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All Interested Parties and Statutory
Parties

Your Ref:

Our Ref: TR040011

Date: 7 September 2020

Dear Sir/ Madam

Planning Act 2008 – Section 88 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6 etc

Application by North Somerset District Council for an Order Granting Development Consent for the Portishead Branch Line – MetroWest Phase 1

Notice of appointment of the Examining Authority and date, time and place of the Preliminary Meeting

I write to you following my appointment by the Secretary of State as the lead member of a Panel who will be the Examining Authority (the ExA) to carry out an examination of the above application. My name is Jo Dowling and the other member of the Panel is Susan Hunt. A copy of our appointment notice can be viewed at:

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR040011/TR040011-000613-TR040011_Rule_4.pdf

In January 2020 the Applicant served [notice](#) of the acceptance of the application and invited representations to be made to the Planning Inspectorate by 26 February 2020. Copies of the representations received (referred to as Relevant Representations) can be viewed on the [project page](#) of the National Infrastructure Planning website (the website). However, due to the restrictions on travel and public gatherings caused by the COVID-19 pandemic the start of the formal examination of the project by the ExA was delayed.

We would like to take this opportunity to thank you for your continued patience and for the contributions that you have made so far, including your Relevant Representations and more recently the return of the completed questionnaire providing information to help us decide how we might best proceed with examining the application in the current circumstances.

We have now made proposals taking into account the responses we have received and the likely effect of ongoing public health controls. As a result, we are proposing to start the Examination using virtual methods but to remain flexible so that, should public health requirements allow, we have the option of holding physical events later in the Examination if we can.

We have provided a set of [Frequently Asked Questions](#) (FAQs) to help explain how virtual events will be held and how you can get involved. Please read this material carefully. We will update the FAQs from time to time at the discretion of the ExA.

Invitation to the Preliminary Meeting

This letter is an invitation to the Preliminary Meeting to discuss Examination procedures for the **Portishead Branch Line – MetroWest Phase 1** Examination. It contains a number of important annexes, including **Annex A** (the agenda) and **Annex B** which introduces the Preliminary Meeting, explains how it will be conducted and how you can participate.

Date of meeting: **Tuesday 6 October 2020 (Preliminary Meeting: Part 1) and Monday 19 October 2020 (Preliminary Meeting: Part 2)**

Arrangements conference: **From 9.30am on 6 October 2020
From 1.30pm on 19 October 2020**

Meeting begins: **10.00am on 6 October 2020
2.00pm on 19 October 2020**

Venue: **Virtual event
(please refer to Annexes A, B & the FAQs)**

Please note that the Preliminary Meeting will adjourn on 6 October 2020 rather than close. Monday 19 October 2020 has been reserved for the resumption of the Preliminary Meeting, following this adjournment to allow for the consideration of written submissions by Interested Parties who did not make oral submissions at the virtual event.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to the ExA about the way in which the application is to be examined. At this stage the ExA is looking at the procedure and not the merits or concerns about the application. The merits or concerns about the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

The agenda for the meeting is at **Annex A**. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. That assessment is set out in **Annex C**.

As a result of this assessment we wish to hear from the Applicant, Interested Parties, Statutory Parties and Local Authorities where they consider changes may be needed to the draft Examination Timetable set out in **Annex D** and other procedural arrangements. You can use the [Preliminary Meeting Involvement Form](#) to request to be heard at the meeting, to identify the matters you would like to discuss or to make submissions in writing for consideration if you are unable to attend. You must complete the form by Procedural Deadline A (**Monday 21 September 2020**).

All submissions whether they are made orally at the Preliminary Meeting or are submitted in writing will be given the same weight by the ExA. If you have already made a written submission you do not need to repeat it through speaking at the Preliminary Meeting.

Attendance at the Preliminary Meeting

We wish to run a fair, efficient and effective Preliminary Meeting so that all relevant views can be heard. As the Preliminary Meeting will be held virtually it will be held in three parts (Preliminary Meeting: Part 1, an Adjournment to allow for written submissions and Preliminary Meeting: Part 2). A full explanation of this approach is provided in question 4 of the FAQs.

The Preliminary Meeting will be livestreamed and also recorded. The recordings of each of the events will be published on the project page of the website as soon as practicable after the event has been held.

Because participation in a virtual Preliminary Meeting relies on the provision of a joining link or telephone number in advance, it is critically important that you think about whether you wish to speak and confirm your involvement by Procedural Deadline A (Monday 21 September 2020) by completing and returning the [Preliminary Meeting Involvement Form](#).

We strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group. People who have not made an involvement request will still be able to access the livestream and a recording of the event that will be published on the project page of the website. Consequently, the ExA are satisfied that the meeting will be in public.

Please remember this meeting is only about the process of Examination, and we will not be hearing any representations at this meeting about the merits of the Proposed Developments or the application.

On receipt of requests to participate from Interested Parties, the ExA will consider them and in advance of the Preliminary Meeting taking place, the Case Team may contact some parties to confirm their type of involvement in line with the information provided on the involvement form. As such, at this stage prospective participants are advised to ensure that they would be available for the whole day of the event.

Please note that **you are not required to make oral or written submissions at the Preliminary Meeting in order to participate in the Examination**. If you are an Interested Party, you will still be able to make a Written Representation and comment on the Written Representations made by other Interested Parties. You will also be able to participate in any hearings that are arranged. Should you no longer

wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

After the Preliminary Meeting

After the Preliminary Meeting you will be sent a letter, known as the Rule 8 letter, setting out the finalised Examination Timetable. A recording and a note for each stage of the meeting will also be published on the project page on the website.

The Examination will be held using a combination of written and hearing procedures that are explained in the FAQ document.

All hearings will be held in public. Where hearings take place virtually, they may be livestreamed and will be recorded and made available to view on the project page of the website. Where physical hearings can take place, a recording of this will be placed on the website as soon after the event as is practicable.

The Examination will comprise of Written Representations about the proposal and oral representations made at any hearings, in addition to consideration of the application documents, policy and legal positions, site inspections, answers to the ExA's written questions and any other matters the ExA consider to be relevant and important.

Interested Parties have the right to request an Open Floor Hearing and those persons affected by any request for Compulsory Acquisition or Temporary Possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are held at the discretion of the ExA and will be arranged if we feel that consideration of oral representations would be necessary to further our examination of that matter.

All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Transport, who will take the final decision in this case.

Notification of Hearing

The ExA has made the Procedural Decision to hold the following hearing in the first week of the Examination:

- A virtual Open Floor Hearing (OFH1) on Monday 19 October (Evening)

Important information about this hearing is contained within Annex E. Information about how to request to speak at this hearing will be made available on the project page of the website in the week commencing 7 September 2020.

Procedural Decisions made by the Examining Authority

We have made some further Procedural Decisions which are set out in full at **Annex G**. These are:

- requests for a progress update on Statements of Common Ground (SoCG) and any completed SoCG **by no later than 2 October 2020**;

- requests at regular intervals throughout the Examination for an updated Guide to the Application, an updated Compulsory Acquisition Schedule and a Statement of Commonality of SoCG;
- an update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession while the Examination has been held in abeyance **by no later than 2 October 2020** with an updated Book of Reference that reflects this progress **by no later than Deadline 1**;
- requests for Local Impact Reports **by no later than Deadline 1**;
- request for the submission of suggested locations/ sites for the ExA to visit as part of the Accompanied Site Inspection including the issues to be observed there, information on whether the site can be accessed on public land and the reasoning for each nominated site **by no later than 2 October 2020**;
- request for submission of draft responses to the Relevant Representations by the Applicant **by no later than 2 October 2020**;
- acceptance of Additional Submissions into the Examination; and
- response to Section 51 request dated 12 December 2019 [PD-003] **by no later than 22 September 2020**.

Your status in the Examination and managing Examination correspondence

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document ['What is My Status in the Examination?'](#)

If your reference number begins with '2002', 'PORT-AFP', 'PORT-S57', 'PORT-APP' you are in Group A. If your reference number begins with 'PORT-SP' you are in Group B.

