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Date 21 September 2020
Your ref TR040011
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Dear Sirs

Application by North Somerset District Council for an Order Granting Development Consent for the Portishead Branch Line - MetroWest Phase 1 (the "Order")
Interested party reference PORT-S57657

1. We write on behalf of our client First Corporate Shipping Limited, trading as The Bristol Port Company ("BPC"), in respect of the Preliminary Meeting in relation to the above application to be held on 6 October 2020 and 19 October 2020. In particular we write in response to the Rule 6 letter of 7 September in order to make relevant submissions by Procedural Deadline A.
2. BPC is the statutory undertaker (harbour and competent harbour authority) for Bristol and the owner and operator of the commercial port of Bristol ("Bristol Port"). The Port is a strategically important national asset, as well as one with significant local and regional importance. In its Relevant Representations, BPC summarised its concerns as to how the development proposals made by North Somerset Council ("NSC"), as currently set out in the draft Order, will be seriously detrimental to BPC's ability to carry on its statutory undertaking at the Port. These concerns include questions as to the need for and extent of some of the works proposed, as to the requirement for its land to be taken in connection with them, whether the compulsory acquisition proposed can be achieved without serious detriment to its undertaking and a number of important issues related to the adverse impact of the proposals – during construction and operation – on the operation of Bristol Port and BPC's carrying on of its statutory undertaking.

Participation in Preliminary Meeting, Parts 1 and 2

3. To save the Examining Authority's time, BPC does not intend to speak at Part 1 of the Preliminary Meeting but will instead rely on the representations made in this letter and we have completed our response to your Preliminary Meeting Involvement Form accordingly. However, although your form did not then appear to accommodate this, both we and BPC will wish to observe Part 1 of the Preliminary Meeting by way of a live link and BPC reserves its position in relation to making further written submissions on matters arising from Part 1 by Procedural Deadline B and/or to being heard orally in Part 2. For the purpose of providing the live link the email addresses of those requiring a link are as follows:

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Initial Assessment of the Preliminary Issues (agenda item 4)

4. BPC is pleased to note that, in its Initial Assessment of the Preliminary Issues, the Examining Authority has identified as relevant matters many of the key concerns raised by BPC in its Relevant Representations, these including, alongside matters related to compulsory acquisition, the continued availability of freight paths to and from Royal Portbury Dock, the severance of land currently used by BPC in its statutory undertaking and the proposed loss of land safeguarded for port development. However, BPC is concerned to ensure that the wider issues relating to the effects on the operation of Bristol Port and BPC's statutory undertaking specifically of the construction of the proposals are also given proper consideration in the Examination and should therefore form part of the issues to be assessed by the Examining Authority, separate from any more general construction effects of the proposals.

Issue Specific Hearings and Compulsory Purchase Hearing (agenda items 6 and 7)

5. BPC has been devoting considerable time to a thorough review and analysis of the development proposals and the terms of the draft Order in order that it may make a full assessment of their effects on its operations and undertaking and establish in detail what protective provisions and amendments to the Order and related proposals will be necessary if detriment to those operations and undertaking are to be avoided. BPC would hope that, as a result of further discussions with NSC, it may be possible to resolve many of the concerns identified by agreement, through agreed changes to the proposals or by the inclusion in the Order of suitable protective provisions.
6. However, until agreement has been reached on all matters it is BPC's current intention to participate in and be represented at the Issue Specific Hearing on the draft Development Consent Order (ISH1) and at a compulsory acquisition hearing relating to both its land and the land safeguarded for port development referred to above (being the land adjacent to BPC's boundary to the south of the railway and east of Marsh Lane identified in connection with Work Nos. 16B and 16D).
7. Similarly BPC also requests an issue-specific hearing relating to the effect of the proposals on Bristol Port, to include:
 - 7.1 their impact on BPC's land as a statutory undertaker, including the severance of part of its land used for its statutory undertaking;
 - 7.2 their impact on operations at Bristol Port, including the availability of train paths; and
 - 7.3 their impact on the future development of Bristol Port, including the loss of land safeguarded for port development.
8. We would estimate that half a day might be set aside to deal with the issues identified in 7 above from within the current reserved dates for further Issue Specific Hearings set out in the timetable. However, we submit that the compulsory acquisition hearing relating to BPC's land and to the land safeguarded for port development should not occur before the issue-specific hearing dealing with the issues in 7 above but BPC would be content for the two hearings to be combined if that were the preference of the Examining Authority.

Yours faithfully



Wedlake Bell LLP