



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

9.10 ExA.WQ1.D2.V1 – Applicant's responses to the Examining Authority's Written Questions ExQ1

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Version: 1

Date: November 2020



Applicant's Responses to the Examining Authority's EXQ1 Round of Written Questions

The Examining Authority (ExA) published EXQ1 Round of Written Questions (WQs) on 26th October 2020 – Submission by Deadline 2 on 23rd November 2020

The Applicant has responded to each of their relevant questions, detailed in numerical order, in the table in this document.

ExQ1 No.	Type / Category	The Question	Current response
GC.1.1	Construction Phase Q to The Applicant	<p>The construction programme is set out in paragraph 4.6.1 of Environmental Statement (ES) Chapter 4 [APP-099] has work commencing in Winter 2021-22, with opening in winter 2023-24. Given the delay in the start of the Examination since the acceptance of the Application in December 2019 and the current public health restrictions:</p> <p>Confirm if there is any change to the anticipated programme, and if so, provide reasons for this and an updated programme.</p> <p>Will this affect any of the assumptions in the ES particularly with regard to in-combination cumulative effects (and HRA in-combination effects)?</p> <p>You may wish to combine the answer to this question with the answer to question DCO.1.17.</p>	<p>The Applicant's initial assessment of the impact of the delay to the start of the DCO examination and the impact of Covid 19 on the project's programme is a delay of approximately nine months to the project opening. This comprises the five month delay to the DCO examination and consequential programme impacts resulting in an estimated overall delay of nine months, resulting in a revised estimated opening date for the Portishead Line (start of train services) of December 2024.</p> <p>The five month delay to the DCO examination has resulted in some knock-on impacts in respect of ecology season interfaces, where protected species can only be moved and works can only be undertaken within a specific months of the year. These timescales differ greatly between the respective protected species, resulting in a complex ecology season sub-programme. These ecology season impacts over the duration of the construction phase of the project have resulted in further four months of delay, causing an overall delay of nine months to project opening.</p> <p>A summary of impacts of programme delay of assumptions in the ES follows.</p> <p><u>Air Quality</u>: Baseline air quality is predicted to improve in response to the modernisation of the UK fleet and more particularly following implementation of the Bristol CAZ in the city centre despite ongoing traffic growth. The delays in the programme would not adversely affect the assumptions made in the air quality assessment.</p>

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			<p><u>Cultural Heritage</u>: The delay to the project programme would not affect the heritage assessment. It is conceivable that new archaeological finds are discovered during the construction of other projects which could shed light on the risk of undiscovered remains in the study area. This would be reviewed during the drafting of the Written Scheme of Investigation.</p> <p><u>Ecology and Biodiversity</u>: As noted in the ExA 1st questions GC.1.9 some of the environmental baseline data are several years old. This is particularly an issue regarding some of the ecological surveys such as Great Crested Newts. This issue has been discussed with Natural England. The Applicant considers that the baseline is good enough for the purposes of the impact assessment and the age of the data would be addressed by undertaking pre-construction surveys to inform the detailed mitigation requirements. The delay to the scheme programme would not affect the assumptions of the assessment.</p> <p><u>Geology, Hydrogeology, Ground Conditions and Contaminated Land</u>: The baseline would remain the same and the delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>LVA</u>: While the baseline may evolve over the long term, in the short term it would remain the same and the delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>Materials and Waste</u>: The volumes of materials and waste are dictated by the scheme design and construction methods. The delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>Noise and Vibration</u>: Baseline noise levels would be expected to increase slowly in relation to traffic growth, where traffic is a dominant noise source. However, relatively large changes in traffic flow are required to cause significant changes in noise levels. This is indicated in our response to NV.1.2. The delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>Socio-economics and regeneration</u>: While the baseline for socio-economics and regeneration are not static, and there may have been a short term adverse</p>

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			<p>impact due to the COVID-19 pandemic, the delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>Soils, agriculture, material assets and land.</u> The baseline for these topics are likely to remain the same in the short term. There may be changes to some of the private (agricultural), community and land assets identified in this chapter. However, the delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>Traffic and Transport:</u> The baseline traffic flows are predicted to increase slowly year on year in relation to regional economic growth and specific traffic-generating developments within the greater Bristol region. These are captured in the traffic model forecasts. However, the delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>Water Resources, Drainage and Flood Risk:</u> The baseline for water resources are expected to change over the long term, mostly due to climate change predictions, but also in relation to land development. However, the delays to the scheme programme would not affect the assumptions made in the assessment.</p> <p><u>In Combination and Cumulative Effects:</u> The main effect of the delay to the scheme on the in-combination cumulative effects and HRA in-combination effects would be to change the potential overlap in the construction phase of the DCO Scheme with other projects and hence the potential profile (types of effects, magnitude and duration) of cumulative effects. So, potential for cumulative effects during construction could be removed altogether, or the phasing of cumulative effects may be reduced or extended depending on the overlap of construction programme of the DCO Scheme with other projects resulting in greater or fewer significant cumulative effects. Given that generally there is little information on the construction programme for other projects, it is difficult to assess these cumulative effects. However, as major projects are likely to be multi-year construction, a shift of nine months for the construction of the DCO Scheme may result in limited change in potential cumulative effects. The shift in construction phasing is most likely to affect ambient noise due to construction works, ecological mitigation such as translocation activities where there are</p>

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			<p>interfaces between the DCO Scheme and other projects, and construction traffic on the local highway network. These effects would be managed through the application of mitigation measures for each and every development and through consultation with the project managers for those projects that interface with the DCO Scheme.</p> <p>Hinkley Point C Connection DCO Scheme: this scheme is currently under construction, with the construction phase predicted to continue to July 2023 at Sheepway. The Applicant liaises regularly with National Grid on project interfaces. National Grid has been undertaking ecological mitigation measures, including the translocation of Great Crested Newts. At present, the construction site for Hinkley Point C Connection DCO Scheme has been excluded from the Great Crested Newts District Level Licensing (DLL) application where this crosses the DCO Scheme Order limits at the suggestion of Natural England to avoid having two licensing systems following separate methodologies within the same area. Once the National Grid licensable activities have finished at this location, this part of the Order limits will be drawn into the DLL for the DCO Scheme. For matters such as construction noise and traffic, the delay to the start of construction of the DCO Scheme would be to reduce the overlap and hence duration and possibly magnitude of these cumulative effects.</p> <p>Royal Portbury Dock: obtained planning permission to construct a new cargo storage area on the south side of the disused railway and a new bridge (planning application 16/P/1987/F). While the cargo area is now operational, the port has yet to build the new access bridge over the railway. The delay to the DCO Scheme provides Royal Portbury Dock more time to build their access bridge. Timing is not a problem.</p> <p>Old Mill Lane, Portishead (planning application 18/P/3591/OUT): Planning applicant withdrawn. No cumulative effects.</p> <p>Forestry England's works to fell the Red Oak Plantation: The plantation was felled recently. The Applicant's proposals to plant this area with rare and common whitebeams is dependent on agreement with Forestry England and would be</p>

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			<p>carried out in March 2021 or March 2022. As the land is not within the Order limits, these works are unaffected by delays to the DCO Scheme programme.</p> <p>Overall, the Applicant considers that the delay to the DCO Scheme programme would not affect the assumptions made in the ES and the HRA for in-combination effects.</p>
GC.1.2	Updates on development Q to All Relevant Planning Authorities	Provide an update of any planning applications that have been submitted, or consents that have been granted, since the Application was submitted that could either effect the proposed route or that would be affected by the Proposed Development and whether this would affect the conclusions reached in Chapter 18 and Appendix 18 of the Environmental Statement (ES) [APP-131 and APP-191]	
GC.1.3	Update on development Q to The Applicant	Part of the Order Limits are operational railway land and as a result benefit from Permitted Development rights under Part 8, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Have any works that would elsewhere be Associated Development already been carried out under Permitted Development and if yes what and where are these works?	The only works that have been carried out to date is one pond for Great Created Newts at Portishead Nature Reserve (Work No. 10C). Further information about this pond is set out in HRA and Chapter 9 of the ES (AS-027 and AS-031, DCO Document References 5.5 and 6.12) and specifically paragraph 3.2.10, in the HRA.
GC.1.4	Clarification Q to North Somerset Council [The Applicant] ?	You have referred to yourself throughout the application documentation as both North Somerset Council and North Somerset District Council. Which is the correct title to use for the purpose of the Examination?	<p>North Somerset Council is the council's public facing name. It is the name used by the council for the vast majority of situations and context. North Somerset District Council is the council's legal name, which is used for legal documents. For the draft DCO the Applicant has used its legal name North Somerset District Council, and has used its legal name for other DCO Application documents that have a legal context. For other DCO Application documents that are more public facing, the Applicant has used its public facing name North Somerset Council.</p> <p>In summary there is a need for the Applicant to use both names for the DCO Examination, as the names are interchangeable depending on the context.</p>
GC.1.5	Other Consents and Permits	Application document 5.3 (Consents and Licences Required Under Other Legislation) [APP-073] confirms that other consents and permits would be required by the Proposed Development. Can you:	See attached table at Appendix GC.1.5-1.

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	Q to The Applicant	<p>Provide an update on progress with obtaining these consents/ licences.</p> <p>Include a section providing an update on these consents/ licences in any emerging Statements of Common Ground (SoCG) that are being drafted with the relevant consenting authorities.</p> <p>You may wish to combine the answer to this question with the answer to question BIO.1.32.</p>	
GC.1.6	Alternatives Q to The Applicant	<p>A number of RR [RR-048, RR-066, RR-108, RR-120] mentioned the alternative of a busway as being more cost effective, efficient and producing less carbon. When considering alternatives was a busway considered and if it was why was it discounted? If it wasn't considered, why not?</p>	<p>RR-049, RR-108 and RR-120 mentioned the alternative of a busway to the proposed scheme. The Applicant provided comments on these RRs in Comments on Relevant Representations (PDR6-005; DCO document reference 9.4.ExA.RR.D1.V2)</p> <p>The Applicant has considered the alternative of a busway as part of the transport mode options for the corridor. This is set out in the ES Chapter 3 Scheme Development and Alternatives Considered (APP-098; DCO document reference 6.6) Refer to paragraphs 3.3.7 to 3.3.12.</p> <p>Paragraph 3.3.12 states:</p> <p>“This clearly demonstrates that highway based modes (car, bus, etc) are uncompetitive in terms of journey times compared with a passenger train service. The divergence between the highway based journey times and the passenger train was so substantial that there was no realistic prospect of delivering a highway based mode enhancement for the corridor that could achieve a journey time anywhere close to 23 minutes. This is because any highway based mode would have to overcome the strategic bottle necks at both ends of the corridor. With Junction 19 of the M5 at the Portishead end and systemic congestion at the Bristol city centre end of the corridor, the current average speed on the corridor would have to increase from 12 mph to around 25 mph. A further issue in the modal selection for the corridor was that passenger rail journey times do not tend to erode over time, in the context of a branch line feeding into Bristol. By comparison there has been a long term trend of highway</p>

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			journey times increasing across the sub-regional highway network, due to the continued growth in traffic volumes.”
GC.1.7	Trinity Anglican Methodist Primary School Q to The Applicant	<p>At the Open Floor Hearing [EV-005] it was put to the ExA that the catchment area for Trinity Anglican Methodist Primary School is to the north of the railway line and the need for the footbridge was questioned in this respect. Can the Applicant:</p> <p>Provide details of school catchment areas in this area of Portishead, for both primary and secondary provision. Provide justification for the footbridge in terms of its use by school children.</p>	<p>The catchment areas for Portishead schools is attached in Appendix GC.1.7-1.</p> <p>Although the catchment for Trinity School does not cross the railway, the Applicant's team has observed that some pupils and their families do use the existing crossing when leaving school.</p> <p>In the ES Appendix 16.1 Transport Assessment (APP-155; DCO document reference 6.25 (Part 1 of 18)), Table 4.20 shows the results of pedestrian, cycle and equestrian counts undertaken by the Applicant. Between 7am and 10am, 157 pedestrians and 16 cyclists used the crossing and between 2pm and 6pm, 234 pedestrians and 33 cyclists used the crossing, on the day the count was undertaken.</p>
GC.1.8	Public Open Space Q to The Applicant & North Somerset Council LPA	<p>The public open space around Tansy Lane and Galingale Way in Portishead would be used to provide a footpath/cycle link to the new station. Can the Applicant:</p> <p>Applicant: Explain the difference between public open space and publicly available land and why the use of this land for cycle paths/footpaths in connection with the Proposed Development would not constitute a loss of open space.</p> <p>North Somerset Council: The ExA observed on their Unaccompanied Site Inspection [EV-002] that this area of land appears to have been designed as a pocket greenspace for residents of the Ashlands and Vale Estate, can you confirm if this is correct, if so what status this area of land has and if it was lost what alternative provision would there be for the residents of these estates?</p>	<p>The phrase “publicly available land” was used simply to indicate that, although the land at Tansy Lane and Galingale Lane would no longer be public open space, for the purposes of the Acquisition of Land Act 1981, it would remain land that is accessible by the public for use as public rights of way. Where such land is included in the Order and is held by persons other than the Applicant, the land has been treated as open space for the purposes of the 1981 Act and Section 131 of the 2008 Act has been applied. Where the land is held by North Somerset Council, no compulsory acquisition is proposed and the land does not therefore require consideration under Section 131 of the 2008 Act. The Council may be required to carry out an advertisement and appropriation process under Section 123 of the Local Government Act 1972 for the relevant land to become highway.</p> <p>The relevant land is therefore to remain publicly accessible and will retain its existing primary function, being amenity land used by the residents of Galingale Way and Tansy Lane, as well as the public more widely, to access from Tansy Lane to Galingale Way and vice versa.</p>
GC.1.9	Agriculture Q to The Applicant	Explain whether any site-specific Agricultural Land Classification (ALC) Surveys were undertaken for the Application or were the designations for agricultural land drawn from the 1:250,000 countrywide mapping?	No site-specific ALC Surveys were undertaken for the Scheme and the designations for agricultural land were drawn from the 1:250,000 countrywide

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		<p>If this information was drawn from the countrywide mapping what certainty can the ExA have that the ALC classifications of Grade 3a and 4 in relation to the Whimple soil association and Newchurch 2 soil association is correct?</p> <p>Confirm whether the Proposed Development would result in any severance issues for farms along the route and if it does how would this be addressed, in particular can the Applicant respond to the concerns raised in relation to severance at Shipway Farm [RR-056]?</p> <p>Explain if/ how short and long-term breaches of Agri-Environment schemes potentially caused by the Proposed Development, would be dealt with and who would take responsibility for dealing with any breaches – the applicant or the signatory of the scheme? If it is the signatory is the Applicant proposing to provide any support/advice?</p> <p>If this information has been provided, signpost where in the Application documents it can be found.</p>	<p>mapping Soil Survey of England and Wales, 1983, 1:250,000 scale Soil Map of South West England, Rothamsted Experimental Station, Harpenden.</p> <p>As explained in the Environmental Statement, Chapter 15, paragraph 15.4.22 (APP-110; DCO Document Reference 6.18), the ALC mapping should be reassessed according to MAFF’s 1988 Revised Guidelines for Grading the Quality of Agricultural Land. This reassessment was undertaken by an agricultural consultant, who visited the affected farms around Sheepway and undertook a desk-based assessment. We consider that the reassessment of Newchurch soils as Grade 4 (poor quality land) and Whimple soils as Grade 3a (good quality land) to be reasonable for a desk-based study based on professional judgement and in the absence of soil surveys.</p> <p>As stated in the Environmental Statement, Chapter 15, paragraph 15.6.4 (APP-110; DCO Document Reference 6.18), three informal at-grade accommodation crossings will be closed. These are all located along the disused railway between Sheepway and Station Road bridges. Paragraphs 15.6.5 to 15.6.6 assess the impact of severance, proposed mitigation and the effect.</p> <p><u>Shipway Gate Farm</u>. Two of the at-grade crossings are on Shipway Gate Farm. During early negotiations, the occupants of Shipway Gate Farm were offered an agricultural bridge over the railway, which they rejected given the size of the bridge required to allow NR standard clearance over the railway and suitable gradient for livestock movements. An alternative arrangement was made to improve the field access off Sheepway highway to the field south of the railway, Work No. 11 Improvements to Agricultural Access, see the Works Plans (AS-013; DCO document reference 2.3 (Sheet 2)). The Applicant is also in negotiation with the landowner on compensation and to undertake accommodation works to his farm.</p> <p>In RR-056 (PDR6-005; DCO document reference 9.4 ExA.RR.D1.V2) the Affected Party refers to “<i>severance of access rights over 2 level crossings that we have historical rights over</i>”. In our response we wrote:</p> <p><i>“The DCO scheme proposal to re-open the railway line between Portishead and Pill will result in the closure of the crossing used to access approximately 97.6</i></p>