The meaning and purpose of these groups is explained in the document published at the link above. If, however, having read this document you are still unsure about your status then please contact the Case Team using the details at the top of this letter.

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during the Examination, we aim to communicate with people by email as this is more efficient, more environmentally friendly and more cost effective for the taxpayer.

Therefore, if you have received a postal letter/ postcard but are able to receive communications by email we would be grateful if you could confirm this with the Case Team as soon as possible.

Up-to-date information, all the application documents and correspondence about the project and the Examination will be provided on the [project page](#) of the website. As the Examination process predominantly uses electronic documents it will be useful for you to become familiar with this resource.

Please note that there is a function on the right-hand side of the project page called 'Email updates'. This provides you with an opportunity to register to receive email updates on the Application and Examination. We would encourage you to make use of this. If you do so you will receive an email every time the project page is updated and at key stages during the Examination. The Preliminary Meeting is due to be livestreamed and a link to the livestream will be made available on the project page shortly before the event takes place.

Deadlines

Please note that unless stated all deadlines in the draft Examination Timetable and as referred to in this letter are at 23:59 on the deadline day.

Award of costs

We also draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance 'Awards of costs; examinations of applications for development consent orders' which applies to Nationally Significant Infrastructure Projects. This guidance is available at:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

Management of information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the ExA) and a record of any advice which has been provided by the Planning Inspectorate, is published at the [project page](#).

All Examination Documents can also be viewed electronically at the locations listed in **Annex F**.

Please note that in the interest of facilitating an effective and fair Examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our [Privacy Notice](#).

We look forward to working with all parties in the examination of this application.

Yours faithfully

Jo Dowling

Lead Member of the Panel of Examining Inspectors

Annexes

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Draft Examination Timetable
- E** Notification of Open Floor Hearing on 19 October 2020 under Section 93 of the Planning Act 2008
- F** Availability of Examination Documents
- G** Other Procedural Decisions made by the Examining Authority
- H** Coronavirus Response: Examination Practice Changes and Your Privacy

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

Agenda for the Preliminary Meeting

The Preliminary Meeting is to be held virtually and will be conducted as follows:

Preliminary Meeting: Part 1 (Agenda Items 1 to 8)

If there are large numbers of requests to speak at this meeting, more than one session may need to be held, to ensure that those, with specific issues, who requested to be heard can do so. Speaking links will be allocated to Interested Parties (IPs) with specific issues to raise. IPs and Other Persons who do not wish to speak can listen to a livestream of the meeting. A recording of the meeting will also be published on the project page of the National Infrastructure website as soon as practicable after the event. The meeting will be adjourned after as many sessions as necessary to enable all those who have requested to speak to be heard. The project page of the National Infrastructure website will be updated closer to the date of the meeting with a more detailed agenda which will confirm how many sessions will be held. Consequently, at this stage, prospective participants are advised to keep the whole day available.

Adjournment

The purpose of the adjournment is to enable all IPs who could not attend the event virtually to use either the livestream or the recordings published on the project page of the National Infrastructure website to listen to all matters raised in any session of the meeting. They can then write in with any points that they would have wished to have made had they been able to attend the virtual event. Any written submissions need to be made by **Procedural Deadline B** (14 October 2020). Any submissions received by this deadline are considered to be a substantive contribution to the Preliminary Meeting, carrying equal weight to any oral submissions made in Parts 1 or 2.

Preliminary Meeting: Part 2 (Agenda Items 8 to 11) and closure of the meeting

The Examining Authority will carefully consider all oral submissions made in Part 1 and all written submissions made by **Procedural Deadline B**. The Preliminary Meeting will then resume (Part 2) to enable any Procedural Decisions that arise as a result of the oral and written submissions to be made. The Preliminary Meeting will close at the end of Preliminary Meeting: Part 2.

Title of meeting: **Portishead Branch Line: MetroWest Phase 1 Preliminary Meeting: Part 1**

Date: **Tuesday 6 October 2020**

Joining available from: **09:30am**

Meeting start time: **10:00am¹**

Venue: **Virtual Event**
Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate

Attendees: **Invited Parties who have pre-registered**

(This meeting will also be available for people to observe live online via a link, which will be advertised on the project page of the National Infrastructure website shortly before the Meeting is due to start)

Item 1	Welcome and introductions
Item 2	The Examining Authority's (ExA) remarks about the virtual PM process including reference, where appropriate, to any procedural requests to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (21 September 2020)
Item 3	The ExA's remarks about the examination process including reference, where appropriate, to any procedural requests to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (21 September 2020)
Item 4	Initial Assessment of Principal issues – see Annex C
Item 5	Procedural Decisions taken by the ExA – see Annex F
Item 6	Draft Timetable for the Examination – see Annex D Including the deadlines for submission of: <ul style="list-style-type: none"> • Written Representations • Local Impact Reports • Responses to the ExA's Written Questions • Statements of Common Ground

¹ If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect into the Preliminary Meeting in good time. In common with traditional Preliminary Meetings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

	<ul style="list-style-type: none"> Procedural requests relating to these items that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (21 September 2020)
Item 7	<p>Dates and formats of Hearings and Accompanied Site Inspection (ASI):</p> <ul style="list-style-type: none"> Date and format of Open Floor Hearing Date and format of Compulsory Acquisition Hearing Date and format of Issue Specific Hearing on draft Development Consent Order Dates and format reserved for further Open Floor Hearing(s) Time period and format reserved for Issue Specific Hearings Time period and format reserved for further Compulsory Acquisition Hearing Date of ASI to application site and surrounding area (including draft itinerary) Procedural requests relating to this item that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A (21 September 2020)
Item 8	Any other matters
Adjournment of the Preliminary Meeting until Friday 16 October 2020 at 10:00am	

Please note:

If you wish to be heard orally at the Preliminary Meeting: Part 1 you must request to do so using the Preliminary Meeting Involvement Form² by Procedural Deadline A (21 September 2020)

Please be available from the start and throughout the meeting (or any relevant part or session of the meeting that you are asked to attend). The agenda is subject to change at the discretion of the ExA, although in making changes the ExA will be mindful of the format of the meeting and the need to provide opportunities for all parties to participate. The ExA will conclude the meeting (or any relevant part or session of the meeting) as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

If a large number of people wish to participate in the Preliminary Meeting then it may be necessary to divide the meeting into sessions, not all sessions of the

meeting will address all parts of the agenda. Participants will be invited to join a session or sessions that most closely address those parts of the agenda that reflect their request to be involved. Consequently, it is important when requesting involvement that you identify the agenda items on which you wish to speak.

If it is not possible for you to join a session in which the agenda item that concerns you is to be raised, you will be asked to listen to the relevant session either using the livestream or the recording both of which will be available through the project page of the National Infrastructure website. You will then need to submit any comments that you wish to make in writing by **Procedural Deadline B** (14 October 2020).

If following Preliminary Meeting: Part 1 you wish to be heard orally at the Preliminary Meeting: Part 2 you must request to do so in writing by Procedural Deadline B (14 October 2020).

Requests to be heard at the Preliminary Meeting: Part 2 will need to demonstrate that the matter to be addressed is new (ie it was not raised in Part 1 and that this is because the requesting party did not speak in Part 1) or is the subject of an outstanding disagreement (ie parties have requested different procedural approaches on which the ExA needs to adjudicate as part of any Procedural Decision).

