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To Interested Parties, Statutory Parties  
and Other Persons invited to the  
Preliminary Meeting

Your Ref:

Our Ref: TR040011

Date: 26 October 2020

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Dear Sir/ Madam

## **The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8, 9 & 13**

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

#### **Examination Timetable and procedure and notification of hearings**

This letter provides you with the Examination Timetable, details of the publication of the Examining Authority's (ExA) Written Questions and other important information about the Examination.

All documentation associated with this project, including notes of the Preliminary Meeting Parts 1 and 2 and the digital recordings taken at those meetings, can be found using this link:

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

#### **The Examination Timetable**

We have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A**.

The Examination Timetable replaces the draft timetable that was included in our Rule 6 letter dated 7 September 2020<sup>1</sup>. In finalising the Examination Timetable, we have sought to accommodate requests and suggestions made at the Preliminary Meetings and in representations submitted at Procedural Deadline A.

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<sup>1</sup> Your invitation to the Preliminary Meeting

As requested by the Applicant we have agreed to move Deadline 4 to Tuesday 19 January 2021. Whilst we note the request to move Deadline 7 to Friday 16 April 2021, we have not been able to accommodate this fully. The ExA consider that there needs to be a period of time between the final deadline and the close of the Examination for the ExA to have the opportunity, should it be required, to seek further information or clarification on any matters submitted at the final deadline. Therefore, we have agreed to move Deadline 7 to Wednesday 14 April 2021.

Deadline 2 has been amended to include an opportunity for Interested Parties to comment on the Applicants draft itinerary for an Accompanied Site Inspection that is scheduled to be submitted at Deadline 1 and to request to be heard at an Issue Specific Hearing.

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. All deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

We request that Interested Parties send, where practicable, electronic copies of their submission as email attachments to [Metrowest1@planninginspectorate.gov.uk](mailto:Metrowest1@planninginspectorate.gov.uk) on or before the applicable deadline. Electronic attachments should be clearly labelled with the subject title and not exceed 12MB for each email. Providing links to websites where your submissions can be viewed is not acceptable. All submissions must be made in a format that can be viewed in full on the project page of the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

If we consider it necessary to vary the Examination Timetable during the Examination, notification will only be sent to Interested Parties and Other Persons<sup>2</sup> invited to the Preliminary Meetings. The changes will be published on the project page of the National Infrastructure Planning website.

## Written Representations

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by Deadline 2 (**23 November 2020**) in the Examination Timetable (**Annex A**).

Written Representations can cover any relevant matter and are not restricted to the matters set out in our Initial Assessment of Principal Issues discussed at the Preliminary Meetings and included in our Rule 6 letter<sup>3</sup>. Nor are they restricted to the content of our Written Questions (see next heading, below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why<sup>4</sup>. Interested Parties should also provide with their

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<sup>2</sup> Other Persons are persons that we chose to invite to the Preliminary Meeting, in addition to the prescribed persons listed in section 88(3) of the Planning Act 2008 – see 'Your status in the Examination and future notifications' below

<sup>3</sup> [Rule 6 Letter](#)

<sup>4</sup> Required under Rule 10(4) of The Infrastructure Planning (Examination Procedure) Rules 2010

Written Representations “the data, methodology and assumptions used to support their submissions”<sup>5</sup>.

Further written submissions will be requested by the ExA at various points in the Examination.

Any Written Representations, and any further written submissions requested by the ExA in the course of the Examination which exceed 1500 words should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

## ExA’s Written Questions

We have compiled Written Questions (ExQ1) about the application and the representations received so far. These questions are published on the project page of the National Infrastructure Planning website and can be accessed through the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR040011/TR040011-000730-Portishead%20First%20Written%20Questions.pdf>

Answers to our Written Questions must be provided by Deadline 2 (**23 November 2020**) in the Examination Timetable (**Annex A**).

If you require a hard copy of our Written Questions, please contact the Case Team who will send you a copy.

## Other Procedural Decisions

**Annex B** contains important details and clarifications about our other Procedural Decisions made at, or following, the Preliminary Meetings. These include:

- Amendments to the Examination Timetable;
- The Accompanied Site Inspection;
- Agreement that a Statement of Common Ground with National Grid Gas would be unnecessary;
- Invitation to a number of Newly Identified Parties to become involved in the Examination and submit an Initial Summary of Case; and
- Acceptance of a number of additional submissions.

## Hearings

We have decided to hold a series of hearings on 4 and 7 December 2020 and 11 to 13 January 2021. Notice of the dates, times and places of these hearings is provided at **Annex C** along with other important information about these events including details about the requests to be heard and the procedure that will be followed at hearings.