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			<p><i>acres of agricultural land to the south of Shipway Gate Farm, Sheepway, Portbury, Bristol, BS20 7TB.</i></p> <p><i>The Compensation Code provides the mechanism for assessing and claiming compensation for losses of property value resulting from the construction and operation of works authorised by a DCO.</i></p> <p><i>The Applicant offered heads of terms for an option agreement including compensation. The offer reserved out for later determination some heads of claim when the DCO scheme is implemented, by reference to the Upper Tribunal if not agreed.</i></p> <p><i>The Applicant remains willing to consider terms for the permanent acquisition of land as well as a lease in respect of temporary possession of land during construction.</i></p> <p><i>The Applicant continues to engage in discussions and it is hoped that positive discussions will enable agreement to be reached.”</i></p> <p><u>Land lying West to The Meadows off Station Road, Portbury (Plots 02b/05 03/10 of the land plan):</u> Current access to this holding is via Station Road following a track that crosses the disused railway into a field that has been identified as the Portbury Hundred Construction Compound (Work No. 12A). This access would be replaced by providing the landowner with a new access off the Portbury Hundred, which would initially be constructed to provide access into the construction compound (Work No. 12), but be handed over to the landowner on the restoration of the construction compound back to agricultural use.</p> <p>Defra’s MAGIC website shows that there is a Countryside Stewardship (Higher Tier) (gold hatching) and a Higher Level Environmental Stewardship Agreement (red hatching) associated with Leigh Woods. These sites lie on the western flank of the Avon Gorge on land owned by the National Trust (https://magic.defra.gov.uk/MagicMap.aspx). The Applicant does not expect any short or long term breaches of these agreements due to the DCO Scheme. Geotechnical works are required to some slopes on third party land (stone picking, rock bolting, controlled rock removal, and erection of catch fences). In some locations access is required off the A369 to the top of the slopes so that</p>

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			<p>staff can be lowered over the cliff face with hand tools to undertake some of the geotechnical works. Elsewhere access would be from the River Avon Tow Path. The nature and magnitude of these works are described in the ES Chapter 4 paragraph 4.5.258 to 4.5.261 (APP-099; DCO document reference 6.7). The impact of the geotechnical works on third party slopes is described in the ES Chapter 4 paragraphs 9.6.42 to 9.6.47 (AS-031; DCO document reference 6.12). Temporary access of a few weeks duration at a time to conduct small scale works at discrete locations on the cliff faces is not expected to breach conditions on the agri-environmental stewardship awards.</p> <p>If there were a breach of the agri-environment schemes, responsibility for dealing with the breach would depend on negotiation between the signatory and the Applicant which has not been completed at present.</p> <p>The Applicant notes that the landowner would be liable for any damage to the railway and services as a consequence geotechnical instability on their land. Consequently, by undertaking these works the Applicant is already providing assistance to the landowner to manage their (the landowner's) liabilities.</p>
GC.1.10	Green Belt Q to The Applicant	<p>The Proposed Development would pass through areas of land designated as Green Belt. Can you:</p> <p>Using the information provided at paragraph 15.4.36 of Chapter 15 of the ES [APP-110] which sets out which parts of the scheme would be located within the Green Belt explain whether these elements already exist (eg disused track) or whether they would be new elements and whether they would be temporary or permanent? For both temporary and permanent elements would they be classified as inappropriate or not inappropriate development? For those elements that would be classified as inappropriate development does a case of Very Special Circumstances exist to justify the Proposed Development? and if so either set this out or signpost where in the application documentation this matter is dealt with.</p>	<p>The Portishead branch line runs within the green belt of North Somerset Council between the eastern edge of the built up area of Portishead and Royal Portbury Dock Road. The railway is again within the green belt from the eastern side of the M5 motorway to the western edge of Pill at Avon Road.</p> <p>The existing freight line is then within the green belt from Watch House Hill in Pill to Rownham Hill, where the railways passes out of North Somerset Council's administrative area.</p> <p>Within Bristol the Clamage Road site (location of Work No. 26) forms part of the green belt for the City and County of Bristol.</p> <p>Paragraph 5.7.1 of the National Networks National Policy Statement states that:</p> <p>"Linear infrastructure linking an area near a greenbelt with other locations that have to pass through green belt land. They had identification of a policy need for the linear infrastructure would take account effect that there will be an impact</p>

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		<p>Alternatively, if this information has already been provided please signpost where in the application documentation this can be found.</p>	<p>on the green belt and as far as possible come out of the need to contribute achievement of the objective for the use of land in green belts".</p> <p>Paragraph 15.4.35 (not 15.4.36) of Chapter 15 of the ES (APP-110; DCO document reference 6.18) sets out which parts of the Proposed Development would be located within the Green Belt.</p> <p>To address the ExA's specific query, the bulk of the structures comprised within the Order limits and within the Green Belt already exist. the only additional construction works within the Green Belt would be the new embankment to support the permanent compound at Chapel Pill Lane (Work no 24) and the ramp at Clanage Road, Bristol (Work No. 26). Both are permanent works.</p> <p>Work No 24 consists of an earth embankment to support a new compound area. The area will be landscaped in accordance with details based on those illustrated in plans 467470.BQ.04.20-219 467470.BQ.04.20-220 and 467470.BQ.04.20-221 (APP-017; DCO document reference 2.10).</p> <p>Work No 26 includes a new ramp to provide access to the adjacent railway, which has been designed to take as small an area as possible to reduce impact on the flood zone. The wider compound area will be landscaped in accordance with details based on those illustrated in plan 467470.BQ.04.20-621 (APP-044; DCO document reference 2.52).</p> <p>The Applicant's Planning Statement (APP-208; DCO document reference 8.11)) provides a detailed Green Belt assessment of the Proposed Development. Paragraph 6.5.139 assesses that the Proposed Development is "local transport infrastructure" and sets out the test for whether the Proposed Development represents 'appropriate development' in the Green Belt as provided for in NPPF Paragraph 146, namely:</p> <p>a) Whether the local transport infrastructure scheme can 'demonstrate a requirement for a Green Belt Location?'</p> <p>b) Whether the proposed scheme preserves the openness of the Green Belt?</p>

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			<p>c) Whether the proposed scheme conflicts with the purposes of including land in the Green Belt?</p> <p>The Applicant concludes at paragraph 6.5.153 that the Proposed Development is considered to be a local transport scheme which demonstrates a requirement for a Green Belt location; preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. The Proposed Development is therefore considered to be ‘not inappropriate’ for this Green Belt location.</p> <p>The Applicant considers that the additional works are a necessary part of a local transport scheme and will be suitably landscaped (see requirement 7 of the dDCO for the enforcement of provisions regarding landscaping) and therefore do not impact of the openness of the Green Belt. Therefore the Applicant considers that the additional construction works in the Green Belt are not inappropriate development.</p> <p>If the additional works are found to be inappropriate development in the Green Belt, the analysis provided in paragraphs 6.5.154 – 6.5.161 of the Planning Statement demonstrates that ‘very special circumstances’ exist which justifies the need for the Proposed Development including the additional works, namely its support from local planning policy and the economic, local transport, social and environmental benefits. It is considered that the potential harm to the Green Belt will not be significant, and is clearly outweighed by the other important and relevant considerations in relation to the need for the Proposed Development including the additional works.</p>
GC.1.11	Further Information Q to North Somerset Council LPA	<p>The Bristol Port Company (BPC) [RR-010] refer to land at their site being safeguarded for Port Development by ‘North Somerset Council’s adopted policy’.</p> <p>Confirm if this statement is correct If it is correct provide a copy of the policy, any relevant plans or extracts from the policy map and detail of the status of this policy (eg adopted, emerging) and the weight that the Examining Authority (ExA) should attach to it.</p>	


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GC.1.12	Current Operational Practices Q to Bristol Port Company & The Applicant	<p>BPC: In your RR [RR-10] you raise a concern that the proposed development would, when operational, potentially interfere with the operation of the existing freight line to the port. In order to be better able to better understand this concern please provide the following information as to how the freight line operates:</p> <p>How many freight movements are there on a daily basis? Are these movements scheduled, if so, provide a copy of the timetable? If they are not scheduled how are they arranged/ managed and what is the maximum number of movements in any one day? How is the interface of the freight line with the existing rail network managed?</p> <p>The Applicant: In their RR [RR-010] BPC state that application documentation indicates that there would be an adverse effect on freight movements during the construction period. However, they could not find where in the application documents the information that resulted in this conclusion can be found. Please either provide this information or signpost where in the application documents this information can be found.</p> <p>You may wish to combine the answer to this question with the answer to question CI.1.4.</p>	<p>While there will be some impacts on Bristol Port Company (BPC) during the construction of the scheme, due to taking possessions of the line for long weekends and also for up to two line blockades each of a duration of approximately one month, the low levels of freight train traffic on the branch line indicates these impacts will be largely avoided through negotiation with the port and are not predicted to be significant.</p> <p>Network Rail is the regulated operator of the national rail network. Under the terms of its licence under section 8 of the Railways Act, Network Rail is under a core duty to secure the operation and maintenance of the rail network in accordance with best practice and in a timely, efficient and economical manner so as to satisfy the reasonable requirements of persons providing services relating to railways. It is accountable to the Office of Rail and Road (“ORR”) established under the Railway and Transport Safety Act 2003.</p> <p>Schedule 4 (of the Track Access Contract held by a train operator) payments compensate passenger and freight train operators for the impact of planned service disruption due to possessions. Subject to the nature of the contractual arrangements between BPC and the freight train operators, BPC may be able to seek compensation from the freight train operators, require them to re-schedule the dates and times of the dispatch of freight trains or require them to transport the cargo via an alternative mode of transport. Also refer to the response to question TT.1.6.</p>
GC.1.13	Permitted Development rights for Ports Q to The Applicant Bristol Port Company	<p>The Government recently consulted (https://www.gov.uk/government/consultations/freeports-consultation) on whether from April 2021 Ports should have the same Permitted Development rights as airports and that the use of Local Development Orders in such facilities would be ‘encouraged’. What, if any, implications would this have for Royal Portbury Docks and for the Proposed Development?</p>	<p>The Applicant is aware of the Government's proposals for Freeports. In the event that the Port is designated as a Freeport, the Applicant is not aware of any implications for the proposed development as a result of enhanced permitted development rights or use of Local Development Orders since appropriate planning and environmental protections are to remain in place.</p> <p>The Applicant is unaware of any implications that would impact on the proposed development.</p>

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GC.1.14	Contaminated Land Q to The Applicant	<p>Can you respond specifically to the points raised by the Environment Agency in their RR [RR-013] regarding the assessment of contaminated land that was submitted with the application and explain the validity of your assessment of potential risks associated with the development from potential historic contamination</p> <p>The ExA acknowledge that this may be covered by the SoCG that is currently being drafted which is currently expected at the same deadline as the response to these questions. If the answer to this question would be covered by the SoCG in response to this question, please indicate where in that document the answer to this question could be found.</p>	<p>The points raised by the Environment Agency in their RR (RR-013; DCO document reference 9.4 ExA.RR.D1.V2) are proposed to be responded to in the whole of Section 6.1 of the document, Statement of Common Ground – Environment Agency (REP1-18; DCO Document Reference 9.3.3 ExA.SoCG-EA.D1.V1). This is an emerging draft which is not yet agreed with the Environment Agency. The Applicant will update the ExA when the Statement of Common Ground is settled by the parties.</p>
GC.1.15	Waste Q to The Applicant	<p>In response to the Environment Agency’s RR [RR-013] provide further detail on pollution prevention, incident control and waste management (including hazardous waste) or indicate whether this matter would be addressed by updating the provisions in the relevant sections of the Code Of Construction Practice (CoCP) [APP-126] and/ or the master Construction Environmental Management Plan (CEMP) [APP-127] and signpost where in these documents this information can be found.</p>	<p>Details on pollution prevention, incident control and waste management (including hazardous waste) are provided at the following locations within the Statement of Common Ground – Environment Agency (REP1-18; DCO Document Reference 9.3.3 ExA.SoCG-EA.D1.V1), CoCP (APP-212; DCO Document Reference 8.15) and master CEMP (AS-046; DCO Document Reference 8.14 Ver.002):</p> <ul style="list-style-type: none"> • Section 6 (Ground investigation and contamination) of the SoCG; • Section 8 (Main rivers and watercourses (excluding flooding) and groundwater)) of the SoCG; • Section 9 (Site-specific and other matters) of the SoCG; • Section 2.5 (Competence, Training and Awareness) of the CoCP; • Section 2.6 (External Communications); CoCP; • Section 2.9 (Non-conformity, Corrective and Preventive Action) of the CoCP; • Section 4.6 (Materials and Waste) of the CoCP; • Section 4.10 (Water Resources, Drainage and Flood Risk) of the CoCP; • Section 2.5 (Competence, training and awareness) of the master CEMP; • Section 2.7 (Emergency preparedness and response) of the master CEMP; • Chapter 7 (Geology, Hydrogeology, Ground Conditions, and Contaminated Land) of the master CEMP; • Chapter 9 (Materials and Waste) of the master CEMP; and

ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> Chapter 13 (Water Resources, Drainage and Flood Risk) of the master CEMP. <p>The 'Pollution Incident Prevention and Control Plan' and 'Site Waste Management Plan' will provide further details on these issues. These Plans are to be prepared by the contractor, as part of developing their own CEMP, ahead of constructing the DCO Scheme. Reference should be made to Ref 8.1.1 of the SoCG which reports that the Applicant has adequately addressed the Environment Agency's concerns during consultations.</p>
GC.1.16	Hazardous Installations Q to The Health and Safety Executive	<p>In your RR [RR-015] you state that you have no objection to the Proposed Development subject to providing appropriate separation distances/ protection measures between the Proposed Development and the two natural gas pipelines operated by Wales and West utilities. Could you:</p> <p>Provide details of what these distances/protection measures or a link to where they can be found. Confirm whether the Proposed Development achieves the required distances/ protection measures. Confirm whether these pipelines are those that the ExA observed in the vicinity of proposed access to Work No 12.</p> <p>You may wish to combine the answer to this question with the answer to question Cl.1.6.</p>	
GC.1.17	Severn Estuary SAC Q to The Applicant & Natural England	<p>Limited information is provided in Section 6 of the Habitats Regulation Assessment (HRA)[APP-142] report to support the assertion at paragraph 7.3.2 of the HRA that "no hydrological connectivity is present between the DCO Scheme and the SAC qualifying habitat" in respect of the Severn Estuary Special Area of Conservation (SAC). Can the applicant point to where additional information is provided in chapters 9 and 17 of the Environmental Statement (ES) to demonstrate that such connectivity can be excluded, given the proximity of the works at 30-80m from the SAC and Ramsar designations.</p>	<p>Information on hydrological linkages between drains, ditches and ponds and the qualifying habitat of the Severn Estuary SAC is provided in paragraph 9.6.57 of the ES Chapter 9 Ver. 02 (AS-031; DCO document reference 6.12). This paragraph specifically considers Pond 11 and Ditches 15, 16 and 17 which lie close to or cross the River Severn SAC.</p> <p>Further information on waterbodies is also provided in the ES Appendix 17.3 Water Receptors (APP-190; DCO Document Reference 6.25) at Table 1.1. The historical maps in the ES Appendix 10.2, Annex A, Parts 3 and 4 (APP-147/148; DCO Document Reference 6.25) illustrate the changes in the drainage pattern along the southern bank of the River Avon over the last century following the expansion of the village of Pill and Royal Portbury Dock, the construction of the</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>Can the Applicant also confirm the closest point to the Severn Estuary SAC at which ballast removal could take place and whether effects of potential contamination release from ballast removal during construction have been considered?</p> <p>Do Natural England agree that there is no pathway of effect of potential contamination to the SAC despite the proximity of these works?</p>	<p>M5 in 1974 and the construction of the branch line from Pill into Royal Portbury Dock in the 2000s. These maps help to interpret drainage patterns in this area and are described below.</p> <p>The Old Sea Bank (a flood defence) is shown illustrated on the 1887 OS map (Annex A3, page 116) and the 1884 OS map (Annex A4, page 16) along the southern shore of the River Avon. Ditch 16 lies behind (upslope of) this part of this flood defence near Pill where the flood defence is parallel to the River Avon and then in front (downslope) of the flood defence where it lies perpendicular to the River Avon just north of the present-day location of the M5 Avonmouth Bridge (see Part 4, page 29, OS map 1972 and Part 3, page 129, OS map 1972). Following expansion of the port, this ditch flowed to the northwest to join the Easton-in-Gordano stream which discharges to the River Avon (Annex A4 Part 3, page 132, OS 1999 map). Following construction of the M5 Avonmouth Bridge it is not clear whether Ditch 16 passes under the M5 in culvert or is blocked. On a precautionary basis, it has been assumed that Ditch 16 could have hydrological connectivity with the Severn Estuary SAC.</p> <p>Ditch 15 is shown on the OS 2006 maps (Annex A, Part 3) lying to the south of the branch line into the Port within an enclosed triangle of land. The Applicant presumes that this is a recent feature constructed as part of the branch line from Pill into Royal Portbury Dock in 2002, as it is not previously shown on historic maps. The OS 2006 map shows the ditch to be confined between the M5 and the cyclepath, but may discharge via a culvert under the branch line to the area upstream of the Old Sea Bank, which also contains Pond 11. Both the stream, railway embankment and culvert entrance are heavily vegetated. They lie outside the Order limits. The Applicant has concluded that Ditch 15 is not connected with the Severn Estuary SAC.</p> <p>Pond 11 is recorded on the OS maps only since 1999 (Annex A Part 4 page 31). This appears to be an internally draining pond, separated from the Severn Estuary SAC by the Old Sea Bank. A footpath lies along the top of the flood defence. A site visit has been made to verify the Applicant's previous understanding. During the site visit in November 2020 the footpath on the Old Sea Bank was walked and an aerial perspective gained from the M5. The flood</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>defence between Pill and the M5 around this pond is thickly vegetated, which obstructs views across this feature, but the Applicant saw no indication of hydrological connectivity. The Applicant considers it reasonable to conclude that the pond does not drain to the Severn Estuary SAC.</p> <p>Ditch 17 is illustrated in the 1972 OS map and in subsequent maps (Annex A part 4, pages 29 to 34 and page 36). The maps show that this ditch rises north (downslope) of the flood bund that surrounds recent housing in Pill and flows northwards across the Severn Estuary SAC to discharge to the River Avon. The head of Ditch 17 does not connect with the disused railway as it is separated by housing in Pill, Jenny's Meadow (which lies on ground which that rises southwards towards the cyclepath), and the operational railway into the port.</p> <p>It is relevant to consider the nature of hydrological connectivity between the Easton-in-Gordano stream and the saltmarshes of the Severn Estuary SAC through which it flows to the River Avon. The discharge from the Easton-in-Gordano stream to the River Avon is controlled by a tidal flap and only discharges to the River Avon when the water levels in the stream are higher than the tidal levels on the other side of the flap. This ensures that, during high tides, brackish water in the River Avon does not flow up the Easton-in-Gordano stream. When the tidal flaps are closed during high tidal levels floodwaters in the stream can back up until the tidal flaps are open and the Easton-in-Gordano stream can discharge to the River Avon.</p> <p>Consideration has been given to the Flood Risk Assessment model, which indicates that for the 1:100 year flood, the water in the Easton-in-Gordano stream does not overbank and the elevation of the backed up water level is at 6.3 m, well below the Mean High Water Spring peaking at 7.12 m assumed in the FRA modelling and more than a metre below the top levels of the saltmarsh at an elevation of 7.5 to 7.7 m based on LiDAR immediately on the other side of the tidal flap (LiDAR data may be +/- 20-25cms). For fluvial flows to reach the elevated saltmarsh a higher tide condition would be required, above the saltmarsh elevation, in which case the saltmarsh would be inundated by tidal River Avon water and any fluvial contribution would be comparatively insignificant. Therefore, the potential for the discharge from the temporary</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>construction compound into the Easton-in-Gordano Stream to impact the saltmarsh is therefore considered insignificant.</p> <p>The closest point to the Severn Estuary SAC at which ballast removal could take place would be on the western side of the village of Pill, where the disused railway approaches the branch line from Royal Portbury Dock. The yellow line on the image below is a distance of approximately 85m between the disused railway and the Severn Estuary SAC boundary.</p>  <p>The effects of potential release of contaminants from the ballast were considered in the ES Chapter 9 Ecology and Biodiversity paragraphs 9.6.57 to 9.6.59 (AS-031; DCO Document Reference 6.12); Chapter 10 Geology, Hydrogeology, Ground Conditions and Contaminated Land paragraph 6.2.2 (APP-105; DCO Document Reference 6.13); and Chapter 17 Water Resource, Drainage and Flood Risk paragraph 17.6.10 and 17.6.11 (APP-112; DCO Document Reference 6.20).</p> <p>The Drainage Strategy for Portishead and Pill Stations, Haul Roads and Compounds (APP-192; DCO Document Reference 6.26) provides information on the temporary drainage design for Lodway Construction Compound. It is proposed to provide temporary drainage on site, with stormwater runoff draining to a settlement pond, which in turn would discharge via a railway culvert into a drainage ditch that connects with the Easton-in-Gordano The Easton-in-</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Gordano stream discharges to the River Avon upstream of the M5 Avonmouth Bridge. Pollution control would be provided through settlement within the pond and such other measures as may be required by the Environment Agency as part of environmental permitting. The discharge from the Lodway construction compound would only occur in response to rainfall and be controlled at a greenfield rate, which is calculated at the peak rate of runoff for a specific return period due to rainfall falling on a vegetated area. The discharge from the compound would be insignificant compared with the discharge in the Easton-in-Gordano stream.</p> <p>There would be temporary hydrological connectivity between the temporary drainage of the Lodway construction compound, and possibly Ditch 16, with the Severn Estuary SAC, as both drain to the Easton-in-Gordano stream which crosses the saltmarsh habitat of the SAC prior to discharge to the River Avon. The Lodway construction compound lies predominantly outside the catchment area of the Easton-in-Gordano stream. As a conservative estimate, the temporary increase in catchment area is less than 2% and the catchment area for Ditch 16 is not affected by the Scheme. So no material changes in water levels in the Easton-in-Gordano are predicted. Furthermore, pollution control through settlement in a settlement pond prior to discharge from the Lodway construction compound plus dilution within the Easton-in-Gordano stream is not predicted to materially change water quality. Consequently, the drainage water from the construction sites would not directly affect the qualifying features of the Severn Estuary SAC.</p>
GC.1.18	Trees Q to The Applicant	At the Unaccompanied Site Inspection [EV-002] the ExA observed that there are a number of mature trees adjacent to the existing roundabout on Quays Avenue and adjacent to the location of the proposed station. Can you confirm if these trees would be retained? If not, why not and what alternative/replacement planting would be provided?	<p>Reference should be made to Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan and drawing 467470.BQ.04.20-102 contained within (APP-035; DCO document reference 2.38).</p> <p>The drawing shows the trees within the existing roundabout and the trees within the verge to the south-west of the existing roundabout as being removed and not retained.</p> <p>They are being removed as a result of the realignment of Quays Avenue and the repositioning of the roundabout with Harbour Way which is required to create the space for Portishead Station and its forecourt.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The existing trees between Quays Avenue and the Wessex Water pumping station are also proposed to be removed due to their condition in that they have a long split in the bark of the trunk which limits their long-term viability. These trees would be replaced in the same location.</p> <p>Drawing 467470.BQ.04.20-102 also shows the comprehensive replacement tree planting that is proposed to be provided.</p>
GC.1.19	Baseline Surveys Q to The Applicant	The ExA recognises that some of the baseline survey information included within the ES is of some age. Can the Applicant set out in a single schedule (with reference to the relevant chapters) any additional baseline data gathering that has taken place or is ongoing or otherwise set out that existing baseline data remains fit for purpose.	The Schedule of Ecology Surveys in Appendix GC.1.19-1 details all ecological surveys completed since submission of the DCO in November 2019 and further surveys proposed. The baseline ecological data submitted as part of the DCO submission in November 2019 for other species and habitats remains fit for purpose. GC.1.1 also comments on the potential effect of programme delays on the age of surveys.
GC.1.20	Decommissioning Q to The Relevant Planning Authorities & Statutory Consultees	Do you have any concerns about the extent to which decommissioning has been considered in paragraphs 5.6.3 to 5.6.10 of Chapter 5 of the ES [APP-100]? If yes, what are these concerns?	
GC.1.21	Development Plan Q to North Somerset Council Bristol City Council LPAs	<p>Section 5.6 of the Planning Statement [APP-208] provides an overview of the local planning framework. North Somerset Council in their RR [RR-002] refer to preparation of a new Local Plan, and paragraph 5.6.13 of the Planning Statement refers to a Local Plan Review consultation. Can both Local Planning Authorities:</p> <p>Check this overview for accuracy. Provide an update on any emerging plans and documents. Advise whether they contain any policy that the ExA should be aware of when considering the Proposed Development, and if they do the timescale for the adoption of these emerging plans or documents and what weight the ExA</p>	

ExQ1 No.	Type / Category	The Question	Current response
		<p>should afford them. Provide a copy of the relevant emerging policies.</p> <p>If these matters will be covered in your Local Impact Report (LIR) please signpost where in the LIR this information can be found.</p>	
GC.1.22	Neighbourhood Plan Q to Pill & Easton-in-Gordano Parish Council & The Applicant	<p>The Planning Statement [APP-208] at paragraph 5.6.10 mentions two emerging Neighbourhood Plans: 1) Portbury NDP and 2) Pill, Easton-in-Gordano and Abbots Leigh.</p> <p>Confirm their current status and expected timescales for their completion. Provide a copy of the latest drafts of each Neighbourhood Plan. Indicate what weight you consider the ExA should give these documents.</p>	<p>Emerging Portbury NDP</p> <p>The Applicant has found no evidence that the emerging Portbury Neighbourhood Development Plan (NDP) has been substantially progressed since Portbury was designated a Neighbourhood Area by North Somerset Council on 23 March 2016.</p> <p>A very basic draft document was produced by the Parish Council dated December 2016 and provided at Appendix GC.1.22-1, though query the date as reference is made to a 12-month consultation between 2016 and 2017. The Applicant is not aware of any further development of the Portbury NDP following this consultation and the timescale for completion of the Portbury NDP is unknown.</p> <p>In light of the Portbury NDP remaining very much in its infancy, the Applicant considers the ExA should give it little weight.</p> <p>Emerging Pill, Easton-in-Gordano and Abbots Leigh NDP</p> <p>A local consultation on the Pill, Easton-in-Gordano and Abbots Leigh NDP has recently closed (September 2020) having been extended as a result of the COVID-19 pandemic. It is expected the NDP substantially in the form shown at Appendix GC.1.22-2 and available on the local NDP website (https://pillanddistrictplan.org/) will be approved by the Parish councils and submitted to North Somerset Council.</p> <p>Now known as the “Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan” (dNDP), the dNDP was submitted to North Somerset Council for examination on 2 November 2020. The Examination is likely to take place in Feb/March 2021, with adoption following a referendum likely to be August/September 2021.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The dNDP has limited weight until it has passed Examination, but its weight will increase at the point when the post examination plan is published. The Examination of the dNDP could conclude before the Secretary of State's decision and indeed there is a chance the NDP might be adopted before the decision on the dDCO is made.</p>
GC.1.23	<p>Central Government Policy and Guidance Q to The Applicant & The Relevant planning Authorities</p>	<p>Are you aware of any updates or changes to Government Policy or Guidance that have occurred since the Application was submitted? If yes what are these changes and what are the implications, if any, for the Application?</p>	<p>Introduction</p> <p>This question is interpreted as relating to matters of government planning and environmental policy, with particular reference to the topics covered in the application, including the Environmental Statement, and not wider Government policy or assessment methodologies, Advice Notes published by other bodies including the Planning Inspectorate or Ministerial Statements. It is also assumed that consultation documents such as the August 2020 Planning White Paper “Planning for the Future” and changes to permitted development rights that have come into force in the last 12 months are not relevant to the question.</p> <p>Since the application was made the UK has left the European Union. The European Union (Withdrawal) Act 2018 converts EU law into UK law, and preserves laws and regulations made in the UK which generally implement EU obligations. All references to EU Directives in the application continue to be relevant.</p> <p>There were updates to the Design Manual for Road and Bridges (DMRB) on 1 April 2020, which post-dates the submission of the DCO application in November 2019. The Applicant considers that the updated DMRB does not change the basis on which the EIA process for the DCO Scheme has been undertaken.</p> <p>The Applicant has reviewed the application, and particularly the Environmental Statement and the following updates to government policy/guidance of relevance to the Application have been made since the Application was submitted on 15 November 2019.</p> <p>Socio Economics and Regeneration, Equality and Health</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>On 18 September 2020 the Government issued updated guidance on Town Centres and Retail in regard to flexibility around changed of use (Reference ID: 2b-008-20190722). These changes have no implications for the application. The original guidance was not referred to in the application documentation.</p> <p>Transport, Access and Non-Motorised Users</p> <p>The Government published its Cycling and Walking Plan in July 2020 – available here: https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england</p> <p>This does not replace any previous government policy.</p> <p>This policy expressly supports the integration of new rail corridors with National Cycle Network (NCN) plans, to "help unlock the benefit to communities disrupted by construction of new railways with a legacy of new greenways offering better connections between places" (second paragraph, page 20). The Applicant considers the DCO proposals have given extensive consideration to the integration of existing cycle provision with rail infrastructure, in furtherance of this policy.</p> <p>The policy further states railways should work better with cyclists, through for example improved cycle routes to stations and cycle storage at stations (third and fourth paragraphs, page 25). The Application includes the provision of cycle parking at both Pill and Portishead stations and accessibility for Non-Motorised Users has guided the design of the stations and their surrounds.</p> <p>Water Resources</p> <p>The climate change allowances for Flood Risk Assessments were updated on 17 December 2019 with minor further revisions on 16 March and 22 July 2020. The issue of climate change allowances in addressed in the Applicant’s response to question FRD 1.6.</p> <p>Coronavirus (COVID-19) guidance</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>On 13 May 2020 guidance was issued on Covid-19 and Compulsory Purchase. The guidance mostly relates either to stages that the application has already passed through or is yet to pass through.</p> <p>On 22 July 2020 guidance was issued in respect of amending working hours on planning consents to reflect safe ways of working during the Covid-19 pandemic. The applicant notes that the guidance indicates that local planning authorities should not refuse applications for the extension of working hours until 9pm, Monday to Saturday without very compelling reasons and that this is time limited to 1 April 2021. Although requirement 16 in the draft DCO (AS-014) contains shorter working hours the limit on the guidance means that there is no impact on the application.</p> <p>Also on 22 July 2020 Guidance on procedural requirements for major infrastructure projects was issued by the Government. The guidance covers a number of aspects of the Planning Act 2008 process, but the guidance mostly relates either to stages that the application has already passed through or is yet to pass through. It is hoped that by the time that the proposal needs to apply the S134 process the guidance will no longer apply.</p> <p>The Government published “Appraisal and Modelling Strategy - A Route Map for updating TAG during uncertain times”, July 2020 available here: https://www.gov.uk/government/publications/appraisal-and-modelling-strategy-a-route-map-for-updating-tag</p> <p>The document sets out proposals to update the methods for how quantified benefits are calculated in light of the “COVID-19 pandemic, a revised fiscal and economic outlook, and the government’s commitment to net zero and the transport decarbonisation plan.” The document proposes to issue a new release of TAG in February 2021, which will incorporate changes to: account for lower economic growth, tackle uncertainty, review the appraisal period, review appraisal methods and benefit values, review how benefits are calculated for reductions in greenhouse gases and introduce an appraisal method for</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>quantifying the value of the natural environment. The Applicant notes that the new release of TAG has not yet been issued.</p> <p>On 10 August 2020 new guidance was issued in respect of the CIL Regs. These changes have no implications for the application.</p>
AQ.1.1	Methodology Q to The Applicant	<p>In respect of the assessment of dust on ecological receptors;</p> <p>Explain whether the methodology applied in the ES [APP-102] is suitable to assess the effects on distinct ecological features, and whether there is potential undervaluation of the sensitivity of ecological features when relying on the level of designation or legal protection rather than their susceptibility to dust impacts from the Proposed Development.</p> <p>Include reference in your response to any advice received from ecological experts or relevant stakeholders.</p>	<p>The construction dust assessment is outlined in the ES, Volume 4, Appendix 7.1 Construction Dust Assessment (AS-034; DCO Document Reference 6.25).</p> <p>The dust assessment was undertaken in accordance with the Institute of Air Quality Management's (IAQM) 'Guidance on the assessment of dust from demolition and construction Version 1.1' (2014). The identification of the receiving environmental receptors was therefore guided by the most up to date guidance at the time of the assessment.</p> <p>The emphasis of the construction dust assessment was to classify the <i>highest</i> level of potential risk of dust impacts from demolition and construction sites and to identify mitigation measures appropriate to the risk.</p> <p>As per paragraph 2.2.5, ecological receptors considered in the dust assessment included designated sites, habitats and plant assemblages susceptible to dust. Table 2.2 of the ES Appendix 7.1 shows the guideline classifications for ecological receptor sensitivity to dust impacts, from high to low, in accordance with IAQM (2014) guidance. This classification system allows for non-designated ecological features to be considered as dust receptors if they are susceptible to dust impacts. A comprehensive list of qualifying ecological features was considered, where appropriate. For example, as in Table 3.9.</p> <p>The construction dust assessment identified medium to high risk to ecological sites along the DCO Scheme, depending on their value and proximity to the construction works. The overarching conclusion of the dust assessment was that there would be a large risk of impact on ecological receptors without mitigation, which is already the highest level of risk that can be assigned according to the IAQM guidance. With mitigation the risk would be reduced to low and not significant (ES Appendix 7.1 Construction Dust, paragraphs 3.6.1 and 3.7.1 (AS-</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>034; DCO Document Reference 6.25). Mitigation measures appropriate to this level of risk are discussed in the Code of Construction Practice (APP-212; DCO Document Reference 8.15) and the Master Construction Environmental Management Plan (APP-211; DCO Document Reference 8.14).</p> <p>No advice was provided by Natural England and local planning authority ecologists.</p>
AQ.1.2	<p>Nitrogen Deposits Q to Natural England & All Interested Parties</p>	<p>Paragraph 6.2.21 of the HRA [APP-142] and Table 7.10 in Chapter 7 the ES [APP-102] indicate that the current nitrogen deposition rate for Tilio-Acerion forests in the Avon Gorge SAC is 28.3 kg N ha⁻¹ y⁻¹, which exceeds the critical load of 15-20 kg N ha⁻¹ y⁻¹ for the relevant nitrogen critical load class of meso- and eutrophic Quercus woodland habitat.</p> <p>Similarly the current deposition rate for semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) in the Avon Gorge SAC is 16.9 kg N ha⁻¹ y⁻¹, which exceeds the lower end of the relevant critical load range of 15-25 kg N ha⁻¹ y⁻¹.</p> <p>The applicant concludes that there is no Likely Significant Effects (LSE) during operation on the basis that the magnitude of impacts in terms of additional nitrogen deposition are “small” on both of the above SAC qualifying features (table 7.1 of the HRA Report). The Applicant has therefore not provided information to inform an appropriate assessment for operational air quality effects.</p> <p>Do Natural England and other relevant interested parties agree that no LSE can be concluded where critical loads are already exceeded and where the Proposed Development would increase nitrogen deposition by an additional 0.7 kg</p>	<p>The predicted nitrogen deposition by up to 0.7 kg N Ha⁻¹ came from the air quality assessment undertaken in the pre-application phase and is reported in the ES, Chapter 7, Table 7.16 (APP-102; DCO Document Reference 6.10).</p> <p>The value was then subsequently changed to 0.1 kg N Ha⁻¹ after the Applicant revised the air quality assessment in response to comments received from Bristol City Council. This is recorded in the revised ES Chapter 7 Table 7.17 (AS-029; DCO Document Reference 6.10).</p> <p>The main reason for the change in predicted N deposition was due to the revised air quality model verification, because the base year was changed from 2013 to 2015. The rail-based receptors were being overestimated in the original work because model adjustment was based on road traffic associations. Also, the rail receptors were not subject to long term trends which is a method to account for constrained evolution of emission standards.</p>