Please make sure that you read the following documents before attending the Preliminary Meeting:

- The National Infrastructure Planning Privacy Notice:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2018/05/ni-privacy-statement.pdf>
- Our FAQ document which contains important information about how data protection legislation is applied at our events:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2020/02/GDPR-at-events-FAQ-final.pdf>

Title of meeting: **Portishead Branch Line: MetroWest Phase 1 Preliminary Meeting: Part 2**

Date: **Monday 19 October 2020**

Joining available from: **1:30pm**

Meeting start time: **2:00pm³**

Venue: **Virtual event**
Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate

Attendees: **Invited Parties who have pre-registered**

(This meeting will be available for people to observe live online via a link, which will be advertised on the project page of the National Infrastructure website shortly before the Meeting is due to start)

Item 9	Resumption of the Preliminary Meeting and Welcome
Item 10	The Examining Authority's (ExA) remarks about written submissions about the procedures and conduct of the Examination received by Procedural Deadline B
Item 11	Any procedural representations on matters that could not be raised at the previous sitting of the Preliminary Meeting
Item 12	Any other Matters
Close of the Preliminary Meeting	

³ If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect into the Preliminary Meeting in good time. In common with traditional Preliminary Meetings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

An Introduction to the Preliminary Meeting

Background

The Preliminary Meeting for the Portishead Branch Line – MetroWest Phase 1 will take place virtually online, but the format, content and procedure will be very similar to the traditional, face-to-face Preliminary Meetings that have been held for other National Infrastructure Examinations.

The Examining Authority (ExA) is conscious of videoconferencing fatigue and aims to keep the proceedings focussed and as efficient as possible. This Annex provides advance information that would usually be included in the ExA introductory remarks following the opening of the Preliminary Meeting. Please read this carefully as, on the day, the ExA will only present a summary of the key points set out here in order to ensure that the time available for participants to speak is maximised.

The Examining Authority

The two Members of the ExA, Jo Dowling and Susan Hunt, will introduce themselves at the start of the Preliminary Meeting.

The Case Team

The ExA will be supported before and during the meeting by the Planning Inspectorate Case Team. Bart Bartkowiak is the Case Manager for this application, supported by James Bunten. A member of the team will be welcoming and admitting participants into the virtual Preliminary Meeting, and they are available to answer questions by email before and after the meeting. The contact email address is: Metrowest1@planninginspectorate.gov.uk

Purpose of the Preliminary Meeting

The Preliminary Meeting is being held to discuss the arrangements for the Examination of an application for Development Consent for the Portishead Branch Line – MetroWest Phase 1, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the Preliminary Meeting and Examination as the 'Proposed Development'. The application has been made by North Somerset Council, who will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for this Examination on the Planning Inspectorate's National Infrastructure website. This has a dedicated page for the project with links to Examination procedure, the timetable, Relevant Representations and Examination documents. The address is:

<https://infrastructure.planninginspectorate.gov.uk/projects/South-West/Portishead-Branch-Line-MetroWest-Phase-1/>

You are encouraged to look at the website if you haven't already done so, because it is used to communicate with you and to provide access to documents throughout the Examination. There is an option on the project web page to register to receive updates throughout the Examination and it is recommended that you register so that you will receive an e-mail every time the banner is updated on the project page, at key stages during the Examination.

The main purpose of the Preliminary Meeting is to consider arrangements for the Examination of the application for the Proposed Development. It focuses on the process only, and it will not be looking at the substance of the proposal: questions, discussions and representations about the merits or disadvantages of the Proposed Development and the application are for the Examination itself which will begin the day after the close of the Preliminary Meeting.

The proposals for the Examination are set out in the Rule 6 letter of **7 September 2020**, to which this is an Annex.

The Preliminary Meeting will be your opportunity to influence the process that the ExA intends to follow, and you should read the Rule 6 letter and all of its Annexes thoroughly beforehand. The agenda for the Preliminary Meeting is attached to the Rule 6 letter at **Annex A**. It is important to have the letter and the agenda in front of you and to refer to them during the course of the Preliminary Meeting. If you are not experienced with videoconferencing and manipulating various documents on a screen, you may wish to print these out in advance of the meeting for reference.

Government guidance and policy

The application is a NSIP under the Planning Act 2008 (PA2008) regime as a consequence of section 25(1) as the application is for the construction of a new railway with works wholly in England, which would form part of Network Rail's national rail network, where Network Rail is an approved operator for the purposes of the PA2008 and also includes a stretch of track that has a continuous length of more than two kilometres, is not on land that is currently operational land of a railway undertaker, and is not a permitted development. The designated National Policy Statement (NPS) for National Networks applies to this Examination and decision-making relating to this application.

The ExA will consider the Proposed Development within the parameters of the NPS and any other policy or considerations that it deems important and relevant. The PA2008 makes it clear that, in making a decision and subject to certain provisos, the Secretary of State '*must decide the application in accordance with any relevant NPS*' (s104(3)). Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Development would not outweigh its benefits.

The Secretary of State is entitled to disregard any representations that relate to the merits of designated NPS. In practice, this means that the ExA will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves. The focus will be on the merits of the Proposed Development, tested to the appropriate extent using the tests within the NPSs that have been designated and so are in force.

Other important and relevant planning policy that the ExA may consider includes policies in the relevant local authorities' development plans. However, if these conflict with policy in an NPS, then the NPS would take precedence.

In summary, the Preliminary Meeting will establish the procedures and timetable for the Examination of the Proposed Development. It will set a framework for the ExA to enable the Secretary of State to consider and decide the application, by identifying relevant policy and examining the application in the light of it. In doing so, the ExA will have regard to:

- the positions and representations of all Interested Parties;
- any Local Impact Report prepared and provided by relevant local authorities;
- other prescribed matters; and
- any other matters that appear to be both relevant and important to the Secretary of State's decision.

Preliminary Meeting Invitees

The Applicant is invited to the Preliminary Meeting and is generally given the opportunity to reply to any representations made, either orally at the time or in writing during the adjournment of the meeting.

Everyone who has made a written Relevant Representation has been registered as an Interested Party and has been sent this Rule 6 letter. Each Interested Party is entitled to involvement in the Examination going forward.

Each person or organisation with an interest in land or rights that are affected by a Compulsory Acquisition request in the application is an Affected Person. In addition to a general entitlement to involvement in the Examination going forward, Affected Persons have a right to be heard in relation to any objection about the effects of a Compulsory Acquisition request on their interests in land, and a right to be notified of any Compulsory Acquisition Hearing. Affected Persons become an Interested Party, whether or not they have made a Relevant Representation.

Certain bodies are 'Prescribed Consultees' or statutory parties. They are bodies that can elect to become Interested Parties without having made a Relevant Representation.

The ExA has the power to involve 'Other Persons' in the Examination as though they are Interested Parties, including inviting them to the Preliminary Meeting. However, this is only likely to happen in exceptional circumstances, for example if it was clear that the application would materially affect a person, and for a

good reason they had been unable to take the necessary action to register as an Interested Party.

The Preliminary Meeting itself

Past experience suggests that a Preliminary Meeting for a project of this size and complexity could take up to a few hours to complete. However, in running the event virtually there are limitations on the number of people who can speak at any one time. Therefore, in order to ensure that everyone who wishes to speak can do so one day has been timetabled for Part 1.

An adjournment has been provided between Part 1 and Part 2 of the Preliminary Meeting. This recognises that some people may not know whether they wish to speak until they have heard the issues raised by others through watching the livestream or listening to the audio recordings which will be available on the project page of the National Infrastructure website. Having heard the points raised if they have any new points that they may wish to make regarding procedural arrangements for the examination of the Application they will be able to do so in writing along with any request to be heard in Part 2 of the Preliminary Meeting. The ExA will then consider all oral submissions made at Part 1 and the written submissions made by **Procedural Deadline B** (14 October 2020). Part 2 of the Preliminary Meeting will then resume on 19 October 2020 to enable any further discussions that may be required and the ExA to make any procedural decisions that they consider necessary.

Participants may have to make allowances and be patient if there are any delays associated with the technology. In recognition of the particular strains of on-screen communication, the ExA will take short breaks if and when considered necessary. Your joining instructions will provide more information about the final structure and format of the meeting.

A digital recording of proceedings will be made available on the project page of the National Infrastructure website as soon as practicable following each part of the meeting. The digital recording allows any member of the public who is interested in the application and the Examination to find out what has happened, whether they were able to attend or observe the meeting or not. In this regard, anyone speaking at the Preliminary Meeting will need to introduce themselves each time they speak to ensure that someone listening to the recording after the event knows who is speaking. A note of the Preliminary Meeting (parts 1 and 2) will be produced following the closure of the meeting.

