were to continue to disagree upon was the impact of the works on the local area i.e. the disruption to road users caused by the highway works.
- 5.9. However, to also suggest that PCC retained concerns about the extent of road closures in the way that Mr Russell suggests is simply incorrect.
- 5.10. Inspection of the PCC e-mail of 30 August 2013 (my Appendix 2) indicates that Mr Williams of PCC consulted his local area road maintenance team who agreed that temporary closures would be needed in such instances. Mr Williams then indicates that if approval were granted the works would be reviewed at the detailed design stage by the submission of site traffic management plans.
- 5.11. The e-mail does not record retained concern about the temporary closures but simply a statement that these matters would be addressed at the detailed design stage.
- 5.12. The buildability matters raised by Mr Russell were not raised by PCC. PCC had every opportunity to do so, but did not.
- 5.13. Retained concern about temporary road closures was not indicated by PCC. Whatever 'retained thoughts' PCC had about temporary road closures were clearly to be discussed at the detailed design stage in accordance with the PCC e-mail of 30 August 2013.
- 5.14. Both of these recent statements by Mr Russell directly contradict the agreed position between PCC and RES that the works are technically feasible and seek to raise new issues that were not identified by PCC officials who had the drawings from June 2013.
- 5.15. It is also worth noting that the designs were the result of inter-active design team meetings with PCC and NRW officials in which drawings were laid around a room and commented upon by all parties to refine and agree the designs jointly. Part of this process involved two day long joint site visits which assisted greatly in all parties understanding the works proposed.

- 5.16. The position adopted by Mr Russell simply does not reflect the inter-active design process and subsequent level of agreement reached between PCC and RES.
- 5.17. Indeed, his position also contradicts that of a local, and highly respected, contractor (Jones Bros) who considers that the Temporary Closures Note is a good and reasoned representation of the number and duration of the temporary closures required, which they also anticipate could reduce in number at the detailed design stage.
- 5.18. Temporary closures are required for only some of the works and only occur during parts of the day and overnight.
- 5.19. The Temporary Closures Note anticipates a total of 15 days of temporary closures in 9 months. These are not complete closures of the whole road, merely a closure of part of it for part of the day allowing access from either end to the specific closure point. The whole road is available on 95% of days during this 9 month period, remembering also that for the other 5% of days the temporary closures would only be between morning and evening peaks or overnight when the traffic levels are at their lowest.
- 5.20. However, PCC has no objection to the use of the length of the road between Talerddig and Site Access 4 (Section 3) being used for construction traffic. This potentially requires 3.5 days of temporary closure.
- 5.21. The section between Site Access 4 and Site Access 1 (Section 2) potentially requires 1.5 days of temporary closures. On the basis that Section 3 temporary closures are acceptable I assume that Section 2 temporary closures are acceptable being lower in number.
- 5.22. This leaves Section 1 between Site Access 1 and Llanerfyl which requires 10 days of potential part day temporary closures in the 273 day, 9 month period. Half of these part day temporary closures are associated with Gosen Bridge. During the Gosen Bridge part day temporary closures, access to all properties up to this point from each trunk road will be available during the time of the temporary closures.
- 5.23. In relation to disruption and inconvenience to road users, I would make the following comments:

- Traffic levels are low for the times of the temporary closures - 10 vehicles (two way) per hour during the day and 1 vehicle per hour overnight
- Not all traffic is affected. Large parts of the route are available during the temporary closures and, in many instances, it is only journeys that wish to travel a large part of the route that are affected.
- The Llanerfyl works at Glen Menial (near the school) will be undertaken during school holidays or at weekends.
- Extensive consultation with the local community will be undertaken to establish a travel diary to detail whether there are certain journey requirements that the construction traffic management plan should take account of.
- There will be extensive communication of the temporary closures such as dialogue with community and parish councils, use of social network services, press coverage, radio, leaflet drops and the use of signage at either end of the road
- Some people will choose to make their journey on other days such that the traffic numbers affected will be less than the above.

5.24. Also, Mr Russell's proof of evidence 3.40 and rebuttal 2.28 discount the provision of two way traffic at Gosen Bridge as being a material community by using light traffic flows as part of his justification. I consider that this contradicts his position on disruption to road users caused by the temporary road closures which will occur at lightly trafficked periods of the day.