ExQ1 No.	Type / Category	The Question	Current response
		N ha-1? The ExA is mindful of their duty to ensure the Secretary of State has sufficient information to undertake an appropriate assessment if required.	
BIO.1.1	Surveys Q to Natural England & Relevant Planning Authorities	Confirm whether you are satisfied with the range of surveys for Chapter 9 of the ES (Ecology and Biodiversity) [APP-104]; and If you consider the baseline information presented to be a reasonable reflection of the current situation? In respect of i) and ii) if not, why not and what would resolve any residual concerns?	<i>[To NE for information: The Applicant understands that Natural England is content that the surveys undertaken to date provide sufficient information for the SoS to determine the DCO application and that the combination of the requirements in the DCO and the separate consents and licences needed before activities can take place, which together will involve resurveying before works are commenced, will ensure protection of the ecology and biodiversity receptors features. Hopefully Natural England will be able to confirm this]</i>
BIO.1.2	Toads at Lodway Farm Q to The Applicant & Natural England Interested Parties	A number of relevant representations [RR-031, RR-043, RR-050, RR-053, RR-054, RR-057, RR-061, RR-068, RR-071, RR-071, RR-073, RR-074, RR-077, RR-078, RR-088, RR-095, RR-096, RR-097, RR-098, RR-101, RR-108, RR-110, RR-114, RR-117, RR-124] have made reference to mass toad migration occurring in the vicinity of Lodway Farm. Applicant: Whether it is only the common toad <i>bufo</i> that is a relevant consideration at this location (and if there are others, what their status is as a protected species)? When and in what volume are the toads migrating, and where to/from? The ExA is aware that Section 6.2.37 of the master CEMP [APP-127] broadly outlines that ‘procedures’ would be developed by the contractor in consultation with local toad patrol groups to reduce impacts to toad populations (as also set out in [PDR6-005]). Can the Applicant provide further details as to what these procedures/ measures would comprise? Would mitigation for other species (eg Reptile mitigation plan [AS-040]) also provide potential benefits to toad populations? Can the applicant clarify why there is not a need for a separate amphibian mitigation plan?	The results of amphibian surveys are provided in the ES Appendix 9.4 (AS-038; DCO Document Reference 6.25). There are three ponds within the vicinity of the Lodway construction compound; ponds 30 (national grid reference (NGR) ST 517760), 31 (NGR ST 517764) and 32 (NGR ST 517763). Pond 30 tested negative for great crested newt DNA and no further surveys were undertaken. Ponds 31 and 32 were subject to surveys for great crested newts (GCN). No GCN were found but common toad and frog tadpoles and numerous smooth newts were recorded in pond 32. Reptile surveys (ES Appendix 9.5 (APP-137; DCO Document Reference 6.25) confirmed the presence of slow worms and grass snakes on, or near to the Lodway construction compound. The aforementioned species were also confirmed via records received from Bristol Regional Environmental Records Centre (BRERC) in 2014. Widespread amphibians such as smooth newts, frogs and toads are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) but are protected (section 9(5)) only with respect to trade. Widespread reptiles such as slow worms and grass snakes also have protection under the Wildlife and Countryside Act 1981 (as amended) and in addition to the restrictions on sale (as for the widespread amphibians, above) they are also protected from intentional killing or injuring. In addition, toads and widespread reptiles are listed on Section 40(1) of the Natural Environment and Rural Communities (NERC) Act 2006, which requires that every public authority must, in exercising its functions, have regard, so far as

ExQ1 No.	Type / Category	The Question	Current response
		<p>Natural England: Are you aware of the toad migration and if so, are there any comments/ concerns you wish to raise?</p> <p>Interested Parties: The same first two points as asked of the Applicant and what measures/ practices are currently in place to manage this migration? (reference has been made to a Pill Toad Patrol, can further information about this organisation be submitted into the Examination, to explain its role, governance etc as appropriate).</p>	<p>is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.</p> <p>The Applicant understands that a population of toads (100-1,000 individuals based on local figures and guidance in <i>Amphibian and Reptile Conservation, 2009. Common toads and roads Guidance for planners and highways engineers (England)</i>) migrates from the region of Lodway Farm / The Breaches across the disused railway line and cycle path to the ponds north of the railway line (ponds 31 and 32). The precise migration path is not known; the Applicant will engage with Pill Toad Patrol and conduct surveys in early 2021 to confirm the following:</p> <ul style="list-style-type: none"> • The migration route. • The breeding population size. • Where the toads spend the terrestrial and overwintering stage and the extent/ quality of this habitat. • The duration of the peak migration. • If there is a peak return period. <p>Details of the mitigation measures to be applied during construction broadly, comprise:</p> <ul style="list-style-type: none"> • Retention of hedgerow habitat where possible. • Installation of amphibian fencing. • Restricting construction vehicle movements after dark at peak migration times. • Assist the toad patrol with collection of toads during peak migration time (usually over two weeks between January and April) and peak return time (particularly for toadlets) which is usually early summer. • Identify and establish safe release areas close to the site compound. • Habitat manipulation and search of the site before the construction works commence (along with reptiles). • Contractor method statements, posters/toolbox talks and briefings for Lodway construction compound to ensure good practice in terms of material storage and making staff aware of toad movements on site, as

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			<p>stated in the Master CEMP (AS-046, DCO Document Reference 8.14 Ver. 02).</p> <p>This mitigation is based on guidance (<i>Amphibian and Reptile Conservation, 2009. Common toads and roads Guidance for planners and highways engineers (England)</i>) and the knowledge of experienced amphibian ecologists. The project team will engage with Pill Toad Patrol group to discuss these potential mitigation measures.</p> <p>More information on mitigation can be found in the Schedule of Mitigation (APP-193; DCO Document Reference 6.31) at item 9.10, ES Chapter 9 Ecology and Biodiversity (AS-031; DCO Document Reference 6.12 Ver. 02) and Master CEMP (AS-046; DCO Document Reference 8.14 Ver. 02) The requirements of the CEMP which will be secured by the DCO Requirement 5.</p> <p>Appendix 9.13 Reptile Mitigation Strategy of the Environmental Statement (AS-040; DCO Document Reference 6.25) discusses how reptiles will be displaced by habitat manipulation and search and shows the displacement area where the Lodway construction compound will be located and the compensation area on neighbouring fields on Manor Farm. Displacement involves phased cutting of the vegetation, stripping the topsoil and undertaking a search for individual animals supervised by an ecologist. This activity will also ensure that any amphibians within the site compound area are removed or displaced from the construction site into retained or compensatory habitat, which is also suitable terrestrial habitat for amphibians.</p> <p>There is no separate amphibian mitigation plan because the reptile mitigation strategy and measures undertaken for GCN under an EPS licence or District Level Licence will provide mitigation for all amphibians. The CEMP (AS-046; DCO Document Reference 8.14) paragraph 6.2.37, also explains reasonable avoidance measures such as habitat manipulation and destructive searches. Measures in place for reptiles will also protect GCN and other amphibians. In addition, the CEMP (AS-046; DCO Document Reference 8.14) at 6.2.37 requires the successful contractor to consult with the local Toad patrol groups and develop procedures</p>

ExQ1 No.	Type / Category	The Question	Current response
			to reduce the impact of construction activities on toad migrations across the construction sites and haul roads.
BIO.1.3	Portishead Station Q to The Applicant	<p>With reference to the Portishead station area, paragraph 3.2.7 of the HRA [APP-142] refers to “pollution control units” but it is unclear what these comprise or how they would be secured in the dDCO.</p> <p>Explain what these are, their purpose and how they would be secured by the draft Development Consent Order (dDCO).</p> <p>This term does not seem to be defined in either the CEMP [APP-127] or CoCP [APP-126] or as part of Requirements 11 or 17.</p> <p>Does it need to be defined and if it does where should it be defined and can you provide a suggested form of wording.</p>	<p>Reference should be made to the Surface Water Drainage Strategy for Portishead and Pill Stations, Haul Roads and Compounds (APP-192; DCO document reference 6.26).</p> <ul style="list-style-type: none"> • Section 9 (page 29) refers to pollution control and water quality and 9.4 lists the measures, or pollution control units. These include dry swales, bioretention areas, filter drains, ditches with check dams, detention basins and Class 1 bypass separators. • Appendix F sets out the water quality management approaches and Appendix G is the Concept Drainage Design for Portishead and Pill Stations. • Appendix B Portishead Station Drainage Strategy contains drawings which show which pollution control measure is proposed for each of the catchment areas. <ul style="list-style-type: none"> ○ Catchment Area 1 – Main car park – gravel storage with flow into the proposed swale discharging west via a catch pit before discharging into the watercourse. ○ Catchment Area 2 – Roundabout and Phoenix Way – bioretention areas in the roundabout and verge then via drainage pipeline to oil separator and discharge into water course to the north east. ○ Catchment Area 3 - Station forecourt and parking – geo-cellar storage before drainage pipeline to connect to drainage pipeline from Catchment Area 2 to oil separator and discharge into water course. ○ Catchment Area 4 – realigned Quay Avenue – highway drains to swale with filter drain before connecting to existing highway drainage. <p>The pollution control units are typical highway drainage features and the Applicant does not believe that this term needs to be defined in either the CEMP (APP-127; DCO document reference 6.25) or CoCP (APP-126; DCO document reference 6.25) or as part of Requirements 11 or 17. The highway drainage pollution control units would be secured by the DCO Requirement 11.</p>

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			<p>A bypass/oil separator is a tank used in low risk areas, such as a car parks, and designed to treat the first 10% of surface water runoff which enters the unit where any solids present sink to the bottom and are retained and oil and water partially separated.</p> <p>A catch pit is an empty chamber built into a drainage system to 'catch' silt and other debris carried along the drainage pipe by water before it enters any drainage system.</p> <p>Swales and bioretention areas are shallow landscaped depressions which are typically drained and rely on engineered soils, enhanced vegetation and filtration to remove pollution and reduce runoff downstream. They are aimed at managing and treating runoff from frequent rainfall events.</p>
BIO.1.4	Portishead Station Q to The Applicant	Section 9.5 of the schedule of mitigation measures [APP-193] – Habitats are included in the Portishead Station Car Park layout and access plan [Environmental Master plan AS-026]. To ensure precision and enforceability should requirement 27 (Portishead Station) refer to the Environmental master plan?	<p>In relation to the habitats that are proposed to be included in the Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (APP-035; DCO document reference 2.38), the habitats are for newts. This is the scrub and long grass at the swale and French drainage adjacent to the boulevard (see drawing 467470.BQ.04.20-100 (APP-035; DCO Document reference 2.38)) and the reptile tunnel under the proposed re-aligned Quays Avenue (see drawing 467470.BQ.04.20-102 (APP-035; DCO Document reference 2.38)). The reptile tunnel is also referenced on drawing 674946 -001-024-A (AS-026; DCO Document reference 2.53).</p> <p>These designs will be secured under Schedule 2, Par 1, Requirement 4 on the designs and Requirement 7 requiring landscaping in accordance with the relevant design drawing.</p>
BIO.1.5	Train Speeds Q to The Applicant	<p>Paragraph 3.2.31 of the HRA [APP-142] states that the “line speed on the existing operational railway between Pill and Ashton Junction will remain unchanged at 30 mph”. The HRA and Environmental Impact Assessment (EIA) then appear to be based on that assumption. Can you:</p> <p>Explain how this speed restriction would be enforced through the dDCO or other relevant legal mechanism?</p>	<p>Network Rail is the regulated operator of the national rail network. Under the terms of its licence under section 8 of the Railways Act, Network Rail is under a core duty to secure the operation and maintenance of the rail network in accordance with best practice and in a timely, efficient and economical manner so as to satisfy the reasonable requirements of persons providing services relating to railways. It is accountable to the Office of Rail and Road (“ORR”) established under the Railway and Transport Safety Act 2003.</p>

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		<p>Is there a need for this speed restriction to be specified in the dDCO?</p> <p>You may wish to combine the answer to this question with the answer to question NV.1.5.</p>	<p>A key function of Network Rail, under the core duty, is deciding on the appropriate line speed for any part of the network. Principally this is constrained by the capability of infrastructure designed in accordance with Commission Regulation (EU) No 1299/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'infrastructure' subsystem of the rail system in the European Union.</p> <p>While the context of this specification is broad, the key factors that influence railway speed limits are identified as:</p> <ul style="list-style-type: none"> • Gradient, cant and curvature of the track design • Junction locations, stations, signal spacing and type • Level crossings • Where the track formation is unstable • Structure gauge • Structure clearance • Aerodynamics in tunnels leading to passenger discomfort. • Subsidence <p>In the case of the existing operational railway between Portbury Dock and Ashton Junction, the line speed is constrained by the signalling system and the radii of the curves. The current speed limit of 30 mph on the existing line was determined following an assessment in compliance with the technical specification mentioned above. The design developed in accordance with the specification has also resulted in a design speed limit of 30mph. The constraining features which determined this limit will not change as part of the MetroWest Phase 1 scheme. Therefore, the HRA and EIA have been prepared in cognisance of the railway design and speed limit.</p> <p>The speed limit is also key to ensuring the train service meets the desired timetable output. The applicant has developed a business case based on an hourly train service from Bristol Temple Meads to Portishead using one train unit. The 30mph speed limit for this section ensures this can be achieved. This has been endorsed through a 'Network Change Notice' which is the statutory process requiring Network Rail to notify beneficiaries including TOCs (train operating</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>companies) and FOCs (freight operating companies) of any change to the network which could affect their operations. Key to this is specifying proposed speed limits so it can be determined whether there is any effect on the operators' ability to run services to the timetable. The statutory notice has been agreed and Network Rail is therefore under a contractual obligation to provide a network which will operate to that speed limit.</p> <p>Since the speed limit in this part of the network is dictated, and will continue to be dictated, by both the physical constraints and Network Change Notice mentioned above, there is no need for speed limits to be imposed by requirements in the DCO, nor would it be appropriate for the DCO to do so since the determining of speed limits is an integral part of Network Rail's functions under its licence which are regulated and enforced by the ORR.</p>
BIO.1.6	Avon Gorge Vegetation Management Plan Q to The Applicant	There are two seemingly identical versions of the Avon Gorge Vegetation Management Plan (AGVMP) – APP-141 and APP-209 that were submitted with the Application and a further version has been submitted recently [AS-044]. It would appear from APP-209 that the document contained within the ES [APP-141] would not be updated. For the purposes of certification and implementation how can the ExA differentiate between these documents and what reassurance can the ExA have that if consent was granted that the most up to date version of the AGVMP would be the one that would be certified by the Secretary of State under dDCO Schedule 17?	<p>The Avon Gorge Vegetation Management Plan (AGVMP) was submitted in duplicate, one as Appendix 9.11 to the Environmental Statement (APP-209; DCO Document Reference 6.25) and the other as a standalone report (APP-141; DCO Document Reference 8.12).</p> <p>As explained on the inside cover of both documents, the intention is to leave Appendix 9.11 (APP-209; DCO Document 6.25) unaltered as the application version and to update the standalone version of the AGVMP (APP-141; DCO Document Reference 8.12) if required during the course of the examination.</p> <p>As noted, we have already submitted Version 2 of the AGVMP in clean and tracked change versions (AS-044/AS-045; DCO Document Reference 8.12) to the ExA in response to ongoing consultation with Natural England since the submission of the DCO Application.</p> <p>For the purposes of certification and implementation, the relevant document would be standalone AGVMP (DCO Document Reference 8.12) that is the final version submitted to the ExA prior to the closure of the Examination. The Applicant will update the standalone version of the AGVMP and not the version submitted as an Appendix to the ES (which will not be amended). This is in accordance with the Applicant's document control protocol, as set out in the</p>