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<sup>5</sup> <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

The dates of these hearings are also confirmed in the Examination Timetable at **Annex A**.

Notifications of a wish to participate in an Open Floor Hearing and Compulsory Acquisition Hearing must be received by **Deadline 1** (2 November 2020). Notifications of a wish to participate in an Issue Specific Hearings must be received by **Deadline 2** (23 November 2020).

The Examination Timetable also includes periods of time reserved for additional Hearings to be held (see **Annex A**).

We acknowledge the various suggestions for topics for Issue Specific Hearings submitted so far and, in due course, we will decide if any other Issue Specific Hearings will be held. We will notify all Interested Parties of any other Hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include an additional deadline for Interested Parties to inform the Planning Inspectorate if they wish to attend the notified Hearing(s).

### **Accompanied Site Inspection**

Information about a possible Accompanied Site Inspections, scheduled to take place during the week commencing the 1 March 2021 is contained in **Annex B**.

### **Availability of application documents and representations submitted to the Examination**

All documentation and digital recordings associated with the examination of this application can be found using this link:

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

In addition, **Annex D** provides details of libraries and other facilities in the vicinity of the Proposed Development at which the Examination documents can be viewed electronically, free of charge. Please contact the facility in advance to check for any changes due to the COVID-19 public health restrictions.

Advice to Interested Parties about how to access and navigate the Examination Library is also provided in **Annex D**.

### **Your status in the Examination**

You have received this letter because you fall within one of the groups described in this FAQ document: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2019/02/Status-faq.pdf>

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. If your reference number begins with 'PORT-OP' you are in Group C.

If having read the FAQ document published at the link above you are still unsure about your status, please contact the Case Team using the details at the top of this letter.



## **Award of costs**

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the Planning Act 2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)<sup>6</sup>. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

## **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, is published at:

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

All Examination documents can also be viewed electronically at the locations listed in **Annex D**.

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**

### **Annexes**

- A** Examination Timetable
- B** Procedural Decisions made by the Examining Authority
- C** Notice of hearings and requests to appear and procedure to be followed at hearings
- D** Availability of representations and application documents
- E** Coronavirus Response: Examination changes and your privacy

This communication does not constitute legal advice.

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

<sup>6</sup> <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

## 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.

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

<sup>1</sup> Please note: an ASI can only go ahead if Government guidance on COVID-19 at that time permits. In the event it cannot be undertaken as a physical visit, alternative approaches (including the use of technology) will be explored, and all participants will be notified.

<sup>2</sup> The Meeting will be adjourned rather than closed following the day's business to allow time for written responses.

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

	<ul style="list-style-type: none"> <li>• Local Impact Reports (LIR) from any local authorities</li> <li>• Initial SoCG</li> <li>• Statement of Commonality of SoCG</li> <li>• Post hearing submissions including written summaries of oral case put at the OFH</li> </ul>	
<b>10.</b>	<p><b>Deadline 2</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Notification of wish to speak at an Issue Specific Hearing (ISH)</li> <li>• Response to the ExA's ExQ1</li> <li>• Written Representations (WR's)</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Comments on the LIR(s)</li> <li>• Applicant to provide Guide to the Application</li> <li>• Applicant to provide Compulsory Acquisition Schedule (CA Schedule)</li> <li>• 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)</li> <li>• Responses to any further information requested by the ExA for this deadline</li> <li>• Comments on responses to RRs</li> <li>• Comments on the Applicants draft itinerary for the ASI</li> <li>• Comments on any additional information/submissions received by Deadline 1</li> </ul>	<p><b>Monday</b> <b>23 November</b> <b>2020</b></p>
<b>11.</b>	<b>Compulsory Acquisition Hearing (CAH)</b>	<p><b>Friday</b> <b>4 December</b> <b>2020</b></p>
<b>12.</b>	<b>Issue Specific Hearing (ISH1)</b> on the draft Development Consent Order	<p><b>Monday</b> <b>7 December</b> <b>2020</b></p>