As the digital recordings are retained and published, they form a public record that can contain personal information to which the General Data Protection Regulation (GDPR) applies. Participants must do their best to avoid providing any information to this public record which should otherwise be kept private and confidential. If there is a need to submit such information, it should be in written form. Although this will also be published, the personal content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should contact the Case Team prior to the Meeting and ask for

guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the Secretary of State's decision on the Development Consent Order (DCO).

If you actively participate in the Preliminary Meeting, it is important that you understand that you will be recorded and that you consent to the retention and publication of the digital recording.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the Agenda. If you prefer not to have your image recorded, you can switch off your camera.

The Examination process

The examination of a NSIPs is a very different process to that, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that the examination of a NSIPs are primarily a written process and it has an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily through written questions. While some Hearings may be held to provide supplementary evidence, any questions to the Applicant or to witnesses will come from the ExA. Questioning or cross-examination of witnesses by other parties will generally not be allowed.

In terms of opportunities to provide evidence in writing, the draft Examination Timetable makes provision for the following written processes:

- i. Local authorities can make Local Impact Reports (LIRs) if they wish. Whilst these are voluntary, they must be considered by the Secretary of State in reaching a decision. Consequently, LIRs are a very important method for local authorities to communicate issues of concern to them and their residents.
- ii. Interested Parties can make Written Representations and comment on Written Representations made by other parties.
- iii. Interested Parties can respond to the ExA's written questions and comment on responses to these written questions provided by others.
- iv. Interested Parties may be asked to contribute to the making of Statements of Common Ground if it appears that there are matters on which they and the Applicant agree, and if it would be useful for this to be clarified.

The draft Examination Timetable includes a series of numbered Deadlines for receipt of written submissions. For clarity, unless otherwise stated in the final

Examination Timetable, the statutory deadline for acceptance of written submissions will be at 23.59 on the date specified in the final Examination Timetable. Documents received after the relevant Deadline are only accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties. Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties can be considered by the ExA to amount to unreasonable behaviour.

These written processes will be the principal means used by the ExA to gather information, evidence and views about the application. However, the Examination will only be effective if all parties resolve to give timely, full, frank and clear answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of Written Representations and Statements of Common Ground.

There is no merit in withholding or delaying information, or in failing to cooperate, and, should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExA has discretion to make changes to the Examination Timetable for the wider benefit of the Examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the Examination of the application by the end of the period of six months beginning after the close of the Preliminary Meeting. This requirement is set by the legislation, and while the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be very limited scope to alter the dates set out in the draft Examination Timetable.

The statutory time limit for the Examination means that everyone must strive for a 'right first time' approach to matters set out in writing. Where there are things that still need to be discussed and agreed between the Applicant and Interested Parties, it would be very helpful to the ExA if these could be progressed as early as possible.

Hearings

The draft Examination Timetable includes provision for Hearings, at which the ExA takes oral evidence from the various parties.

Any registered Interested Party may request an **Open Floor Hearing** to make oral representations about the application, if they believe this to be preferable to restricting their representation to the written form, though both carry equal weight. Oral submissions should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail, explanation and evidential corroboration to help inform the ExA. There should be no new or unexpected material in oral presentations. A summary written note with any supporting evidence or references will be requested of each speaker after the Hearing.

As with all Examination events, Open Floor Hearings are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the Deadline shown on the Examination Timetable and in accordance with the instructions; an agenda will be circulated; it is common practice for the ExA to set a time limit for each speaker; and those with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics, so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple Interested Parties can be provided with an additional time allowance to recognise their representative role. If you fall into this category, please let the Case Team know, explain why you need additional time and how long you would like. The ExA will consider such requests but given the overall time constraints you should not assume that you will be given additional time.

The Applicant's draft DCO provides for the Compulsory Acquisition of land and rights, and registered Affected Persons (i.e. those whose rights in land are affected) have a right to be heard at a **Compulsory Acquisition Hearing**. If one or more Affected Persons request to be heard, then a Compulsory Acquisition Hearing will be held. Provisional dates for these are included in the draft Examination Timetable along with a Deadline for requests to be heard.

The ExA has the discretion to hold **Issue Specific Hearings** if they consider that it would aid the Examination and there is a specific reason this would be more helpful than reliance on written evidence only. The lack of an Issue Specific Hearing on one or more topics does not suggest that that topic is less important than others which are subject to a Hearing. Rather, it is an indication that the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The Examination Timetable includes a number of reservations for Issue Specific Hearings and Interested Parties may make suggestions for topics in their written or oral representations to the Preliminary Meeting.

It may be necessary for the ExA to hold an Issue Specific Hearing on the draft Development Consent Order. This is normal practice, and it would be held on a without prejudice basis. Parties can suggest modifications and amendments to the draft Order provided with the application by the Applicant, without prejudicing their overall position on the application.

Holding such a Hearing would not imply that the ExA had reached any judgements on the application. Whatever its ultimate recommendation, the ExA must make sure that the draft Order is fit for purpose if the Secretary of State decides to approve the application, as any consent will be subject to requirements and conditions set out in the Development Consent Order.

At Hearings, it will not normally be necessary for parties to make long and detailed submissions that need IT support such as PowerPoint presentations, nor would facility for this be provided. Any such detail can be provided in writing after a Hearing and before the relevant Deadline.

The draft Examination Timetable includes a deadline (**Deadline 1** on 2 November 2020) for participants to notify the ExA that they wish to speak at future hearings.

Site inspections

As part of the Examination process, members of the ExA may undertake site inspections. These can be either unaccompanied or accompanied, though all would be subject to any Government restrictions relating to COVID-19 in force at the time.

The purpose of these is for the ExA to see features of the proposal within the context of the evidence put forward. Notes of **Unaccompanied Site Inspections** (USIs) are published on the project page of the National Infrastructure website.

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The Rule 6 Letter includes a deadline (**2 October 2020**) for the submission of prospective locations by Interested Parties. The purpose of ASIs is familiarisation and no discussion on the merits of the Proposed Development will be entertained.

It should be noted that the current public health restrictions may limit the scope for ASIs and, if these have not lifted by the end of the Examination, the ExA takes the preliminary view that holding USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or even drone material, if this might enable views into inaccessible areas, would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time consuming to conduct.

Initial Assessment of Principal Issues

This is the Initial Assessment of the Principal Issues prepared under s88(1) of the Planning Act 2008 (PA2008). In making this initial assessment, the Examining Authority (ExA) has had regard to the application documents and Relevant Representations received in respect of the application.

It is not a comprehensive or exclusive list of all relevant matters. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State for Transport after the Examination has concluded.

The order of the issues listed does not imply any order of prioritisation or importance, they have been listed alphabetically.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not set out as separate Principal Issues.

It should be noted that a number of the Principal Issues set out below may have an interrelationship or overlap, and this will be reflected in the Examination.

It should also be noted that whilst neither the effects of the proposal on the achievement of sustainable development including the mitigation of, and adaptation to, climate change nor the effects of the proposal in relation to human rights and equalities duties are listed as specific Principal Issues the ExA will conduct all aspects of the Examination with these objectives in mind.