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			<p>Guide to the Application. The standalone version of the AGVMP will be clearly identified in the DCO at Schedule 17 with the last version (that to be considered by the Secretary of State) to be listed in column (3) of the Table at Schedule 17 paragraph 1.</p>
BIO.1.7	<p>Avon Gorge Vegetation Management Plan</p> <p>Q to Network Rail, Natural England and The Applicant</p>	<p>The Applicant’s AGVMP [APP-141/APP-209/AS-044] is proposed to complement Network Rail’s existing Site Management Statement (SMS) and Vegetation Management Plan (VMP) which are included in ES Appendix 9.15 [APP-143].</p> <p>Do Network Rail and Natural England agree that the AGVMP would successfully complement the existing plans as intended?</p> <p>Can the Applicant confirm the anticipated process for any “handover” or succession plan between their AGVMP for the Proposed Development and the existing and future Network Rail VMPs in respect of the minimum 10-year monitoring plan set out in section 7 of the AGVMP.</p> <p>Paragraph 6.1.1 of the AGVMP states that “Vegetation management during operation is detailed in NR’s SMS and VMP...The work plan for the four years of the VMP is currently being developed by NR and a draft is currently being discussed with Natural England.” Can the Applicant provide an update as to the status of the work plan and provide a copy to the examination? Can the relevant parties confirm whether any emerging revised VMPs would require amendments to the AGVMP?</p>	<p>Network Rail has assisted the Applicant in developing the AGVMP and are satisfied that it complements its current arrangements, both in terms of vegetation management and management of the SAC.</p> <p>The measures set out in the AGVMP are those that relate to the DCO Scheme. The duration of the mitigation and monitoring plans set out in the AGVMP have been designed to achieve confidence that the mitigation and compensation in respect of the DCO Scheme will be delivered. The habitat will be sufficiently established to be incorporated into Network Rail's own VMP plans for conservation in accordance with the legal obligations placed on Network Rail. Network Rail advises that it will ensure that the subsequent VMP plans (2023 – 2028 and 2028 - 2033) accommodate the DCO Scheme measures. It will be clear in Network Rail's VMPs what activities are to be continued after the DCO Scheme works have been commissioned.</p> <p>DCO Requirement 14 secures the delivery of monitoring specified in the AGVMP. The Applicant will need to ensure that the measures are delivered, which it will do in discussion with Network Rail. If the monitoring is not carried out by Network Rail, then Network Rail will reasonably accommodate the Applicant for the purpose of carrying out those activities for the duration required.</p> <p>With reference to the ‘work plan’, Network Rail has not yet taken forward any further VMP other than the agreed VMP plan contained within the SMS. This is because the work will be carried out in the context of the wider exercise, which is detailed below.</p> <p>In order to comply with its new bio-diversity standards currently under development, Network Rail will be working up VMPs to be implemented across the national rail network. As part of this process, the line to Portishead will have a detailed VMP, however this is not expected to be implemented before the</p>

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			<p>construction works for the DCO Scheme are completed. This ensures that the MetroWest AGVMP is the only 'live' plan in place throughout the works and minimises any confusion or risk of duplication of works. As stated, Network Rail will ensure its future plan will reference any handover items.</p> <p>It is not anticipated that there would be any requirement to change the AGVMP.</p> <p>The Statement of Common Ground between the Applicant and Natural England (REP1-021; DCO Document Reference 9.3.6 ExA.SoCG-NE.D1.V1) states that the aims of the AGVMP include <i>to complement the existing Site Management Statement ("SMS") and Vegetation Management Plan ("VMP") (Appendix 9.15, DCO Document Reference 6.25) for the operating railway line.</i></p>
BIO.1.8	<p>Avon Gorge Vegetation Management Plan Q to Network Rail, Natural England Forestry Commission The Applicant</p>	<p>Section 11 of the HRA Report [APP-142] states that Network Rail is in the process of seeking approval from Natural England for a management plan to secure the conservation of "that part of the Avon Gorge Woodlands SAC that lies within its ownership". The ExA also understands that "at the time of preparing the package of protective and compensatory measures for the DCO Scheme the NR's VMP for the first year (2019-20), NR Avon Gorge Planned of Works, has not been approved" and that the Applicant's proposed package of compensatory measures have been prepared on this basis.</p> <p>Can the Applicant, Natural England and Network Rail provide an update to the examination as to the status of this plan approval?</p> <p>Can the Applicant explain why Natural England can only "require the delivery of 1.6ha of compensatory measures in accordance with the Habitats Regulations" within the total package of compensatory measures of 3.2ha proposed as part of the DCO scheme.</p>	<p>With reference to Network Rail's VMP for the first year (2019-20), Network Rail has not yet taken forward any further VMP other than the agreed VMP plan contained within the SMS. This is because the work will be carried out in the context of the wider exercise, which is detailed below.</p> <p>In order to comply with its new biodiversity standards currently under development, Network Rail will be working up VMPs to be implemented across the national rail network. As part of this process, the line to Portishead will have a detailed VMP, however this is not expected to be implemented before the construction works for the DCO Scheme are completed. This ensures that the MetroWest AGVMP is the only 'live' plan in place throughout the works and minimises any confusion or risk of duplication of works. Network Rail will ensure its future plan will reference any handover items.</p> <p>The compensatory package consists of 1.6ha on either NR land (grassland and woodland compensation) or on a combination of FC land (1.45ha of woodland compensation) and Network Rail land (0.15ha of grassland compensation). This is because the Applicant originally proposed compensation only on Network Rail land but, at the request of Natural England, then developed an alternative package of woodland compensation measures on Forestry Commission land. Therefore, whilst a total area of 3.2ha of possible compensation measures has been identified, only 1.6ha is required to compensate for the DCO Scheme.</p>

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		<p>Can the Applicant provide a definitive plan of the total package of 3.2ha of compensation measures and a breakdown of how this figure has been calculated?</p> <p>The HRA report [APP-142] states that these provisions are “...intended to provide Natural England with the ability to approve whichever of the DCO Scheme areas of compensation it considers will best compensate for the predicted harm”. Further, paragraph 11.2.1 sets out that “the package of compensation measures is presented within the AGVMP...However, an option has been included to carry out positive management on FC land that is outside but abuts the boundary of the Avon Gorge Woodlands SAC...Providing a larger number of potential sites by including the potential for compensatory measures on an equivalent area of land on FC managed property as an alternative to providing some of the compensation sites only on NR land will allow an adaptive approach to compensation.” The ExA understands that this would enable Natural England to evaluate the compensation site options to be provided by the DCO Scheme in combination with the conservation measures to be provided by Network Rail to achieve the “optimum outcome”.</p> <p>Noting the above, the ExA is therefore uncertain about the extent of measures that would actually be delivered in terms of the certainty which can be placed on them by the competent authority. For example, Forestry Commission land (identified on AGVMP Annex F, Figure 4) [APP-141/ APP-209 / AS-044] is identified as a possible alternative but this land is not included within the DCO boundary and it is only “envisaged” that the land would be incorporated within the Forestry Commission’s Forest Design Plan</p>	<p>Therefore, the total compensation package area provided will be 1.6ha, which is agreed with Natural England.</p> <p>Plans of the compensation package on Network Rail land are provided in the Avon Gorge Management Plan (AGVMP) Ver. 02 (AS-044; DCO document reference 8.12). Annex F Figure 1 of the AGVMP Ver. 02 shows the locations of proposed positive management of woodland and grassland within the Avon Gorge Woodlands SAC, with details of the management of each land parcel provided in Annex G of the AGVMP Ver. 02. The table in Annex G of the AGVMP Ver. 02 provides the area in metres squared (m2) of each land parcel, the sum of which is 15,966m2. Of this, 14,496m2 (1.45ha) is woodland (both semi-natural ancient woodland and secondary woodland) and 1470m2 (0.15ha) is grassland (summary provided in Table 4 of the AGVMP Ver. 02).</p> <p>The alternative proposals for woodland management on Forestry Commission land are shown in Annex F Figure 4 of the AGVMP Ver. 02 (AS-044; DCO document reference 8.12). A proportion of this land (1.45ha) will be under positive management. The management proposals for this area are described in Annex M of the AGVMP Ver. 02 (AS-044; DCO document reference 8.12).</p> <p>The positive management of 0.15ha of grassland will be in the parcels of Network Rail land identified in Annex F Figure 1 of the AGVMP Ver. 02 and described in Annex G of the AGVMP Ver. 02 (AS-044; DCO document reference 8.12).</p> <p>Negotiations continue with Forestry England. The Applicant's original proposal for compensation land was formulated on the basis Network Land would be used, but Natural England is keen to see that land outside of the SAC was instead used. On that basis the Applicant engaged with Forestry Commission and the alternative provision was worked up. It was not felt at the time of application that the package utilising land managed by Forestry England was sufficiently certain to be included in the Order land. As the activities do not require planning permission and will only be taken forward if agreement is reached with Forestry Commission, it would not be appropriate to include the area in the Order land.</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>(which is not provided as part of the application documents).</p> <p>What is the status of any agreement between Forestry Commission and the Applicant for use of this alternative land and why was it not included as part of the DCO boundary given its apparent importance as part of overall compensation package?</p> <p>Could the final compensation be a combination of both Forestry Commission and Network Rail land?</p> <p>What comfort can the ExA have that compensation entirely on Network Rail or Forestry Commission land (or a combination of both) would be sufficient given the optionality that remains?</p> <p>The Applicant, Natural England, Forestry Commission and Network Rail are asked to update the ExA as to the outcomes of any further discussions / negotiations that have been reached in this regard.</p> <p>Please note that this question was drafted prior to the receipt of a number of additional submissions by the applicant and therefore the ExA accept that the answers to these questions may be addressed by these documents if this is the case please signpost where in these documents the answers to these questions can be found.</p>	<p>The final compensation will be on either Network Rail or land managed by Forestry England. The preference is that compensation for loss of woodland is provided on land managed by Forestry England, and negotiations continue.</p> <p>The ExA will have confidence that the required compensation will be delivered through the AGVMP. If the Forestry Commission land is secured (as seems likely) then the AGVMP will be amended prior to the end of the examination so as to remove Package 1 entirely and the SoCG with Natural England will be amended accordingly.</p> <p>The Applicant believes discussion with the relevant parties are well advanced and will be concluded before the end of the Examination with required amendments to the AGVMP and if necessary the dDCO, submitted.</p>
BIO.1.9	Fencing Q to The Applicant	The Schedule of Mitigation [APP-128, APP-193 and AS-042] states that there is potential to reduce impacts on the Avon Gorge Woodlands through further detailed design to reduce the amount of new and replacement fencing and therefore vegetation removal. Can the applicant confirm whether the potential further mitigation has been relied upon in the assessment of effects? If yes, can the applicant confirm how the mitigation would be secured and if no, why not?	The assessment of effects has not relied on potential further reductions in the fencing, as this is subject to detail design and site supervision e.g. micro-siting of fencing and fence posts to avoid ecological features of interest.

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BIO.1.10	Monitoring Q to North Somerset Council	The AGVMP [APP-141 and AS-044] proposes that the monitoring of rock cress and rare whitebeam will be undertaken by a specialist contractor managed by North Somerset District Council (NSDC) – as this part of the route is within the jurisdiction of Bristol City Council are NSDC content to take on this responsibility?	It is assumed this question is directed to North Somerset Council as Local Planning Authority, however the following response has been prepared by The Applicant. The administrative boundary between NSC and BCC through the Avon Gorge generally lies along the River Avon Tow Path. The greater part of the DCO Scheme lies within NSC’s jurisdiction until the DCO Scheme crosses south under Clifton Bridge where it passes into Bristol City Council’s jurisdiction.
BIO.1.11	Monitoring Q to The Applicant, Relevant Planning authorities, Natural England & Forestry Commission	<p>The AGVMP [APP-141 and AS-044] states that the proposed mitigation works within the Avon Gorge would be managed and inspected for a ten-year period up to 2033.</p> <p>Applicant: What would happen if the line opens after 2023, would the management and inspection still be undertaken for a ten-year period?</p> <p>Relevant Planning Authorities/Natural England/Forestry Commission: Is a ten-year management/inspection period sufficient and if it isn’t what should it be and why?</p>	<p>The management and monitoring will be undertaken for up to a ten year period irrespective of when the line opens. The duration of the management and monitoring is sufficient to ensure the establishment of new planting and the benefits of the positive management. At the end of the monitoring periods, the areas will be well established within the existing Avon Gorge woodland.</p> <p>The planted rare whitebeam trees will be managed and monitored annually for ten years after the initial planting.</p> <p>The Bristol rock-cress receptor areas will be checked and monitored for nine years after the year of planting.</p> <p>Areas where positive management have been completed on Network Rail land will be monitored in year 1, 3 and 5 following the completion of the positive management.</p> <p>The AGVMP (AS-044; DCO Document Reference 8.12 Ver.002), has also provided a proposal to undertake some potential compensation by positive management/enhancement on Forestry Commission land outside of the Avon Gorge SAC/SSSI as an alternative to some of the 23 sites identified on NR land. A 10 year woodland management plan and monitoring for this is included in Annex M of the AGVMP.</p>

ExQ1 No.	Type / Category	The Question	Current response
BIO.1.12	Management Q to The Applicant	No remedial action appears to have been proposed for areas where positive management would be undertaken in the Avon Gorge Woodlands SAC – if not, why not? And if so, how would this be secured?	<p>No specific remedial action is required as the positive management is of benefit to the SAC. Section 5 of the Avon Gorge Vegetation Management Plan (AS-044; DCO document reference 8.12) provides detail on the techniques and precautions in place during site clearance, including felling techniques, biosecurity and management of arisings (with further detail on the latter provided in Annex L of the AGVMP Ver. 02).</p> <p>The Avon Gorge Vegetation Management Plan is secured through the DCO Requirement 14.</p>
BIO.1.13	Trees Q to Forestry Commission/ Forestry England & The Applicant	<p>Whilst on our Unaccompanied Site Inspection [EV-001] the ExA observed that Forestry England was undertaking clear felling along the Avon Gorge and within Leigh Woods. Can you provide information on the following:</p> <p>Timescales for the works; Details of the nature and extent of the works (including location plans and any supporting arboricultural surveys); An explanation as to why these works do not appear to be captured in the Applicant’s assessment of in-combination effects (Paragraph 7.2.3 of the HRA [APP-142] states that “no projects or plans which would lead to habitat loss or habitat degradation in the Avon Gorge Woodlands SAC have been identified and thus there are no projects that are considered likely to have in-combination effects on the SAC”); Whether the compensation measures in Section 11 of the HRA [APP-142] would remain sufficient for any such in-combination effect and whether any mitigation measures proposed by Forestry England are compatible with the compensatory measures proposed by the Applicant in respect of Tilio-Acerion woodland, Festuco-Brometalia grassland and whitebeam species in the Avon Gorge SAC; and The currency and validity of ES Volume 4 – Appendix 9.10</p>	<p>The felling that Forestry England was undertaking in Leigh Woods started at the beginning of September 2020 and continued until the end of October. All tree felling is now complete, but some felled timber still needs to be extracted from site. The felling was carried out in line with Forestry England’s long-term Leigh Woods Forest Design Plan 2011-2021 and the Avon Gorge SSSI Management Plan 2016-2026, which was consented by Natural England in January 2016. One of the objectives of the Forest Design Plan is “to undertake woodland management that conserves and enhances the features of the Avon Gorge SSSI and SAC that will work towards achieving favourable condition status as measured by Natural England”. The objective of the SSSI Management Plan is to “maintain the designated woodland habitats in unfavourable recovering condition and carry out any necessary woodland management practices as required by Natural England to move or maintain the SSSI units into / in favourable condition.”</p> <p>The recent felling in Leigh Woods is indicated on the Operations Plan (Forestry England plan), with description of the species components of each compartment provided in the Avon Gorge SSSI Management Plan 2016-2026.</p> <p>The recent operations carried out in each compartment were as follows (refer to Operations Plan for compartment locations):</p> <ul style="list-style-type: none"> • 5003 abdfj: remove all remaining coniferous element. Thin plantation ash and beech to remove dangerous ash trees and to promote ancient woodland trees (lapsed coppice of small-leaved lime, ash, oak and sweet chestnut).