<p><b>13.</b></p>	<p><b>Deadline 3</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submissions including written summaries of oral case put at any of the hearings</li> <li>• Comments on WR</li> <li>• An updated Guide to the Application</li> <li>• An updated version of the dDCO in clean, tracked and Word versions</li> <li>• An updated CA Schedule</li> <li>• Comments on the responses to the ExA's ExQ1</li> <li>• Progressed SoCG and an updated Statement of Commonality of SoCG</li> <li>• Responses to any further information requested by the ExA for this deadline</li> <li>• Comments on any additional information/submissions received by Deadline 2</li> </ul>	<p><b>Monday</b> <b>21 December</b> <b>2020</b></p>
<p><b>14.</b></p>	<p><b>Issue Specific Hearing (ISH2)</b> (Day 1 of 2) on Environmental Matters</p>	<p><b>Monday</b> <b>11 January</b> <b>2021</b></p>
<p><b>15.</b></p>	<p><b>Issue Specific Hearing (ISH3)</b> (Day 2 of 2) on Environmental Matters</p>	<p><b>Tuesday</b> <b>12 January</b> <b>2021</b></p>
<p><b>16.</b></p>	<p><b>Issue Specific Hearing</b> (Reserve date)</p>	<p><b>Wednesday</b> <b>13 January</b> <b>2021</b></p>
<p><b>17.</b></p>	<p><b>Deadline 4</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submissions including written summaries of oral case put at any of the hearings</li> <li>• Comments on the Applicants updated dDCO</li> <li>• Comments on any additional information/submissions received by Deadline 3</li> </ul>	<p><b>Tuesday</b> <b>19 January</b> <b>2021</b></p>

<p><b>18.</b></p>	<p><b>Publication of:</b></p> <ul style="list-style-type: none"> <li>• ExA's further Written Questions (ExQ2) (if required)</li> </ul>	<p><b>Tuesday 26 January 2021</b></p>
<p><b>19.</b></p>	<p><b>Deadline 5</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's ExQ2 (If published)</li> <li>• An updated Guide to the Application</li> <li>• An updated version of the dDCO in clean, tracked and Word versions</li> <li>• An updated CA Schedule</li> <li>• Progressed SoCG and an updated Statement of Commonality of SoCG</li> <li>• Responses to any further information requested by the ExA for this deadline</li> <li>• Comments on any additional information/submissions received by Deadline 4</li> </ul>	<p><b>Tuesday 16 February 2021</b></p>
<p><b>20.</b></p>	<p><b>Dates reserved (if required) for:</b></p> <ul style="list-style-type: none"> <li>• Any Compulsory Acquisition Hearing</li> <li>• Any Issue Specific Hearing</li> <li>• Any Open Floor Hearing</li> <li>• Accompanied Site Inspection</li> </ul>	<p>Week commencing <b>Monday 1 March 2021</b></p>
<p><b>21.</b></p>	<p><b>Deadline 6</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submissions including written summaries of oral case put at any of the hearings</li> <li>• Comments on responses to the ExA's ExQ2 (if published)</li> <li>• An updated Guide to the Application</li> <li>• An updated version of the dDCO in clean, tracked and Word versions</li> <li>• An updated CA Schedule</li> <li>• Progressed SoCG and an updated Statement of Commonality of SoCG</li> <li>• Responses to any further information requested by the ExA for this deadline</li> </ul>	<p><b>Monday 15 March 2021</b></p>

	<ul style="list-style-type: none"> <li>Comments on any additional information/submissions received by Deadline 5</li> </ul>	
<b>22.</b>	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>The Report into the implications for European Sites (RIES) (if required)</li> <li>The ExA's preferred dDCO or commentary on the dDCO (if required)</li> </ul>	<b>Monday 29 March 2021</b>
<b>23.</b>	<p><b>Deadline 7</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>Comments on the RIES (if required)</li> <li>Comments on the ExA's preferred dDCO (if required)</li> <li>Final SoCG and Statement of Commonality of SoCG, also listing matters not agreed (in circumstances where a SoCG could not be finalised)</li> <li>Final version of the dDCO in clean, tracked and Word versions</li> <li>Final dDCO to be submitted by the Applicant in the SI template with the SI template validation report</li> <li>Responses to any further information requested by the ExA for this deadline</li> <li>Final Guide to the Application</li> <li>Final CA schedule</li> <li>Signed and dated planning obligations (if required)</li> <li>Comments on any additional information/submissions received by Deadline 6</li> </ul>	<b>Wednesday 14 April 2021</b>
<b>24.</b>	The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months	<b>Monday 19 April 2021</b>

### 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 page 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 page of the National Infrastructure Planning website. 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.

## Other Procedural Decisions made by the Examining Authority

In addition to Procedural Decisions published in Rule 6 letter of 7 September 2020, we have made a number of other Procedural Decisions following the Preliminary Meetings<sup>1</sup>.

### 1. Examination Timetable

At the request of the Applicant we have extended the deadline for **Deadline 4** by one day to Tuesday 19 January 2021.