1	Air Quality	<ul style="list-style-type: none"> • Air quality assessment methodology and assumptions used to inform modelling, including relationship with Transport Assessment. • Effects within the Air Quality Management Area. • The construction and operation effects on human and ecological receptors. • The proposed use of Diesel Multiple Units.
2	Biodiversity, Ecology and the Natural Environment	<ul style="list-style-type: none"> • The effects on the integrity of the Avon Gorge Woodlands Special Area of Conservation (SAC) as a result of habitat loss of priority feature woodland habitat. • The proposed mitigation and compensation measures in respect of potential adverse effects on integrity to the Avon Gorge Woodlands SAC, and the extent to which they are secured in the draft Development Consent Order (DCO). • The extent to which the carrying out of the proposed development constitutes an imperative reason of over-riding public interest (IROPI)

		<ul style="list-style-type: none"> • Potential effects on North Somerset and Mendip Bats SAC. • Potential effects on toads crossing at Lodway Farm. • Potential indirect effects on ecology, including from invasive species transported along the railway line. • Effects on biodiversity associated with construction compounds and construction traffic movements. • Opportunities for the conservation and enhancement of biodiversity and ecological conservation interests. • The nature conservation impacts associated with the loss of other trees and hedgerows. • Consideration of any necessary mitigation, monitoring, management and compensatory measures and their effectiveness.
3	Climate Change	<ul style="list-style-type: none"> • The overall change in greenhouse gas emissions from transport which may arise from the implementation of the proposed development. • Emissions of greenhouse gases arising from the development, including during its operational phase. • The use of Diesel Multiple Units and the potential for electrification of the proposed service.
4	Construction Impacts	<ul style="list-style-type: none"> • The number, location and size of construction compounds and their effects on the local environment. • Construction vehicles and their effect on traffic movement, road safety and occupants of nearby residential properties. • The proposed routing and management of construction traffic. • Re-instatement of land at construction compounds and access ways. • Mitigation measures and how such measures would be secured. • Potential disturbance of contaminated land, uncontrolled run-off and risks to surface water and groundwater.
5	Compulsory Acquisition	<ul style="list-style-type: none"> • Whether the extent of the land, rights and powers sought to be compulsorily

		<p>acquired are required for the proposed development.</p> <ul style="list-style-type: none"> • Whether there is a compelling case in the public interest for the compulsory acquisition of the land, rights and powers that are sought by the draft DCO. • Whether all reasonable alternatives to compulsory acquisition have been explored. • Whether adequate funding is likely to be available to enable the applicant to carry out the compulsory acquisition within the statutory period. • The possible status of land within the Book of Reference as Open Space and whether exchange land is proposed in respect of it. • The extent to which powers are sought over land or interests in land held inalienably by the National Trust or by the Crown. • Approach adopted in identifying Category 3 parties.
6	Cultural Heritage	<ul style="list-style-type: none"> • The effect of the Proposed Development on heritage assets and their visual and functional settings. • The effect of the Proposed Development on archaeological remains and whether further archaeological investigation would be required to understand any potential significant deposits. • The effectiveness of any mitigation measures.
7	Design	<ul style="list-style-type: none"> • The design, accessibility and layout of the railway stations and car parks and their relationship with surrounding land uses and the character and appearance of the area. • The application of the National Policy Statement criteria for "good design" to the proposed development. • The extent to which the design of permanent structures should be controlled and secured through any DCO.
8	Draft Development Consent Order (draft DCO)	<ul style="list-style-type: none"> • The construction, form, extent and definitions of the draft DCO including Requirements, Protective Provisions and design flexibility.

		<ul style="list-style-type: none"> • Adequacy of the draft DCO Requirements to secure the proposed mitigation. • Whether any additional requirements would be necessary. • The need for and means of securing funding for any necessary monitoring and enforcement of the draft DCO Requirements. • Associated obligations and agreements such as Development Consent Obligations. • The scheme for the discharge of DCO Requirements and the appropriate authorities for approving such discharge. • The proposed protective provisions in respect of the land and equipment of statutory undertakers. • The proposed disapplication of certain byelaws of the North Somerset Levels Internal Drainage Board and the justification for such disapplication.
9	Environment Impact Assessment and Environmental Statement	<ul style="list-style-type: none"> • The Environmental Impact Assessment (EIA) methodology. • Justification for assumptions used in the EIA and how they could be secured through any DCO. • Approach to EIA, including the use of the 'Rochdale Envelope' and the 'design principles', whether worst-case parameters have been used throughout the EIA • Whether all necessary parameters and mitigation measures are captured in the dDCO. • Consideration of alternatives to the proposed development. • The approach to, and scope of, cumulative and in-combination assessments in the EIA and HRA. • The extent to which the powers sought by the applicant in respect of associated development have been fully assessed in the Environmental Statement. • The identification of environmental mitigation and how mitigation measures will be secured.
10	Flood Risk and Drainage	<ul style="list-style-type: none"> • The Flood Risk Assessment (FRA) methodology including the use of climate change allowances in modelled scenarios.

		<ul style="list-style-type: none"> • The location and adequacy of compensatory storage. • Proposed drainage systems and the risk of damage to existing watercourses, including culverts. • Potential of increased flood risk to others. • Access requirements of the Environment Agency in respect of its statutory duties and assets. • The proposed disapplication of certain byelaws of the North Somerset Levels Internal Drainage Board and the justification for such disapplication.
11	Noise, Vibration and Light	<ul style="list-style-type: none"> • The potential effects upon the living conditions of the occupants of nearby residential properties by reason of noise, vibration or light, both during construction and operation. • The extent to which such potential effects have been fully assessed and appropriate mitigations identified. • The potential for planning blight to arise and the timeframe for the construction of the project. • Approach to identifying potential category 3 parties in relation to noise, vibration and light.
12	Planning Policy	<ul style="list-style-type: none"> • Whether the Proposed Development complies with the National Policy Statement for National Networks. • Policies of Local Development Plans and the extent to which they are relevant and important. • Effect on the Green Belt and whether the Proposed Development would constitute inappropriate development and if it would whether a case of Very Special Circumstances would exist.
13	Public rights of way and cycle routes	<ul style="list-style-type: none"> • The effect of the proposed development on users of public right of ways, including pedestrians, cyclists and horse riders, including in respect of temporary diversions during construction.
14	Socio-Economic Effects	<ul style="list-style-type: none"> • Baseline assessment methodology and the socio-economic evaluation. • Whether it would be necessary, in the light of applicable national and local policy and legislation, for the host

		<p>communities to gain positive socio-economic benefits from the scheme.</p> <ul style="list-style-type: none"> • Timing, frequency and capacity of proposed services. • Alternatives to the submitted scheme and the 'do nothing' scenario. • The extent to which the Proposed Development would affect availability and usability of public rights of way and open spaces. • The temporary impact of construction activities on access to community facilities and residential properties.
15	Statutory Undertakers	<ul style="list-style-type: none"> • The proposed acquisition of statutory undertakers' land and rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. • Separation distances and protection measures in respect of natural gas and other pipelines in the proximity of the proposed development. • The interaction between the proposed development and the Hinkley Point C Connection Development Consent Order. • Availability of rail paths for freight trains to and from Royal Portbury Dock (during construction and operation of the proposed development) and the interaction between those trains and passenger services. • The potential for severance and other adverse effects on land safeguarded for port development.
16	Traffic and Transport	<ul style="list-style-type: none"> • Transport Assessment methodology and assumptions used to inform modelling. • The proposed routing and management of construction traffic. • Operational impacts on road users, particularly in the vicinity of the Ashton Vale Business Park. • The potential effects of the proposed stations on the availability of residential and other car parking in Pill and Portishead. • The sufficiency of proposed car parking and future car parking capacity. • Potential effects of the proposed stations on traffic movements and road safety.

		<ul style="list-style-type: none">• The extent of land required for proposed highway realignments and improvements and potential effects on local businesses and occupants of nearby residential properties.• Severance and access issues.
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Draft Examination Timetable

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Due Dates
1.	Procedural Deadline A Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Responses to the R6 Letter • Written submissions on Examination procedure • Requests to be heard orally at the Preliminary Meeting Part 1 • Requests to be heard orally at the Open Floor Hearing 	Monday 21 September 2020
2.	Applicant's response to Section 51 Advice	Tuesday 22 September 2020
3.	Documents requested in Rule 6 letter Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • progress update on Statements of Common Ground (SoCG) • update on the progress that has been made with Affected Persons • request for the submission of suggested locations/ sites for the ExA to visit as part of the Accompanied Site Inspection • submission of draft responses to the Relevant Representations by the Applicant 	Friday 2 October 2020
4.	Preliminary Meeting¹ Part 1	Tuesday 6 October 2020

¹ The Meeting will be adjourned rather than closed following the day's business to allow time for written responses.