ExQ1 No.	Type / Category	The Question	Current response
		<p>Flora Survey: Avon Gorge woodlands SAC/Avon Gorge SSSI [APP-140] in light of these works being carried out by Forestry England.</p>	<ul style="list-style-type: none"> • 5003 n: intermediate thin on uniform Corsican pine crop. • 5002 c: remove remaining western hemlock. • 5002 jh (adjacent to the proposed positive management area for woodland compensation): clear-fell Douglas fir, western hemlock, Japanese larch and Scot's pine. • 5001 f (red oak plantation, part of Package 2 of the whitebeam planting proposals) – clear-fell red oak. Detailed survey of this compartment is reported in Annex H of the AGVMP Ver. 02 (AS-044; DCO document reference 8.12) and Figure 6 of Annex H indicates the management proposals for this compartment. <p>These works are not included as part of the in-combination assessment in the HRA because they are directly connected with the management of the designated site, with the objective of the felling to improve the condition of the SSSI / SAC. Therefore, these management works do not contribute towards potential adverse effects on the SAC. Furthermore, in the case of the felling of the red oak plantation (compartment 5001f), this felling has been undertaken to prepare the area for whitebeam planting as part of Planting Package 2 of the Whitebeam compensation .</p> <p>The compensation measures in Section 11 of the HRA would therefore remain sufficient as there is no adverse effect on the SAC as a result of this Forestry England felling.</p> <p>There is no effect on the currency and validity of the survey reported in ES Volume 4 – Appendix 9.10 Flora Survey: Avon Gorge woodlands SAC/Avon Gorge SSSI (APP-140; DCO document reference 6.25) as the felled areas are outside the land within NR ownership that was surveyed.</p>
<p>BIO.1.14</p>	<p>Trees Q to Bristol City Council The Applicant</p>	<p>In your RR [RR-001] you raise a concern regarding the potential loss of trees within Bristol.</p> <p>How many trees would be lost? Where are the trees that would be lost located? If possible, provide a plan showing the location of the trees that would</p>	<p>The Applicant anticipates the loss of 21 trees within the Bristol City Council area.</p> <p>Please refer to BIO.1.14 Appendices Appendix 1 – 7 for plans showing the location of trees lost.</p> <p>Protected trees</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>be affected.</p> <p>Are the trees that would be lost protected and if so how?</p> <p>Are any of the trees noble or veteran trees?</p> <p>Could the loss of trees be mitigated and if so how?</p>	<p>We understand that protected trees relate to trees that that lie within a Conservation Area or are protected under a Tree Preservation Order.</p> <p><u>Conservation Areas</u></p> <p>Reference: Bristol City Council Local Plan Policies Interactive Map.</p> <p>Please refer to BIO.1.14 Appendix 8 Clamage Road Compound Bower Ashton Conservation Area Boundary Extract Policy BCS22. When cross referenced with Appendix 1 Tree Survey Plan – Proposed Compound Area (Sheet 1 of 3) 6no trees within the Conservation Area would be lost.</p> <p>Please refer to BIO.1.14 Appendices Appendix 9 Miles Dock Underbridge tree survey with Sneyd Park Conservation Area Boundary Extract Policy BCS22. The purple line of the Sneyd Conservation Area runs through half of tree group 27 and some of tree group 28. Within tree group 27 and 28, approximately 30 trees would be affected. 24no of these are smaller trees and would be coppiced to enable the construction of the fencing and the trees allowed to regenerate. 6no trees would be removed and mitigated as described below. Within the limits of the tree survey it is not possible to determine in detail how much is tree canopy overhanging into the conservation area and that the tree trunks are outside the boundary.</p> <p>Please refer to BIO.1.14 Appendix 10 Structure 28 and City Docks Conservation Area Boundary Extract Policy BCS22. The purple line of the City Docks Conservation Area runs through part of tree group 17 as identified within Figure 4 - Tree Survey Plan – August 2020 (Sheet 4 of 4). It is tree canopy from Group 17 which overhangs into the conservation area boundary with the trees on the railway embankment. Approximately 34no trees would be coppiced to enable the construction of the fencing and the trees allowed to regenerate.</p> <p><u>Tree Preservation Orders</u></p> <p>According to data downloaded from Open Data Bristol and cross referenced with our plans none of the trees that are proposed for removal are protected by a TPO. Source: Open Data Bristol [Online] available @</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>https://opendata.bristol.gov.uk/explore/dataset/tree-preservation-order-trunk/export/ [accessed 04.11.20]</p> <p>None of the trees to be removed are of notable or veteran value.</p> <p>Mitigation for the loss of trees is in accordance with Bristol City Council’s Tree Replacement policies - Retained Policy DM75 (Development involving existing green infrastructure, Retained Local Plan Policies, Consultation March 2019). As mitigation for the loss of 21 trees as defined above, 75 replacement trees are required. 35 trees are to be planted at Clanage Road access (please refer to APP-044 / 252 Clanage Road Compound Landscaping and Access Plan) and a paid contribution will be made to Bristol City Council for the remaining 40 trees to be planted elsewhere by Bristol City Council.</p>
BIO.1.15	Trees Q to The Applicant	Woodland planting at Pill Tunnel Eastern Portal compound is shown on plan APP-040 but it is not referenced within the dDCO. How would this be secured?	The proposed planting shown on the Pill Tunnel Eastern Portal Compound, Landscaping and Access Plan (drawing 467470.BQ.04.20-220 and is part of Work 24) (APP-040; DCO Document reference 2.46) would be secured the approval of the detail design as set out in the DCO Schedule 2, Part 1, Requirement 4. The provisions of Requirement 7 secure the required landscaping.
BIO.1.16	Whitebeam Planting Q to Natural England, Forestry Commission & The Applicant	<p>In their RR [RR-022] Natural England indicate that of the three sites originally selected by the Applicant they considered that there was some question of suitability of two of the sites. There is now an additional compensation package proposed in the AGVMP [APP-141 and APP-209].</p> <p>AS-044 presents a revised version of the AGVMP now including two “alternative packages” for rare whitebeam planting sites adding the new planting sites on Forestry Commission land but removing the sites which raised concerns with Natural England during further discussions post-submission of the DCO application. Package 2 (proposed in response to Natural England concerns) is stated as “the preferred option”, but both options are</p>	<p>Natural England’s concerns in relation to the Package 1 whitebeam planting sites relate to the existing interest of the woodland vegetation at these sites and the potential for this interest to be affected by the proposals to plant whitebeams at these sites. These concerns are set out in paragraph 2.2.2 of Annex H of the AGVMP Ver. 02 (AS-044; DCO document reference 8.120) as follows:</p> <ul style="list-style-type: none"> • The presence of small-leaved lime <i>Tilia cordata</i> and Avon whitebeam <i>Sorbus avonensis</i> on the south-eastern side of the bridge at Nightingale Valley (Site 1a). Small-leaved lime is a key component of <i>Tilio-Acerion</i> woodland, which is a qualifying feature of Avon Gorge Woodlands SAC. • The density of ash <i>Fraxinus excelsior</i> and the presence of small amounts of species such as small-leaved lime and field maple <i>Acer campestre</i> at Miles Dock (Site 2) suggest a correspondence with the National Vegetation Classification (NVC) of W8d <i>Fraxinus excelsior – Acer campestre – Mercurialis</i>

ExQ1 No.	Type / Category	The Question	Current response
		<p>retained as the necessary agreements with the Forestry Commission are not yet finalised. Can you:</p> <p>Provide further detail as to what the concerns are in relation to these two sites and whether or not these are now resolved in light of [AS-044].</p> <p>Confirm whether or not “Package 1” should be and will be removed entirely during the course of the examination so as to provide the ExA with a degree of certainty as to the compensatory measures that are to be put in place and how they are secured as part of the DCO provisions.</p> <p>Explain how, given they are not in the ownership of the Applicant, the compensation sites could be secured/ used for alternative planting.</p>	<p><i>perennis</i> woodland, <i>Hedera helix</i> subcommunity. Although this is secondary woodland that which has developed on the railway embankment, the vegetation composition corresponds with <i>Tilio-Acerion</i> woodland.</p> <p>These concerns have not been resolved for Package 1 and are the reason for the development of Package 2. The Statement of Common Ground between the Applicant and Natural England (REP1-021; DCO Document Reference 9.3.6 ExA.SoCG-NE.D1.V1) records the Applicant’s opinion that Package 1 can deliver compensation that will meet the legal requirements. However, the Applicant acknowledges Natural England’s opinion and has consequently modified Package 1 and developed Package 2 which can be delivered in lieu of Package 1, subject to agreement with the Forestry Commission.</p> <p>Package 1 will be removed entirely during the course of the examination, if agreement with Forestry Commission is reached in this time.</p> <p>The compensation activities proposed in Package 2 would be the subject of a commercial agreement for Forestry England to carry out the proposed works, with step in rights for the Applicant to carry out the works in the circumstances of a default by Forestry England.</p>
BIO.1.17	Loss of Whitebeam Q to The Applicant	<p>Paragraph 8.5.7 of the HRA Report [APP-75 and APP-142] states that “It is anticipated that the loss of whitebeams can be reduced through further refinement of the construction activities, and that greater certainty is likely to emerge prior to the determination of the DCO application.”</p> <p>Could you explain the basis for ‘greater certainty’ that would emerge and if/ how such information would form part of the ExA’s recommendation and or Secretary of State’s ultimate decision?</p>	<p>Greater certainty regarding the loss of whitebeam trees would emerge during the detailed design stage and further refinement of construction activities. Ecological site supervision will also enable micro-siting of infrastructure to avoid sensitive receptors once on site.</p> <p>Table 8.4 of the Report to Inform HRA Ver.002 (AS-027; DCO Document Reference 5.5) details the removal/coppice of rare whitebeam trees. These include 13 rare whitebeam trees predicted to be removed for geo-technical works to rock faces. A realistic worst-case scenario has been assessed to determine the potential impact of geo-technical works on rock faces as explained in the AGVMP Ver. 02, Annex D and Annex E (AS-044; DCO Document Reference 8.12). Detailed surveys of the rock faces will be undertaken during the detailed design of the geo-technical works and impacts on important habitats and species will be avoided, where possible (paragraph 8.1.4 in the AGVMP).</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Detailed design of geotechnical works will start in summer 2021 and there will be further surveys of rock faces to inform the geotechnical design. This will be before the Secretary of State’s decision but after the DCO Examination. On the basis that a realistic worst case scenario has been adopted, it is anticipated the Applicant would inform the Secretary of State of a change in the current assessment if the realistic worst case scenario is an underestimate of the impacts on the SAC. The Applicant will ensure Natural England is kept fully informed regarding the detailed design process.</p>
BIO.1.18	Loss of Whitebeam Q to The Applicant, Natural England & Forestry Commission	<p>Of the 27 Whitebeam trees that would be potentially affected, 12 of these are the “critically endangered” Avon Whitebeam species (table 8.5 of the HRA [APP-75 and APP-142]). However, of the proposed 54 replacement Whitebeams, only 5 Avon Whitebeams would be planted (ie there would be a net loss of 7). The Applicant states “Not all species can be replanted on a two for one basis, however, due to some species such as Avon whitebeam being more difficult to propagate”. Currently, there would still be a net loss of the world’s population of Avon Whitebeam as a result of the development even taking into account the replacements.</p> <p>Confirm that whitebeam seeds collected in Autumn 2019 are now under propagation at Paignton Zoological Gardens, how many and if more seeds are to be collected/propagated in the current season? Are Natural England and the Forestry Commission satisfied with current and future proposals for propagation and the Applicant’s overall compensation package in respect of the SAC qualifying woodland habitat as a whole?</p>	<p>Germination data for the autumn 2019 seed collection are provided in Table 3 of Annex H of the AGVMP Ver. 02 (AS-044; DCO document reference 8.12). Seeds were supplied to Paignton Zoological Gardens, Bristol University Botanic Gardens and Forestry Commission (Cheviot Trees). At Paignton Zoological Gardens, 28 individuals of Leigh Woods whitebeam <i>Sorbus leighensis</i> have germinated and are being grown on, but no other species have germinated. Bristol University Botanic Gardens have successfully germinated all species of rare whitebeam from the 2019 seed collection provided to them, with three individuals of Avon whitebeam <i>Sorbus avonensis</i> under propagation. Cheviot Trees have had success with propagating all species except Avon whitebeam.</p> <p>A seed collection was undertaken on 6th October 2020 and ripe fruits were sent to University of Bristol Botanic Garden and University of Liverpool Ness Botanic Garden for cultivation. The fruits collected were from the following species: Avon whitebeam, Bristol whitebeam <i>Sorbus bristoliensis</i>, round-leaved whitebeam <i>S. eminens</i> and common whitebeam <i>S. aria</i>. Collections with good fruits were made for all four species, though the numbers of Avon whitebeams fruits were relatively low as only one accessible tree was in fruit in 2020.</p>
BIO.1.19	Biodiversity Net Gain Q to The Applicant	The Environment Agency in their RR [RR-013] request measures to be included for habitat re-creation and enhancement, which “must result in a net gain in biodiversity”. Please could the Applicant explain if a biodiversity net gain is to be achieved, by how much, and what measures will be taken to achieve this.	<p>The project team has focused on maintaining and enhancing well-functioning ecosystems and networks rather than using a biodiversity metric to measure biodiversity net gain.</p> <p>As much habitat will be retained as possible. The total vegetation losses on the disused line for construction between Portishead and Pill are 7.66 ha, of which</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>the net permanent loss is 5.84 ha. A total of 8.5 ha will be retained, replanted or enhanced (of this 6.13 ha will be replanted or enhanced). The Railway Landscape Plans (Disused Line) (APP-017; DCO Document Reference 2.10) show the vegetation to be retained or replanted.</p> <p>Table 9.30 of the ES Chapter 9 – Ecology and Biodiversity Ver. 02 (AS-031; DCO Document Reference 6.12) presents a comparison of vegetation losses and gains on the route between Portishead and Pill. There are other areas where habitat enhancement is proposed but these have not been included in the habitat calculation, such as a new great crested newt pond at Portishead Ecology Park.</p> <p>Given that Network Rail keeps the operational railway clear of vegetation that might affect the safe operation of the freight services, the Applicant has not undertaken an assessment of habitat losses and gains between Pill (Portbury Junction) and Bristol (Ashton Junction) with the exception of the Avon Gorge Woodlands Special Area of Conservation ("SAC") and Avon Gorge Site of Special Scientific Interest ("SSSI").</p> <p>Vegetation losses and compensation are presented in the Avon Gorge Vegetation Management Plan Ver. 02 ("AGVMP") (AS-044; DCO Document Reference 8.12) and the Report to Inform the Habitats Regulation Assessment Ver. 02 (AS-027; DCO Document Reference 5.5).</p> <p>Compensation for the loss of woodland and grassland habitat within the SAC will be achieved by positive management of existing habitat to improve its condition by e.g. removing invasive species and scrub. The proposed area for positive management is approximately double the size of the area lost. This will be undertaken on Network Rail land or on Forestry Commission land outside of the Avon Gorge SAC/SSSI as an alternative to some of the 23 areas identified on Network Rail land.</p> <p>More details on the compensation proposals are given in section 4 of the AGVMP Ver. 02 (AS-044; DCO Document Reference 8.12) and section 11 of the Report to inform the Habitats Regulation Assessment Ver. 02 (AS-027; DCO Document Reference 5.5).</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The planting of 54 rare whitebeam trees within the Avon Gorge has been proposed to compensate for the loss of 27 rare whitebeam trees and more detail is discussed in section 5.7 and Annex H of the AGVMP Ver. 02 (AS-044; DCO Document Reference 8.12).</p>
BIO.1.20	Invasive Species Q to The Applicant	<p>Provide further details of exactly which invasive species are problematic, and how you would propose to treat and control invasive species particularly in terms of the long-term management of this matter. Highlight where in either the CoCP [APP-126] or the CEMP [AS-046] the measures to prevent the transportation of invasive species up or down the proposed route during construction would be secured and if there are no measures proposed, why not?</p>	<p>Problematic invasive species across the whole scheme are set out in the ES, Appendix 9.1 Extended Phase 1 Habitat Survey report (APP-133; DCO Document Reference 6.25), with the AGVMP Ver. 02 (AS-044; DCO Document Reference 8.12) providing detail on the species within Avon Gorge. Only Schedule 9 species are considered problematic outside the Avon Gorge. Of these, only Japanese knotweed has been identified within the scheme footprint, present at several locations. The treatment and control of Japanese knotweed throughout the scheme footprint is set out in paragraphs 6.2.62 to 6.2.64 of the Master CEMP Rev.002 (AS-046; DCO Document Reference 8.14), specifying that “outside the SAC, invasive species management will require the contractor to implement measures in accordance with Environment Agency best practice guidance and Environmental Protection Act 1990 (as amended). Japanese knotweed shall be controlled or removed prior to construction by the Applicant or contractor, in accordance with Network Rail standards” (paragraph 6.2.62) Compliance with “appropriate construction, handling, treatment and disposal procedures in relation to these and any other species listed in Schedule 9, Part II of the WCA” (paragraph 6.2.63) will safeguard against their transportation along the proposed route during construction.</p> <p>The Master CEMP (paragraph 6.2.20) refers to the AGVMP for details of the management of invasive non-native species within the Avon Gorge. Within the Avon Gorge, 21 non-native and potentially invasive plant species were recorded within or adjacent to the proposed route or within positive management areas (ES, Appendix 9.10, Flora Survey: Avon Gorge Woodlands SAC / Avon Gorge SSSI (APP-140; DCO Document Reference 6.25)). Paragraph 2.1.24 of the AGVMP lists the following non-native plants in order of priority for control, with respect to their potential for negative impacts upon the qualifying features of the Avon Gorge Woodlands SAC:</p> <ul style="list-style-type: none"> • Holm oak

ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> • Cotoneaster species • Rhododendron • Cherry laurel • Laurustinus • Norway maple • Butterfly bush • Red valerian • Himalayan balsam • Japanese rose • Snowberry • Red oak • Turkey oak • Sweet chestnut <p>Although not impacting upon the qualifying features of the SAC, one additional Schedule 9 species, Virginia creeper, is present at one locality along the railway line to the south and outside the boundary of the SAC (paragraph 4.5.11, ES Appendix 9.10 Flora Survey (APP-140; DCO Document Reference 6.25) and is in need of removal in line with the strategy set out in the Master CEMP Ver.02 (paragraphs 6.2.62 to 6.2.64) (AS-046; DCO Document Reference 8.14).</p> <p>The specifications for herbicide use within the Avon Gorge will be agreed with Natural England (paragraph 5.6.10, AGVMP Ver. 02 (AS-044; DCO Document Reference 8.12). Stumps of woody invasive non-native species will be treated with plugs of herbicide within 24 hours of felling (paragraph 5.6.10, AGVMP Ver. 02 (AS-044; DCO Document Reference 8.12)). For the control of herbaceous invasive species, it is anticipated that treatment will be in accordance with Network Rail's current SMS in the ES Appendix 9.15 (APP-143; DCO Document Reference 6.25) and limited to "spot spraying with a knapsack sprayer fitted with a suitable nozzle to minimize any spray drift or by the use of a weedwiper when height differential is sufficient and ground conditions allow" (AGVMP ver. 02 paragraph 6.1.3, (AS-044; DCO Document Reference 8.12)).</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Controls to prevent the spread of invasive species within the Avon Gorge during the construction phase are set out in the AGVMP in Section 5.5 Biosecurity measures and referenced in the Master CEMP Ver.02 (AS-046; DCO document reference 8.14): “The Contractor will ensure that all clothing/PPE, plant and equipment comply with the Check, Clean, Dry approach specifically following the guidance for Biosecurity in the Field” and “The Contractor shall also refer to the Arboricultural Association ‘Biosecurity in Arboriculture and Urban Forestry Position Statement’.”</p> <p>The longer- term management of invasive species will be managed through Network Rail’s SMS provided in the ES, Appendix 9.15 (APP-143; DCO Document Reference 6.25). The 5 years of management given assent by the current SMS (2018- 2023) cover the restoration of the Avon Gorge SSSI/SAC features, including the control of invasive non-native species. The approach to vegetation management is set out in Section 3, Appendix 6 of the SMS (Avon Gorge SSSI and SAC Vegetation Management Plan (VMP)). Invasive species are covered in Vegetation Management Guidance (VMG) 4: “These are invasive non-native species and therefore have no significance to the qualifying features of the Gorge other than negatively competing for light and water. They provide a seed bank that can spread to neighbouring stakeholders. Safety critical species will be felled and treated to prevent regrowth. Non safety critical INNS [Invasive Non Native Species] will be added to a workbank for removal where possible.” After completion of the actions set out in the current SMS and the activities of the DCO Scheme, Network Rail and the Applicant will agree any ‘handover’ items and Network Rail will ensure that subsequent VMP plans (2023 – 2028 and 2028 - 2033) address the management of invasive non-native species.</p> <p>Outside of the SAC, Network Rail’s policy/procedures regarding the management of invasive species during the operational phase are set out in Network Rail’s Guidance Note: How to Manage, Non-native and Harmful Plants (Network Rail, 2019) and Off Track Management of Invasive Weeds (Network Rail, 2008). Control of the following invasive, non-native species are covered by these documents: Japanese knotweed, giant hogweed, Buddleia, giant knotweed, hybrid knotweed, Himalayan balsam and rhododendron. Recommended</p>

ExQ1 No.	Type / Category	The Question	Current response
			management is species specific, including hand-pulling, cutting and/or herbicide treatment.
BIO.1.21	Schedule of mitigation measures and Compensation in relation to European Sites Q to The Applicant	In their RR [RR-022] Natural England suggested that key measures relating to European Sites – mitigation measures and compensation - should be drawn into a single summary to provide a clear and transparent summary of HRA matters in one place. The ExA request that you provide this.	This summary will be provided as Appendix 1 of the Statement of Common Ground with Natural England, a well advanced draft of which was submitted at Deadline 1 (REP1-021; DCO document reference 9.3.6 ExA.SoCG-NE.D1.V1).
BIO.1.22	Protected Trees Q to The Applicant	Are any of the trees that would be affected protected by either a Tree Preservation Order (TPO) or by virtue of being located in a Conservation Area? If they are, provide details of where these trees are located and extracts from the relevant TPO citations. You may wish to combine the answer to this question with the answer to question BIO.1.14.	According to North Somerset Council's Interactive Planning Map none of the trees that are proposed for removal fall within either a Conservation Area or are protected by a Tree Preservation Order. Refer to the answer in BIO.1.14 for trees within the Bristol City Council area that are potentially in part within a conservation area.
BIO.1.23	Pre-commencement tree clearance Q to The Applicant	Is any pre-commencement tree and vegetation clearance proposed (over and above the works currently being undertaken in Leigh Woods)? If so, where would this be and what trees would be affected? When would this clearance occur? Under what legislation would these works be undertaken.	Pre-commencement vegetation clearance is detailed below. Vegetation clearance (excluding trees) of the Disused line (Portishead to Pill) will be undertaken in November 2020. Vegetation clearance of the disused line has been undertaken annually as detailed in ES Chapter 9 Ecology and Biodiversity Ver. 02 (AS-031; DCO Document Reference 6.12) paragraph 9.4.11; <i>vegetation along the railway corridor was partially cleared in 2013, 2015, 2017, 2018 and 2019 to facilitate access to the railway corridor and to permit access for the site investigations to inform the project design.</i> Vegetation clearance (excluding trees) was undertaken in November 2020 along the strip of land attached to 7 Station Road in Pill and to the top of Hardwick Cutting at Pill Station to enable site investigations. This was also cleared for site investigations in 2015.

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			<p>Vegetation clearance of the southern embankment of Avon Road bridge, Pill station platforms and embankments is also required for site investigations to inform the project design. This will be undertaken in winter 2020/21 or winter 2021/22. These areas were also cleared of vegetation in 2015 for site investigations.</p> <p>The vegetation clearance has been undertaken in winter under a precautionary working method statement to protect ecological features and is supervised by an ecologist. This will continue for any further vegetation removal pre-commencement of the scheme. The land is owned by North Somerset Council or Network Rail and consent for vegetation clearance is not required.</p> <p>Forestry England undertook clearance of trees at the Red Oak Plantation in Leigh Woods in September/October 2020 as part of their Avon Gorge SSSI Management Plan 2016-2026, which was consented by Natural England in January 2016. This area is a potential planting site for rare whitebeam trees as part of the DCO Scheme compensation package as detailed in Appendix 9.11 AGVMP Ver. 02 Annex H (AS-044; DCO Document Reference 8.12).</p>
BIO.1.24	Bats Q to The Applicant	The ExA is aware of passing reference to consultation with members of the Avon Bat group as part of ES Technical Appendix 9.2 [AS-036]. Can the Applicant elaborate on this consultation and any other consultation that has been undertaken with any other local bat groups?	<p>The Avon Bat Group was contacted in November 2017 as part of the desk study data search for records of hibernation sites within a defined search area on the west side of the Avon Gorge between Clifton Suspension Bridge and Pill. The Secretary of the bat group circulated a request to bat group members and the consultation outcome was “The Avon Bat Group do not hold any records of hibernation sites in the study area, and the secretary did not receive any records from a request circulated to other members of the group.”</p> <p>We did not consult any other bat groups.</p>
BIO.1.25	Bats Q to The Applicant & Natural England	In Paragraph 2.22 of their RR [RR-022] Natural England indicate that a screen/ shield would protect the day/ night roost at Pill station from light and maintain the dark corridor that bats use. The references to such screen fencing (and lighting) have since been removed from	These paragraphs (8.4.60 – 8.4.63) were deleted from the HRA Ver. 02 (AS-027; DCO document reference 5.5) because new data on the use by bats of Pill Station and the disused line were made available in summer 2020 (ES Volume 4 Appendix 9.2 Bat Technical Appendix Ver. 02 (AS-036; DCO document reference 6.25) which showed no evidence for linkages between the bat roost at Pill Station

ExQ1 No.	Type / Category	The Question	Current response
		<p>paragraphs 8.4.60 – 8.4.63 of the HRA Report [APP-142]. Can you:</p> <p>Explain the reason for deletion of these paragraphs from V.2 of the HRA Report [APP-142].</p> <p>If such mitigation measures are no longer necessary following the more recent bat survey (ES Vol. 4 Appx 9.2 Version 2 [APP-134]) could Natural England confirm if they are content with this or provide further details of any alternative measures or signpost where in the application documentation this information can be found.</p> <p>Explain how and where these measures would be secured.</p>	<p>and the bat activity recorded on the disused railway line and therefore with the North Somerset and Mendip Bats SAC bat population. Therefore, likely significant effect (LSE) with respect to lighting at Pill Station was screened out in Table 7.1 of the HRA and no mitigation was required with respect to the HRA.</p> <p>However, the provision of the screen / shield at Pill Station still forms part of the mitigation described in ES Chapter 9 Ver. 02 (AS-031; DCO document reference 6.12) to mitigate impacts on the bat roost and commuting / foraging bats at Pill Station. Therefore, no changes have been made to the mitigation proposed as part of the proposed scheme, but as it is not mitigation required with respect to LSE on the European site, it has been removed from the HRA.</p> <p>These measures would be secured via DCO Requirement 5. The CEMP for these works will be prepared by the contractor(s) in accordance with the Master CEMP Ver. 02 Appendix 4.2 (AS-046; DCO Document Reference 8.14) and will be secured through a Natural England European Protected Species (EPS) Licence for bats. The draft bat licence application has the benefit of a letter of no impediment (LONI) from Natural England. This states that <i>Natural England sees no impediment to a licence being issued, should the DCO be granted.</i></p> <p>Mitigation for operational lighting at Pill station will be secured in the DCO Requirement 28.</p>
BIO.1.26	Bats Q to The Applicant	<p>Paragraph 1.2.3 of ES Volume 4, Appendix 9.16 “The Portbury Hundred Proposed Tree Planting” [APP-143] states that the scheme has the potential to disturb bats by removing linear vegetation features between foraging grounds and roosts. “To compensate for the impacts, trees will be planted along the A369 Portbury Hundred within land owned by NSDC to create and improve the corridor along the carriageway and ensure there is a continuous linear feature between Portishead and Portbury to enhance the bat navigational route.” However, this planting is not listed in the dDCO works list and does not appear on the Environmental Master plan [APP-045]. Can you confirm how this would be secured and delivered and</p>	<p>The planting in question is within highway boundary and no land acquisition nor planning consent is required for the additional tree planting. North Somerset Council as highway authority has indicated its acceptance of the proposed planning (see letter from Colin Medus of North Somerset Council (APP-205; DCO Document reference 8.6).</p> <p>Requirement 24(1) and (2) of the dDCO (AS-014; DCO Document Reference 3.1) provides a mechanism for the Relevant planning authority to control the provision of the planting.</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>why it does not appear as part of the environmental masterplan?</p> <p>You may wish to combine the response for this question with the answer to questions CI.1.5 and TT.1.3.</p>	
BIO.1.27	Bats Q to The Applicant	<p>At Pill station, construction and operational lighting could affect the navigational route along the freight line used by horseshoe bats. A preliminary lighting design in Appendix 9.18 of the ES [APP-143] has also been submitted.</p> <p>The lighting design submitted is a preliminary design - at what point will the actual lighting design be submitted? Requirement 28 of the dDCO deals with operational lighting at Pill Station. As currently worded the requirement would not require any lighting design to be in accordance with the preliminary lighting design contained in Appendix 9.18, should it and if not, why not?</p> <p>You may wish to combine the response on this question with the answer to question BIO.1.28.</p>	<p>Appendix 9.18 is the preliminary lighting design for Pill Station car park and highways. It is not a lighting design for Pill Station itself. The design of both construction and operational lighting at Pill station will be developed during the detailed design phase and will be submitted for approval by the local planning authority prior to its installation (in accordance with the relevant dDCO requirements (AS-014; DCO document reference 3.1).</p> <p>The detailed lighting design will be submitted to the relevant planning authority after GRIP 5 has been completed. The purpose of Requirement 28 relates to the protection of bats. The reasoning behind Requirement 28 is to protect the existing bat colony that roosts under the former steps up from the disused "Up" platform i.e. to Bristol/London platform at the former Pill Station. Requirement 28 should not require lighting design to be in accordance with the preliminary lighting design contained in Appendix 9.18 because that lighting is for Pill Station car park and highways, and not to protect the vicinity of the bat colony that roosts under the former steps up from the disused "up" (i.e. to Bristol/London) platform at Pill Station.</p> <p>It is considered possible that an alternative design (instead of the proposed bat screen on the dis-used 'Up' platform) could reduce the LUX levels in the area in front of the bat roost / bat corridor directly via the lighting design on the operational platform ('Down' platform), such as through the introduction of hoods on the lights. These options will be developed further in detailed design and will be submitted for approval by the local planning authority in accordance with the relevant dDCO Requirement.</p> <p>Lighting requirements at new railway stations are dictated by legislation and railway industry standards.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> • COMMISSION REGULATION (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility. • Design standards for accessible railway stations: a code of practice by the Department for Transport and Transport Scotland. • RIS-7016-INS Interface between Station Platforms, Track, Trains and Buffer Stops. <p>Because of the possibility of an alternative design solution being developed in GRIP5, it would not be appropriate to include Appendix 9.18 in the Requirement as that would prevent the alternative design (which may be a better longer term solution for bats) from being delivered.</p>
BIO.1.28	Bats Q to The Applicant, Network Rail & Natural England	<p>ES Ch.9 paragraph 9.4.34 [APP-104] states that the development has a sensitive lighting strategy. dDCO Requirement 28 stipulates that written details of operational lighting at Pill Station must demonstrate lighting levels of >0.5 lux.</p> <p>As this only applies to Pill Station, what confidence can be provided that lighting levels will be >0.5 lux along the railway corridor?</p> <p>Why does dDCO Requirement 29 (operational lighting) not also stipulate the same lighting levels (>0.5 lux) as in Requirement 28, should it and if not, why not?</p> <p>You may wish to combine the response on this question with the answer to question BIO.1.27.</p>	<p>The Applicant assumes that the lighting levels are stipulated to be < or = to 0.5 lux, not >0.5 lux. The purpose of Requirement 28 relates to the protection of bats. The objective of Requirement 28 is to protect the existing bat colony that roosts under the former steps up from the disused “up” i.e. to Bristol/London platform at the former Pill Station. Lighting requirements at new railway stations are dictated by legislation and railway industry standards:</p> <ul style="list-style-type: none"> • COMMISSION REGULATION (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility • Design standards for accessible railway stations: a code of practice by the Department for Transport and Transport Scotland • RIS-7016-INS Interface between Station Platforms, Track, Trains and Buffer Stops. <p>There is no other planned lighting in the railway corridor except for: Trinity pedestrian and cycle bridge (work No 7), new emergency lighting in the existing</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Pill Tunnel and Portishead station. None of these lighting installations impact any known bat roosts.</p> <p>Work No. 7 Trinity bridge lighting will be maintained by the local highway authority, with occupancy detectors also installed to dim the lighting on the bridge and stairs when unoccupied. The proposed handrail lighting on the stairs and ramp is very directional and reduces overspill into neighbouring properties. Anti-climb luminaires on the bridge deck are proposed together with 5m columns in the area on approach to the bridge.</p> <p>Pill Tunnel emergency lighting will only be turned on in an emergency when the train stops in the tunnel, activated by push button, or for maintenance works in the tunnel.</p> <p>The requirement to keep night-time lighting levels at no more than 0.5 Lux is not relevant at Portishead Station.. The lighting requirement of no more than 0.5 Lux is specifically for horseshoe bats, which have not been recorded at Portishead Station.</p> <p>It is intended that, at Portishead Station, the platform lighting will dim automatically when the platform is unoccupied after a set period (approx. 20 minutes), but will remain on at all times for safety. The lighting will be designed to minimise light spill to neighbouring properties. The lighting on the platform will have PIR (passive infrared) sensors installed that will increase the lighting levels when movement of people is detected on the station. The platform lighting is required to be kept on and only dim when unoccupied during the hours of darkness, owing to the station being open (not closed to the public at night). There would be an operational hazard of public or workers falling onto the track if the lighting was turned off completely. Station building lights are likely to be switched off during closing hours. Lighting requirements at new railway stations are dictated by legislation and railway industry standards as mentioned above.</p> <p>Requirement 28 deals specifically with the known bat roosts opposite the new Pill Station. The other operational lighting in Requirement 29 does not impact any known bat roosts.</p>