Having considered the Applicants request to change **Deadline 7** to Friday 16 April 2021, the ExA have instead extended the deadline to Wednesday 14 April 2021. The ExA did not consider that they could accommodate the Applicants request fully as they consider that they need to retain a period of time between the final deadline and the close of the Examination so that there is time available, should they need to, to seek further detail or clarification on any information submitted at Deadline 7.

The ExA have amended **Deadline 2** to include an opportunity for Interested Parties to comment on the Applicant's draft itinerary for the Accompanied Site Inspections that is due to be submitted at Deadline 1 and for Interested Parties to notify the ExA that they wish to speak at an Issue Specific Hearing.

We have also made the Procedural Decision that the Hearings scheduled for the 4 and 7 December and 11 to 13 January 2021 will be held virtually.

### 2. Accompanied Site Inspection (ASI)

Time has been reserved in the Examination Timetable to undertake an ASI during the week commencing 1 March 2021. The format and detail of this will depend on the Government's public health restrictions relating to the COVID-19 pandemic in force at the time. If restrictions have been lifted, we may be able to be accompanied by registered parties. If restrictions remain, attendance may be limited and socially distanced; we may visit unaccompanied (with all necessary consents in place); or we may need to hold a virtual site inspection using photography or technology. We will release details nearer to the time.

Our Examination Timetable at **Annex A** shows that we are inviting the Applicant to submit a suggested itinerary based on the suggestions for locations to be included in the ASI that were submitted by **Procedural Deadline B**.

In the Examination Timetable, we have asked the Applicant to provide a draft ASI itinerary and arrangements by **Deadline 1**, and there is an opportunity for all parties to comment on this at **Deadline 2**.

We will consider all the submissions on this, and if we decide to hold an ASI,

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<sup>1</sup> Section 89(1) of the Planning Act 2008

we will aim to publish the final itinerary and arrangements on the project page of the Planning Inspectorate's National Infrastructure website as soon as practically possible.

Interested Parties should be aware that any **ASI would not be an opportunity to make any oral representations to the ExA about the Proposed Development.** However, we may invite participants to indicate specific features or sites of interest

### **3. Statement of Common Ground**

The ExA confirm that on the basis that National Grid Gas does not have any land interest or have any equipment that would be affected by the Proposed Development that a Statement of Common Ground with them would not be necessary.

### **4. Newly Identified Parties and Initial Summaries of Case**

As requested in the Rule 6 letter the Applicant provided an update on progress made on negotiations with Affected Parties regarding Compulsory Acquisition and Temporary Possession. In providing this update the Applicant advised the ExA that they had identified a number of previously unidentified Affected Persons.

The ExA wrote to these newly identified parties on 5 October 2020 [PD-008] inviting them to become involved in the Examination. The ExA made the procedural decision that they have until Deadline 1 to write in with any comments or concerns that they may have regarding the application itself. These comments will be known as an initial summary of case and will be given the same weight as relevant representations. In addition, any submission made by these newly identified parties can be expanded upon by submitting a more detailed Written Representation at Deadline 2 in accordance with the published Examination Timetable.

### **5. Additional Submissions**

In addition to documentation submitted in accordance with the Rule 6 letter [AS-010 to AS-018 and AS-021 to AS-047] and Procedural Deadline B [PDB-001 and PDB-002] the ExA have accepted the following additional submissions into the Examination:

- A letter from the Applicant [AS-009] providing a copy of correspondence sent by them to The Bristol Port Company regarding the status of negotiations between the Bristol Port Company and the Applicant.
- An email from Historic England [AS-019] advising that they did not intend to attend this meeting and providing an update with regards to the SoCG that they are preparing with the applicant.
- An email from Virgin Media [AS-020] advising that Virgin Media and Viatel plant should not be affected by the proposed development and that no strategic additions to their existing network are envisaged in the immediate future.

**Notice of Hearings, requests to appear and procedure to be followed at Hearings**

**Notification of hearings under Sections 91 & 92 of the Planning Act 2008**

Notification of the date, time and place of a Compulsory Acquisition Hearing and Issue Specific Hearings to be held during December 2020 and January 2021.