5.	<p>Procedural Deadline B</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on Examination procedure responding to matters raised orally in the Preliminary Meeting Part 1 • Requests to be heard orally at the Preliminary Meeting Part 2 	<p>Wednesday 14 October 2020</p>
6.	<p>Preliminary Meeting Part 2</p>	<p>Monday 19 October 2020</p>
7.	<p>Open Floor Hearing</p>	<p>Monday 19 October 2020</p>
8.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable • The ExA's Written Questions (ExQ1) 	<p>As soon as practicable after the close of the Preliminary Meeting</p>
9.	<p>Deadline 1</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • Notification of wish to speak at Compulsory Acquisition Hearing (CAH) • Notification of wish to speak at a future Open Floor Hearing (OFH) • Notification of wish to attend Accompanied Site Inspection (ASI) • Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA • Notification of wish to have future correspondence received electronically • Comments on Relevant Representations (RRs) (if not already submitted) • Summaries of all RR's exceeding 1500 words • Applicant to provide a draft itinerary for the ASI • Updated Book of Reference 	<p>Monday 2 November 2020</p>

	<ul style="list-style-type: none"> Local Impact Reports (LIR) from any local authorities Initial Statements of Common Ground (SoCG) Statement of Commonality of SoCG Post hearing submissions including written summaries of oral case put at the OFH 	
10.	<p>Deadline 2</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> Response to the ExA's ExQ1 Written Representations (WR's) Summaries of all WRs exceeding 1500 words Comments on the LIR(s) Applicant to provide Guide to the Application Applicant to provide Compulsory Acquisition Schedule (CA Schedule) An updated version of the draft Development Consent Order (dDCO) in clean, tracked and word versions (if required as a result of ExA's ExQ1) Responses to any further information requested by the ExA for this deadline Comments on responses to RRs Comments on any additional information/submissions received by Deadline 1 	<p>Monday 23 November 2020</p>
11.	Compulsory Acquisition Hearing (CAH)	<p>Friday 4 December 2020</p>
12.	<p>Issue Specific Hearing (ISH1)</p> <p>on the draft Development Consent Order</p>	<p>Monday 7 December 2020</p>
13.	<p>Deadline 3</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> Post hearing submissions including written summaries of oral case put at any of the hearings 	<p>Monday 21 December 2020</p>

	<ul style="list-style-type: none"> • Comments on WR • An updated Guide to the Application • An updated version of the dDCO in clean, tracked and Word versions • An updated CA Schedule • Comments on the responses to the ExA's ExQ1 • Progressed SoCG and an updated Statement of Commonality of SoCG • Responses to any further information requested by the ExA for this deadline • Comments on any additional information/submissions received by Deadline 2 	
14.	Issue Specific Hearing (ISH2) (Day 1 of 2) On Environmental Matters	Monday 11 January 2021
15.	Issue Specific Hearing (ISH2) (Day 2 of 2) On Environmental Matters	Tuesday 12 January 2021
16.	Issue Specific Hearing (Reserve date)	Wednesday 13 January 2021
17.	Deadline 4 For receipt by ExA of: <ul style="list-style-type: none"> • Post hearing submissions including written summaries of oral case put at any of the hearings • Comments on the Applicants updated dDCO • Comments on any additional information/submissions received by Deadline 3 	Monday 18 January 2021
18.	Publication of: <ul style="list-style-type: none"> • ExA's further Written Questions (ExQ2) (if required) 	Tuesday 26 January 2021

<p>19.</p>	<p>Deadline 5</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's ExQ2 (If published) • An updated Guide to the Application • An updated version of the dDCO in clean, tracked and Word versions • An updated CA Schedule • Progressed SoCG and an updated Statement of Commonality of SoCG • Responses to any further information requested by the ExA for this deadline • Comments on any additional information/submissions received by Deadline 4 	<p>Tuesday 16 February 2021</p>
<p>20.</p>	<p>Dates reserved (if required) for:</p> <ul style="list-style-type: none"> • Any Compulsory Acquisition Hearing • Any Issue Specific Hearing • Any Open Floor Hearing • Accompanied Site Inspection 	<p>Week commencing Monday 1 March 2021</p>
<p>21.</p>	<p>Deadline 6</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • Post hearing submissions including written summaries of oral case put at any of the hearings • Comments on responses to the ExA's ExQ2 (if published) • An updated Guide to the Application • An updated version of the dDCO in clean, tracked and Word versions • An updated CA Schedule • Progressed SoCG and an updated Statement of Commonality of SoCG • Responses to any further information requested by the ExA for this deadline • Comments on any additional information/submissions received by Deadline 5 	<p>Monday 15 March 2021</p>

<p>22.</p>	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • The Report into the implications for European Sites (RIES) (if required) • The ExA's preferred dDCO or commentary on the dDCO (if required) 	<p>Monday 29 March 2021</p>
<p>23.</p>	<p>Deadline 7</p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> • Comments on the RIES (if required) • Comments on the ExA's preferred dDCO (if required) • Final SoCG and Statement of Commonality of SoCG, also listing matters not agreed (in circumstances where a SoCG could not be finalised) • Final version of the dDCO in clean, tracked and Word versions • Final dDCO to be submitted by the Applicant in the SI template with the SI template validation report • Responses to any further information requested by the ExA for this deadline • Final Guide to the Application • Final CA schedule • Signed and dated planning obligations (if required) • Comments on any additional information/submissions received by Deadline 6 	<p>Monday 12 April 2021</p>
<p>24.</p>	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months</p>	<p>Monday 19 April 2021</p>

Submission times for deadlines

The time for submission of documents at any deadline in the timetable is 23:59 on the relevant deadline date, unless instructed otherwise by the ExA.

Publication dates

All information received will be published on the project webpage on the National Infrastructure Planning website as soon as practicable after the deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the 'Documents' tab on the project webpage. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portishead-branch-line-metrowest-phase-1/?ipcsection=docs>

Hearing agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will aim to publish a detailed draft agenda on the project website at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

For Open Floor Hearings agendas will not be published unless, in consideration of the number of participants notified to the Planning Inspectorate, the ExA decides that establishing a running order will facilitate the process on the day.

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017.

Notification of hearings under Section 93 of the Planning Act 2008

Notification of the date, time and place of an Open Floor Hearing (OFH) to be held in the early stages of the Examination is provided in accordance with section 93 of the Planning Act 2008.

Date	Hearing	Start time	Joining details
Monday 19 October 2020	Open Floor Hearing	6.30pm (arrangements conference from 6.00pm)	Virtual events Join by digital device or telephone using details to be provided in forthcoming Agenda

Information about how to request to speak at this hearing will be made available on the project page of the National Infrastructure website in the week commencing 7 September 2020. Requests to speak must be submitted by **Procedural Deadline A** (21 September 2020).

Information about hearings is included in the Planning Inspectorate's 'Advice Note 8.5: The examination: hearings and site inspections', available on the National Infrastructure Planning website here:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Availability of Examination Documents

The application documents and Relevant Representations are available on the project webpage on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20West/Portishead-Branch-Line---MetroWest-Phase-1/>

All further documents submitted during the Examination will also be published at the above location.

For ease of navigation, please refer to the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records and provides hyperlinks to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the project webpage is also provided. Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.

Electronic deposit locations

Documents can be viewed electronically, free of charge, at the locations below. Please note that you may need to bring a form of identification and register as a library member in order to use a computer at these locations.

Please Note: Opening hours and the availability of information technology set out in the table below may be subject to local changes or additional limitations to address COVID-19 pandemic public health requirements. Bearing in mind the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.