5.25. Mr Russell also indicates in 3.39 of his Evidence that he considers delay resulting from AIL deliveries is an unnecessary inconvenience for local residents and other users of the road.

5.26. An AIL delivery will pass through Llanerfyl and Diosg in approximately 3.5 minutes after which it will be on the lightly trafficked sections of the road. The LTMP indicates there will be a maximum of between 2 and 3 vehicles waiting at passing places with up to 3 to 5 vehicles following the AIL. I do not consider the levels of delay to be significant or unnecessary.

5.27. Indeed, these figures compare favourably with the level of delay to traffic on the adjacent A458 strategic route for AILs. AIL movement on the A458, as recorded in STMP 3 of 6: Welshpool to SSA B (North), creates a queue

of 15 to 16 vehicles waiting at passing places with a queue of 12-13 vehicles following the AIL.

- 5.28. STMP 3 of 6 has been approved, in principle, by PCC.
- 5.29. I consider that this comparison demonstrates that Mr Russell's position contradicts that of PCC.
- 5.30. Only as recently as April PCC had considered the access strategy to be sensible. The low levels of delay directly relate to the revised access strategy adopted by AECOM which led to the favourable comment from PCC.

6. The Collett Design Review

- 6.1. Mr Russell's R2.22 to 2.25 and Rebuttal Appendix 2 alerted me to an obvious wording error in the Collett Report. Page 5 Methodology of the Collett Report indicates that the autotrack analysis was undertaken for the whole route at 5 km/h (3 mph) which is incorrect. The design speed for the route was 16 km/h (10 mph) with the lower speed used at the areas for manual steering was used (Gosen and Dolwen Isaf). Table 11 of the LTMP applies these speeds.
- 6.2. The application of a 3 mph speed to the whole route is implausible.
- 6.3. Mr Russell's paragraphs raised another matter in relation to the Collett Notes on page 22 regarding road envelope and road width in points 7, 8 and 9 on page 22. The road envelope of 5m by 5m (in points 7 and 8) relates to standard manufacturers guidelines and is superseded when specific analysis, as applied here, is undertaken. The point regarding a minimum road width of 4.5m is applicable.
- 6.4. These matters have been clarified in an e-mail exchange between AECOM and Collet dated 12 November 2013.
- 6.5. Accordingly, Mr Russell's R 2.22 to R2.25 and Appendix 2 should be discounted.
- 6.6. Mr Russell's R2.21 refers to Ch 2500 – 2550 of the Collett Report. Collett suggested widening on the offside due to concerns over the extent of the widening and difference in levels on the nearside. However, we

decided to continue with widening on the nearside due to the potential environmental impact on the offside. Collett note in their report (note 1 on page 22) that their recommendations are purely from a transport orientated view. The AECOM designs represent the work of a multi-disciplinary team.

7. Percentage of grass reinforcement

7.1. My Rebuttal 1.14 indicates that over 90% of the works is of soft highway widening (grass reinforcement). Whilst quantities are yet to be agreed, I understand that this is a figure that Mr Russell is in agreement with. It is also of note that there are areas of asphalt on Section 2 (7 locations) and Section 1 (1 location) that were included within the design at the specific request of PCC. These locations provide improved vehicular passing ability which PCC saw as beneficial.

8. Long Term Community Benefits

8.1. Mr Russell's Proof 3.43 and R2.26 to R2.30 indicate his views on the highway works and their potential long term benefit. He concludes in R2.30 that he does not agree that the proposed works provide any material community benefit.

8.2. I am particularly surprised by his comments about the A470 Talerddig junction (R2.2) and his lack of acceptance of the benefit of additional passing bays in his 3.43.

8.3. Welsh Government describe the works at the A470 Talerddig junction as a significant improvement to the approach gradient of the minor road. The minor road is, of course, the County road. The gradient improvement will benefit all minor road traffic which includes HGVs and agricultural vehicles. I consider that any highway authority would see this as beneficial.

8.4. I record earlier that asphalt passing bay improvements along Sections 2 and 1 were requested to be incorporated within the AECOM design at the specific request of PCC. Mr Russell's position appears to contradict the position of PCC.