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Venue</b>
<b>Friday 4 December 2020</b>	<b>Compulsory Acquisition Hearing (CAH)</b>	<b>10:00</b> Arrangements Conference 9:30	<b>By Virtual Means</b> (see below)
<b>Monday 7 December 2020</b>	<b>Issue Specific Hearing (ISH1)</b> on the draft Development Consent Order	<b>10:00</b> Arrangements Conference 9:30	
<b>Monday 11 January 2021</b>	<b>Issue Specific Hearing (ISH2)</b> on Environmental Matters (Day 1 of 2)	<b>10:00</b> Arrangements Conference 9:30	
<b>Tuesday 12 January 2021</b>	<b>Issue Specific Hearing (ISH3)</b> on Environmental Matters (Day 2 of 2)	<b>10:00</b> Arrangements Conference 9:30	
<b>Wednesday 13 January 2021</b>	<b>Issue Specific Hearing</b> (Reserve date)	<b>10:00</b> Arrangements Conference 9:30	

The ExA is conscious of the continued threat of, and uncertainties around, COVID19 and the latest Government guidance and restrictions. Equally, the Government has made it clear that the consenting processes for National Infrastructure Projects should progress.

The ExA therefore has made a Procedural Decision that these Hearings will be held by virtual means, through Microsoft Teams.

If you wish to participate in any of the Hearings listed above, please let the Planning Inspectorate's Case Team know by emailing [Metrowest1@planninginspectorate.gov.uk](mailto:Metrowest1@planninginspectorate.gov.uk) by no later than **Deadline 1** on 2 November 2020 for the CAH (and possible future Open Floor Hearing) and **Deadline 2** on 23 November for an ISH.

If you do not wish to speak but would like to observe the Hearings in real time, rather than retrospectively as a recording, it is the Applicant's intention to arrange a livestream of the Hearings. The link to the livestream will be published on the Portishead MetroWest 1 project page of the National Infrastructure website. A full digital recording will be made available on the same web page as soon as possible after the close of the Hearing.

Information about hearings is included in the Planning Inspectorate's Advice Notes which can be found here:

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

### **Issue Specific Hearings and Compulsory Acquisition Hearings**

Depending on the number of participants at each Hearing, and the progress made during the events, it may be necessary to have breaks in proceedings. Additionally, in the unlikely event that there is an IT failure, we will attempt to resume the event later that day. As such, prospective participants are advised to keep the whole day available for each event.

### **Procedure at Hearings**

The procedure to be followed at Hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010. Any oral representations must be based on either the Relevant Representation or Written Representation made by the person by whom, or on whose behalf, the oral representations are made.

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties. Our Examination will be principally undertaken through the exchange of written submissions, and we will decide whether a Hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important we consider an issue or topic to be.



**Hearing agendas**

We will aim to publish a final agenda for each Hearing on the project page of the National Infrastructure website around ten working days in advance of the Hearing date. The actual agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

## Availability of Examination Documents

The application documents and Relevant Representations are available on the project page of the National Infrastructure 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 (appointment only)
North Somerset Council	The Pill Resource Centre, 4 Baltic Place, Pill, Bristol BS20 0EJ	Monday – Wednesday 9.30am – 3.30pm Thursdays - 9.30am – 1pm

Local authority	Library/ address	Opening hours
		Friday – Saturday 10am – 5pm
Bristol City Council	Bristol Central Library, College Green, Deanery Road, Bristol BS1 5TL	Monday to Saturday, 11am - 4pm (appointment only)
Weston-super-Mare	Weston Central Library, Town Hall, Walliscote, Grove Road, Weston-super-Mare, BS23 1UJ	Monday to Friday 11am to 3.30pm (appointment only)
<b>Links to all libraries</b>		
<p><b>Portishead Library:</b>  <a href="https://www.n-somerset.gov.uk/directories/libraries/portishead-library">https://www.n-somerset.gov.uk/directories/libraries/portishead-library</a></p> <p><b>The Pill Resource Centre:</b>  <a href="https://nsod.n-somerset.gov.uk/kb5/northsomerset/directory/service.page?id=Tuuu_fBMe0g&amp;familychannel=0">https://nsod.n-somerset.gov.uk/kb5/northsomerset/directory/service.page?id=Tuuu_fBMe0g&amp;familychannel=0</a></p> <p><b>Bristol Central Library:</b>  <a href="https://www.bristol.gov.uk/libraries-archives/central-library">https://www.bristol.gov.uk/libraries-archives/central-library</a></p> <p><b>Weston Central Library</b>  <a href="https://www.n-somerset.gov.uk/directories/libraries/weston-super-mare-library">https://www.n-somerset.gov.uk/directories/libraries/weston-super-mare-library</a></p>		

## 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 initial 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. On 30 September 2020, the Planning Inspectorate published Advice Note 8.61 on virtual examination events, a document that covers much of the same material as the FAQs. We will maintain the current content of the FAQs for hearings due to be held in December 2020 and January 2021 and will refer to the Advice Note for hearings conducted thereafter.

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 project page of the National Infrastructure 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](#).