Local authority	Library/ address	Opening hours
North Somerset Council	Portishead Library, Horatio House, 24 Harbour Rd, Portishead, Bristol BS20 7AL	Tuesday, Wednesday and Saturday 9.30am-12.30pm; Thursday 1.30-4.30pm
North Somerset Council	The Pill Resource Centre, 4 Baltic Place, Pill, Bristol BS20 0EJ	Monday – Wednesday 9.30am – 3.30pm Thursdays - 9.30am – 1pm Friday – Saturday 10am – 5pm

Local authority	Library/ address	Opening hours
Bristol City Council	Bristol Central Library, College Green, Deanery Road, Bristol BS1 5TL	From Monday 7 September: Monday to Saturday, 11am - 4pm
Links to all libraries		
<p>Portishead Library: https://www.n-somerset.gov.uk/directories/libraries/portishead-library</p> <p>The Pill Resource Centre: https://nsod.n-somerset.gov.uk/kb5/northsomerset/directory/service.page?id=Tuuu_fBMe0g&familychannel=0</p> <p>Bristol Central Library: https://www.bristol.gov.uk/libraries-archives/central-library</p>		

Other Procedural Decisions made by the Examining Authority (ExA)

The Application was accepted for Examination in December 2019 and as a result the ExA consider that Interested Parties should be familiar with the documentation and, further to our update and request for information that was issued in July 2020, the ExA consider that in order to expeditiously progress the Examination it is reasonable to seek the early submissions of documents and information where they are available.

The ExA has therefore made the following Procedural Decisions under Section 89(3) of the Planning Act 2008 (PA2008).

1. Statements of Common Ground (SoCG)

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the Examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be a disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested Party or Parties and submitted by the Applicant.

In relation to some of the Principle Issues identified in **Annex C**, the ExA would be assisted by the preparation of SoCG between the Applicant and certain Interested Parties. Given the time that has elapsed since the Application was submitted the ExA assumes that during this time the Applicant will have been working with Interested Parties and consequently a number of SoCG may be finalised and/ or initiated. It would aid the ExA considerably with the drafting of questions and help focus discussions at the Preliminary Meeting and any early hearings if these were made available to the ExA prior to the start of the Examination. The ExA therefore request an update on the progress with SoCG including any initial or finalised SoCG that are available be submitted **by no later than 2 October 2020**.

In addition, the draft Examination Timetable at **Annex D** provides a formal deadline for initial and finalised SoCG. The deadline for initial SoCG is **Deadline 1** on 2 November 2020 and the deadline for finalised SoCG is **Deadline 7** on 12 April 2021.

SoCG are requested to be prepared between the Applicant and:

A. **The Applicant and the Environment Agency** to include but not be limited to:

- Draft Development Consent Order;
- Water environment effects, including flood risk and effects on flood alleviation and storage schemes, watercourses and waterbodies, and drainage matters;

- The Applicants Flood Risk Assessment and response to s51 advice [PD-006] with particular reference to climate change allowances;
- Compliance with the Water Framework Directive;
- Biodiversity and fisheries;
- Land contamination and groundwater, including source protection zones, groundwater dependent ecosystems and existing landfill;
- Waste management;
- Environmental permits, consents and licences; and
- Mitigation, risk management and enhancement measures, including Construction Environmental Management Plan/ Code of Construction Practice.

B. The Applicant and Natural England to include but not be limited to:

- Draft Development Consent Order;
- Ecology, habitats and nature conservation including issues related to:
 - i. The Applicant's Habitats Regulation Assessment report and effects on European sites and features;
 - ii. the effect on protected species and habitats;
 - iii. mitigation measures and enhancements, including likely effectiveness of mitigation, monitoring procedures, how mitigation will be secured within the DCO and the content of the Construction Environmental Management Plan/ Code of Construction Practice and the Applicant's Avon Gorge Management Plan; and
 - iv. compatibility and compliance with existing Network Rail plans "Avon Gorge SSSI and SAC Vegetation Management Plan" and "Avon Gorge SSSI and SAC POD Branch Line Site Management Statement".
- Air Quality;
- Landscape; and
- Water Quality.

C. The Applicant and each of the following: Bristol Water and Wessex Water to include but not be limited to:

- The effect on existing apparatus and infrastructure;
- Water environment effects including flooding effects and risks to drainage matters;
- Water quality; and
- Protective Provisions.

D. The Applicant and each of the following: National Grid Electricity Transmissions PLC and National Grid Gas, to include but not be limited to:

- Impact on existing apparatus;

- Any connection issues; and
- Protective Provisions.

E. **The Applicant and Network Rail** to include but not be limited to:

- The effect on existing railway infrastructure and services;
- Compatibility and compliance with existing Network Rail plans "Avon Gorge SSSI and SAC Vegetation Management Plan" and "Avon Gorge SSSI and SAC POD Branch Line Site Management Statement"; and
- Protective Provisions.

F. **The Applicant and Historic England** to include but not be limited to:

- The effect on heritage assets including archaeological effects with particular reference to the Clifton Suspension Bridge.

G. **The Applicant and Highways England** to include but not be limited to:

- The effects on the highway network from construction and operational phases.

H. **The Applicant and the Norths Somerset Levels Internal Drainage Board** to include but not be limited to:

- Drainage matters and water resources (including flood risk); and
- Protective Provisions and the disapplication of by-laws.

I. **The Applicant and the Bristol Port Company** to include but not be limited to:

- The effect on the operation of the port from construction and operational phases; and
- Protective Provisions.

J. **The Applicant and Avon and Somerset Constabulary** to include but not be limited to:

- Parking provisions for the operation of the Proposed Development.

K. **The Applicant and the Woodland Trust** to include but not be limited to:

- The effect on woodlands.

L. **The Applicant and the National Trust** to include but not be limited to:

- Ecology, habitats and nature conservation including issues related to National Trust land.

M. **The Applicant and each of the following: Bristol City Council, North Somerset District Council and Somerset County Council** to include but not be limited to:

- Planning policy;
- The Need and Principle of the Proposed Development and Examination of Alternatives;
- Ecology and Biodiversity;
- Climate change;
- Construction Effects on people and communities;
- Design;
- Draft Development Consent Order;
- Water resources, drainage and flood risk;
- Historic Environment;
- Highways and Transport including Public Rights of Way and cycle routes;
- Landscape and Visual impacts;
- Noise, air quality and disturbance during construction and operation; and
- Construction Environmental Management Plan/ Code of Construction Practice.

The SoCG should cover the following topics where relevant:

- Methodology for Environmental Impact Assessment including assessment of cumulative effects;
- Data collection methods;
- Baseline data;
- Data/ statistical analysis, approach to modelling and presentation of results (including forecast methodologies);
- Full expression of expert judgements and assumptions;
- Identification and sensitivity of relevant features and quantification of potential impact;
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose;
- Feasible and deliverable mitigation and method for securing such mitigation within the Development Consent Order.

All of the SoCG listed above should cover the Articles and Requirements in the draft Development Consent Order. Any Interested Party seeking for an Article or Requirement to be reworded should provide in the SoCG the form of words which are being sought.

Where a particular SoCG cannot be agreed between parties or in so far as any local authority position represents an officer level view only, draft

versions of that SoCG are requested to be submitted **by the Applicant by Deadline 1** on 2 November 2020. The position of the relevant Interested Parties should then be confirmed during the course of the Examination and by no later than the final deadline.

The content of the SoCG is necessary to help inform the ExA as to the need to hold any Issue Specific Hearings, and to enable the ExA and the Applicant to give notice of such hearings at least 21 days in advance of them taking place.

In addition, the ExA request that at each deadline, the Applicant provides a Statement of Commonality of Statements of Common Ground to provide an update on progress with SoCG and an overview of where the areas of agreement and dispute between the Interested Parties are.

2. Guide to the Application

The ExA requests that at each deadline, the Applicant provides an updated Guide to the Application document which provides a list of the most up to date documents before the Examination. A final version must be submitted **by Deadline 7** on 12 April 2021. This document should form part of the certification of plans identified within the draft Development Consent Order and should not be removed from subsequent drafts if submitted during the Examination.

3. Compulsory Acquisition

The ExA requests that at each deadline, the Applicant provides a Compulsory Acquisition Schedule which provides the most up to date information regarding the negotiations on voluntary agreements with Affected Persons in respect of Compulsory Acquisition (CA) and Temporary Possession (TP). A final version must be submitted **by Deadline 7** on 12 April 2021.

The ExA also requests that the Applicant provides an update on the progress that has been made with Affected Persons in respect of CA and TP while the Examination has been held in abeyance **by no later than 2 October 2020** and an updated Book of Reference that reflects this progress **by no later than Deadline 1** on 2 November 2020.

4. Local Impact Reports

The ExA requests Local Impact Reports (LIRs) from all host Local Authorities and welcomes LIRs from any other Authorities who may wish to submit one. All LIRs are to be submitted into the Examination no later than **by Deadline 1** on 2 November 2020.

5. Accompanied Site Inspection (ASI)

The ExA requests the submission by Interested Parties of suggested locations/ sites for the ExA to visit as part of an ASI including the issues to be observed there, information on whether the site can be accessed via public land and the reason why the site has been nominated **by no later than 2**

October 2020. The ExA then requests that the Applicant provide a draft ASI itinerary **by Deadline 1** on 2 November 2020.

6. Draft response to Relevant Representations

The ExA requests, given that the period for submission of Relevant Representations (RR) closed in February, to help the ExA with drafting their Written Questions that the Applicant submit a draft of their response to the RR made **by no later than 2 October 2020** with the formal submission of their response **by Deadline 1** on 2 November 2020.

7. Additional Submissions

Following the acceptance of the application, the Applicant submitted correspondence [AS-007] in March 2020 to the Planning Inspectorate in response to section 51 advice [PD-006] issued on 24 January 2020. The ExA made a Procedural Decision on the 12 August 2020 to accept the response and its appendices.

The ExA made a Procedural Decision on the 6 August 2020 to accept submissions from the following:

- Cotswold Conservation Board [AS-001]
- Jonathan Rainey [AS-002]
- Peter Kirsan [AS-003]
- Burgess Salmon LLP on behalf of the Crown Estate [AS-004]

On the 12 August 2020 the ExA made the Procedural Decision to accept submissions from the following:

- NATS Safeguarding [AS-005]
- Utility Assets Ltd [AS-006]
- Cardiff Council [AS-008]

On the 4 September 2020 the ExA made the Procedural Decision [AS-009] to accept a submission from the Applicant in relation to on-going discussions with the Bristol Port Company.

These documents are available on the [project page](#) of the National Infrastructure website:

Interested Parties are asked to submit any comments they may have on any of these documents **by Deadline 1** on 2 November 2020.

8. Response to section 51 request dated 12 December 2019 [PD-003]

On 12 December 2019 the Planning Inspectorate issued the following advice to the Applicant under section 51 of the PA2008:

1. A suggestion that the Applicant may wish to serve notice of the accepted application under s56(2) of the PA2008 on a number of bodies listed in the letter.
2. That the Applicant consider the extent to which the identification of Category 3 consultees is robust and fully documented in the Book of

Reference [APP-057] and to ensure that potentially Interested Parties are aware of the Examination process going forward.

3. That the Applicant amend a number of errors and inconsistencies in the Book of Reference [APP-057], Land Plans [APP-008], Work Plans [APP-009] and Statement of Reasons [APP-055] that had been identified and that they carry out a comprehensive check of these documents to ensure all information provided is complete and accurate.

The Applicant was requested that with regards to the items listed above that the updated application documents be submitted no less than 10 working days before the Preliminary Meeting to enable them to be published on the project page of National Infrastructure website. To date this information has not been received. The ExA therefore request a response to this advice and any updated application documents **by no later than 22 September 2020**.

Coronavirus Response: Examination Practice Changes and Your Privacy

This Annex explains the approach taken to privacy in Examination practice where virtual or blended events are used. It sets out changes to the National Infrastructure Planning Website privacy notice necessary to respond to the Coronavirus (COVID-19) pandemic. Please read it carefully.

Changes due to COVID-19

Due to the Coronavirus (COVID-19) measures introduced by the Government (see <https://www.gov.uk/coronavirus>), social distancing and related requirements are still in place. It is important to recognise that we are in dynamic circumstances and that the controls in force both nationally and locally are likely to vary during a 6-month Examination. The Examination method and timetable have been designed with the following principles in mind:

- To respond flexibly to changing public health controls, minimising the need for later changes to the Examination timetable and additional correspondence.
- To fit selected Examination methods and procedures to the controls in force at the time when notice for any particular events is given.
- To provide processes that are accessible to people who are shielding or isolating.
- To retain the potential to provide physical hearings and site inspections with appropriate social distancing measures in place, where it is possible to do so.
- To ensure that you can protect your privacy and understand the privacy policy that we are applying, whatever Examination methods are used.

We will not be conducting the Preliminary Meetings and initial Open Floor Hearings face to face. Instead, we will be conducting these processes virtually (over the internet, or by telephone link). You will be able to take part at home or from a safe place. Later hearings may be held using a blend of face to face (physical) and virtual processes and additional information will be provided to enable you to participate in those events and protect your privacy closer to the time of the events concerned.

How to Protect your Privacy in Virtual Meetings and Hearings

The [Frequently Asked Questions](#) (FAQs) for these Examinations have been updated to provide you with information about the following topics relevant to virtual meetings and hearings practice:

- what will happen in a virtual meeting or hearing, how to prepare for one and the help available from the Planning Inspectorate (*'Participating in Meetings and Hearings'*);
- how to participate in virtual meetings and hearings using a computer, laptop, tablet, smartphone (*'Joining a Virtual Meeting or Hearing on the Internet'*);
- how to participate in virtual meetings and hearings using a mobile phone or land-line telephone (*'Joining a Virtual Meeting or Hearing by Telephone'*);
- what to do if a virtual event does not work as you'd expected (*'What if things go Wrong'*); and

- Protecting your privacy (*'How do I Protect my Privacy in Virtual Events'*).

The FAQs are kept under constant review. If it is proposed to hold blended hearings, information about how to participate in these events will be added to the FAQs and the Examination banners on the National Infrastructure Planning website will flag this change.

Please note that when joining a meeting or hearing on certain digital devices or by phone, other parties may be able to see the email address or phone number that you use to join the event. There are some well-established methods that you can use to avoid the un-intended disclosure of your personal information and the FAQs provide advice on these (*'How do I Protect my Privacy in Virtual Events'*). Please read this advice before you join the hearing and take the steps that you feel necessary to protect your privacy.

Privacy Notice Amendment: Handling your Personal Information

Your privacy is important to us. The privacy notice amendment in this Annex explains the personal data that we will be processing specifically for virtual meeting and hearing events. The current [National Infrastructure Privacy Notice](#) should be read in conjunction with this amendment before sending information to the Planning Inspectorate. The amendment sets out how we have changed our data collection and the processing of that data in order to run virtual meetings and hearings.

What will be collected?

- E-mail address
- Phone number (if a participant joins by mobile)
- IP address
- Display Name
- Self-Image – If video is shared
- A livestream and a video or audio recording of the event

How is it collected?

- E-mail address requested in event invite.
- Phone numbers - If the participant joins by phone, then your phone number would be visible to all participants (this can be masked by the individual by turning off Caller ID, generally known as dialling 141) in which case a random number is displayed.
- IP address – Connections to Microsoft Teams will capture the IP address of the participant.
- Display Name – This is collected from the participants joining details
- Self-Image – This is collected when the participant activates their camera
- A video or audio livestream and recording of the event – This is collected when the participant activates their microphone and/ or camera

What metadata will be taken from joining?

- IP Address, joining account information (Email address), Browser Type (If browser is used instead of Teams App)

Where will it be stored?

- E-mail addresses, Phone numbers, Display Name and Self-Image will be stored in the virtual meeting room, within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system.
- A video or audio recording of the event forms a document in the case record for all National Infrastructure casework and will be held within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system and will also be published (for streaming access or download) on the project page of the National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/>.
- A livestream may be captured by an external provider for the purposes of providing a livestream link, but this process will not involve the transfer of any IP address or metadata, or data other than that which is already visible in the public domain to attendees of the virtual event and/or on the National Infrastructure Planning website to the provider.
- IP Address and Metadata will be stored in the Audit Log.

Cookies

- The Planning Inspectorate does not use any of our own technology or storage for the creation and presentation, or collection of cookies or web-beacon analytics.
- Cookies are collected by Microsoft, which is covered in their Privacy Statement [here](#).