ExQ1 No.	Type / Category	The Question	Current response
BIO.1.29	Bats Q to The Applicant	The derelict store west of Station Road which is used by bats is proposed to be retained and fenced from the operational railway (9.6.26 – [AS-026]) however no reference is made to this in dDCO Requirement 24 - how would the retention of this store be secured?	<p>This store is a former platelayers hut but it is located immediately to the west of the bridge carrying Station Road, Portbury, over the disused railway. It is inaccessible other than from the railway. It is on land currently owned by North Somerset Council. The Council will retain ownership as it is intended this land will not become part of the operational railway land transferred to Network Rail.</p> <p>It was not felt necessary to burden the scheme with the retention of the store as it does not occupy any location which would be required for the development of Work No.1. It was also anticipated that, because of the occupation by bats, a licence under the Wildlife and Countryside Act 1981 would be required for any works to the store or to remove it, and this would be sufficient protection for the bats that use the store. On this basis it was anticipated that no further imposition of constraints by way of requirement was necessary.</p>
BIO.1.30	Protected Species Q to The Applicant & Natural England	<p>A Districted Level Licence (DLL) is now proposed as a potential alternative to a European Protected Species (EPS) licence (ES Chapter 9 [AS-031]).</p> <p>What certainty does the DLL give that the proposed measures would be secured rather than the EPS licence? Summarise what, if any, changes the DLL approach (as an alternative to the EPS) make to the mitigation proposals, for example what are the consequences for the proposed GCN ponds and enhancement areas.</p> <p>At what point will it be determined whether the standard EPS or DLL will be sought?</p> <p>Paragraph 9.7.24 of ES Chapter 9 [AS-031] refers to developer contributions – how would such contributions be secured?</p>	<p>District Level Licensing (DLL) is an alternative to the site-based traditional licensing for great crested newt (GCN). DLL is a shift in emphasis away from translocating individual newts, instead focussing on funding the strategic creation and management of ponds in areas where modelling demonstrates a positive outcome for GCN.</p> <p>DLL gives the same level of certainty of GCN population protection as EPS licencing. Both are issued by the regulator and competent authority for licensing: Natural England. The Applicant has been in discussions with Natural England for several months over the use of DLL, and those discussions are nearing a conclusion. The scheme construction boundary and available GCN data have been submitted to Natural England, who calculate the value of the conservation payment required to mitigate for GCN within the construction boundary. This required payment is outlined in the Impact Assessment and Conservation Payment Certificate (IACPC), issued by Natural England.</p> <p>Once an IACPC is signed, the DCO Scheme will be committed to using DLL.. An upfront payment would be made to enable Natural England and their habitat providers to create the number of ponds required to offset the DCO Scheme. Once the DCO is granted, the Applicant will submit an application to use DLL based on the DCO, and any outstanding payments would then be made.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Under DLL, the typical GCN mitigation practices of trapping, translocating and exclusion fencing are not mandatory. The Favourable Conservation Status of the species is met instead through advance creation of ponds; the number required is based on the impact of the scheme as assessed by Natural England. The ponds will be created elsewhere within the County in advance of construction.</p> <p>The GCN ponds and enhancement areas previously included within the mitigation proposals associated with the scheme are no longer required under DLL., the Applicant has created in the Portishead Ecology Park in 2020 the GCN pond initially proposed at that location as part of an EPS licence. The pond was created specifically to provide habitat for GCN and is located in an area when GCN are known to be present. North Somerset Council has proposed that this pond forms part of the DLL strategic provision, and as part of the Applicant's contribution to that.</p> <p>Whilst trapping and translocation of GCN out of construction areas is not mandatory, DLL does allow for these activities if the Applicant wishes to undertake them. The CEMP (AS-046; DCO Document Reference 8.14) details in paragraph 6.2.37 that physical harm during construction will be avoided by reasonable avoidance measures such as habitat manipulation and destructive searches and measures in place for reptiles will also protect GCN and other amphibians.</p> <p>The GCN enhancement area at Sheepway remains within the DCO Scheme as an area for enhancement.</p> <p>The Applicant's preference is to use DLL as the licensing route and is currently considering the IACPC for the DCO Scheme. Once the IACPC is signed and first stage payment has been made this will be a firm level of commitment to use DLL. The licence application and remaining funds would be then submitted to Natural England once the DCO has been made.</p> <p>Contributions would be secured as above.</p>
BIO.1.31	Great Crested Newt -	Appendix 9.13 [AS-040] refers to the fact that only one permanent reptile underpass is now proposed as part of	The permanent reptile underpass is proposed under the realigned Quays Avenue, Portishead, as shown in the Environmental Masterplan (AS-026, DCO Document

ExQ1 No.	Type / Category	The Question	Current response
	Tunnels Q to The Applicant	<p>the proposals for habitat manipulation and translocation. This would be at Quays Avenue only, rather than five locations between Portishead and the M5 as was in the previous iteration:</p> <p>Explain the reasoning for this change. Paragraph 5.1.2 states that the tunnel should be at least 500 mm in diameter, although 1 m is preferable. Which type of tunnel is proposed and what would this look like? How would this be secured?</p>	<p>Reference 2.53). This will provide connectivity to habitats on either side of the road along the railway corridor to help avoid fragmentation of reptile habitat in the new car park area (Work No. 4) between the railway corridor and Harbour Road to the west of the proposed station at Portishead.</p> <p>Newt corridors were originally included in the design of the Portishead to Pill railway line under bridges (except the M5 Bridge) as shown in the original Environmental Masterplan (APP-045; DCO Document Reference 2.53) and these could have also been used by reptiles. These were removed from the amended Environmental Masterplan ver. 02 (AS-026, DCO Document Reference 2.53) because no fragmentation is anticipated between the new highway west of Quays Avenue, Portishead and Pill because reptiles are known to use and move across railway ballast.</p> <p>The location of the reptile tunnel is shown on the Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (APP-035; DCO Document Reference 2.38). The exact diameter of the tunnel is subject to detailed design but the design will aim to achieve the dimensions set out in Appendix 9.13 Reptile Mitigation Strategy Ver. 02 (AS-040, DCO Document Reference 6.25), page 5-1.</p> <p>The reptile underpass is secured as the Environmental Masterplan will be a certified plan under the dDCO Schedule 17. The underpass shown on Sheet 3 of the Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan which is referred to in Requirement 4 which requires that detail design is submitted then carried out in accordance with the drawings scheduled in that requirement.</p>
BIO.1.32	Great Crested Newts Q to The Applicant & Natural England	<p>Natural England request additional information [RR-022] to enable them to issue a Letter of No Impediment (LoNI) for Great Crested Newts.</p> <p>Confirm whether this has been submitted and provide an update on the progress of obtaining this letter. With respect to the DLL question above, can Natural England confirm if this has any implications for issuing of</p>	<p>The additional information requested by Natural England to enable them to issue a LoNI for the draft EPS great crested newt licence was not submitted to Natural England because the Applicant has applied for consent under Natural England's District Level Licensing (DLL) scheme for great crested newts as an alternative to the EPS licence.</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>an LoNI.</p> <p>You may wish to combine the response to this question with your response to question GC.1.5.</p>	<p>It is the intention for the scheme to use DLL as the licensing route and the Applicant has recently received the Impact Assessment and Conservation Payment Certificate (see reply to Question BIO.1.30).</p>
BIO.1.33	Great Crested Newts Q to The Applicant	<p>Paragraphs 3.2.10, 3.2.13 and 3.2.16 of the HRA and Chapter 9 of the ES [APP-75 and APP-142] contain references to new ponds to be created in for Great Crested Newts as part of flood compensation strategies. It would appear that you have done some sensitivity testing in response to post-acceptance s.51 advice and are continuing to discuss Flood Risk Assessment (FRA) matters with the Environment Agency. Can you confirm that these sensitivity analyses and additional works would not lead to changes to the assumptions made around these ponds?</p>	<p>The new Great Crested Newt (GCN) ponds referred to in the HRA and Chapter 9 of the ES (APP-75 and APP-142; DCO Document References 5.5 and 6.12) are located at:</p> <ul style="list-style-type: none"> • Portishead Ecology Park (HRA paragraph 3.2.10 – this pond was constructed in spring 2020 under permitted development rights by the landowner North Somerset Council); • a site accessed off Sheepway to the north of the disused line (Work No. 12B); and • in the field east of Easton-in-Gordano stream (Work No. 16B) (HRA paragraphs 3.2.13 and 3.3.16). HRA paragraphs 3.2.13 and 3.3.16 refer to the same new pond. <p>These ponds were proposed as part of the European Protected Species (EPS) licence for GCN rather than part of the flood compensation strategies.</p> <p>The Applicant has applied for consent under Natural England’s District Level Licensing (DLL) scheme for great crested newts as an alternative to the EPS licence. It is the intention for the scheme to use DLL as the licensing route and the Applicant has recently received the Impact Assessment and Conservation Payment Certificate and intends to sign it and make the first payment before the end of 2020. The GCN ponds and enhancement areas previously included within the mitigation proposals associated with the scheme may no longer required under DLL. The Applicant is however considering the biodiversity advantages that could be secured if the land at Sheepway and east of the Easton in Gordano Stream were available for such purposes.</p>
BIO.1.34	Great Crested Newts Q to The Applicant	<p>dDCO Schedule 2 Part 1 defines a Great Crested Newt strategy however it is not referenced elsewhere in the dDCO nor is it mentioned in these terms in the ES. Can you confirm the location and purpose of the Great Crested</p>	<p>The Applicant has developed two strategies to mitigate impacts on Great Crested Newts (GCN), their ponds and foraging areas,</p> <ol style="list-style-type: none"> 1. through seeking a European protected species licence from Natural England including the development of mitigation as part of the DCO Scheme; and

ExQ1 No.	Type / Category	The Question	Current response
		<p>Newt strategy referred to in the dDCO and provide a copy if one has not been provided?</p>	<p>2. the District Level Licensing (DLL) route with Natural England.</p> <p>The first strategy is described in the Master CEMP (AS-046; DCO Document Reference 8.14) in paragraphs 6.2.36 and 6.2.37.</p> <p>The second strategy to engage with Natural England to obtain a DLL is ongoing. The Applicant has recently received the provisional Impact Assessment and Conservation Payment Certificate (IACPC) and intends to sign it and make the first payment before the end of 2020. This documentation has not been provided to the ExA.</p> <p>The confusion has arisen because we have not used the phrase “GCN strategy” in the Environmental Statement and related documents.</p> <p>“GCN strategy” will be removed from the definitions in the dDCO Schedule 2 Requirements.</p>
BIO.1.35	Great Crested Newts Q to The Applicant	<p>Paragraph 9.7.23 of the chapter 9 v.2 of the ES [AS-031] details six enhancement areas for Great Crested Newts but Work numbers 10C, 12B and 16B refer to three pond works.</p> <p>Explain why only these 3 are cited whereas 6 enhancement areas are referred to. Explain how these enhancement areas would be secured? Should the enhancement areas be the subject of separate numbered works?</p>	<p>Work numbers 10C, 12B and 16B are construction works to build three new ponds. The habitat enhancement areas are associated with existing or proposed GCN ponds. The Applicant considers that it is not appropriate to list habitat enhancement as “Works” as these are not construction activities.</p> <p>If the Applicant decides to apply to Natural England for a European Protected Species licence, enhancement areas would be secured through the licence.</p> <p>The Applicant has submitted an application to Natural England for decides to accept the Impact Assessment and Conservation Payment Certificate (IACPC) apply to Natural England for a District Local Licence, the ponds and habitat enhancement will not be undertaken, within the exception of Work number 10 which was constructed in spring 2020 within the Portishead Ecology Park on land owned and managed by the Applicant. Natural England would undertake to construct GCN ponds at other locations identified within North Somerset.</p> <p>The Applicant has recently received the Impact Assessment and Conservation Payment Certificate (IACPC) for District Level Licensing.</p>

ExQ1 No.	Type / Category	The Question	Current response
			It is the Applicant's intention to secure the two sites currently proposed for the new ponds at Sheepway and east of the Easton in Gordano Stream for habitat enhancement, but to not provide the ponds, if the DLL means the two ponds are no longer required.
BIO.1.36	Great Crested Newts Q to The Applicant	Planting of scrub and long grass at Pill Station for newt habitat is shown on Pill Station Car Park plan [APP-038] but is not referenced in the dDCO - how would adherence with this plan be secured?	<p>Pill Station Car Park plan (APP-038; DCO document reference 2.42) is referenced in Requirement 4 of Schedule 2 to the draft DCO. Requirement 4(2) indicates that the detailed design must reflect the principles of the relevant design drawings listed in Requirement 4. The relevant drawing is listed in the table at Requirement 4(5).</p> <p>Requirement 7 indicates that all landscaping shown in principle in the relevant design drawings must be carried out in accordance with the landscaping details shown in the relevant drawing and thereafter maintained and approved. The combination of Requirements 4 and 7 therefore serve to secure the relevant planting.</p>
BIO.1.37	Wildlife Corridor Q to Bristol Port Company & The Applicant	<p>Whilst on our Unaccompanied Site Inspection [EV-001] the ExA observed the existence of a wildlife corridor adjacent to Royal Portbury Dock that is managed/ owned by the BPC.</p> <p>BPC: Provide further detail of the wildlife corridor including why it is provided, what animals use it, how long it has been in existence and any plans/ maps to show the extent of the corridor.</p> <p>The Applicant: Signpost where in the application documentation the effect of the proposed development on this wildlife corridor has been considered and if it hasn't, why not.</p>	<p>The Applicant produced a proportionate EIA based on the assessment of likely significant effects as required under the National Policy Statement on National Networks, see paragraph 4.15.</p> <p>The effect of the DCO Scheme on most of the non-statutory designated sites along this stretch of the disused railway, particularly those not directly affected by construction works, were assessed as "neutral" - see the ES Chapter 9, Table 9.21 (AS-031; DCO Document Reference 6.12). The Applicant is aware of the potential presence of protected species along the wildlife corridor, such as Great Crested Newts and water vole, as they have been found through the Applicant's own surveys. During 2016, we also shared our ecological survey data with BPC in the lead up to their submission of their planning application for a new car storage area at Court House Farm. The DCO Scheme would not directly affect the wildlife corridor and construction-related effects would be managed through the CEMP. The impact on protected species using the wildlife corridor close to the DCO Scheme would be no different from the effects we have described in the ES Chapter 9.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>A principal concern was the potential and realised effect of BPC’s planning application for a new car storage area in the fields west of Court House Farm and south of the disused railway, which was granted planning permission in December 2016. It was felt that the creation of a well-lit car storage area on the south side of the railway area would significantly affect the dark corridor along the disused railway which is a regionally important bat commuting route, linked with the North Somerset and Mendip Bats SAC. The Port committed to mitigation measures and monitoring to maintain a dark corridor for bats through this area. This issue is covered in detail in the ES, Chapter 9 and Appendix 9.2 Bat Technical Appendix (AS-036, DCO Document Reference 6.25).</p>
BIO.1.38	HRA Q to The Applicant	<p>There are two (seemingly identical) versions of the HRA Report ([APP-142] and [APP-075]). On this basis, the ExA intends to refer to the standalone version of the HRA Report as updated September 2020 V2 [AS-027] for the purpose of these written questions and subsequent hearings as relevant. In any supplementary material and/or revised versions of the HRA Report, the Applicant is asked to clearly set out which document(s) should prevail as the most recent versions and definitive information to inform the competent authority in this regard.</p>	<p>The Report to Inform the Habitats Regulations Assessment (HRA) was submitted in duplicate, one as Appendix 9.12 to the Environmental Statement (APP-142; DCO Document Reference 6.25) and the other as a standalone report (APP-075; DCO Document Reference 5.5).</p> <p>As explained on the inside cover of both documents, our intention is to leave Appendix 9.12 (APP-142; DCO Document 6.25) unaltered as the application version and to update the standalone version of the HRA (APP-075; DCO Document Reference 5.5) if required during the course of the examination.</p> <p>As noted, we have already submitted Version 2 of the HRA in clean and tracked changed copies (AS-027 and AS-028, DCO Document Reference 5.5) to the ExA in response to ongoing consultation with Natural England since the submission of the DCO Application.</p> <p>The Applicant will clearly identify which versions of the HRA Report should prevail as the most recent version.</p>
BIO.1.39	HRA Q to Natural England	<p>The Applicant has submitted a legal opinion from Stephen Tromans QC regarding the Report to Inform the Habitats Regulations Assessment [APP-197]. Provide comment and confirm whether you agree with its conclusions.</p> <p>Or if this matter will be covered in your WR or SoCG please signpost where in these documents this information can be found.</p>	

ExQ1 No.	Type / Category	The Question	Current response
BIO.1.40	European Sites Q to The Applicant & Natural England Relevant Planning Authorities	<p>The search area for European sites for consideration in the HRA was based on a 10 km radius around the DCO Scheme boundary (extended to 30 km for sites with bats as a qualifying feature).</p> <p>Applicant: Can you clarify the basis in guidance (or otherwise) for these defined zones and whether the search area/ buffer zone was agreed with the Statutory Nature and Conservation Bodies at the HRA Screening Stage.</p> <p>Natural England and Relevant Planning Authorities: Do you consider whether these zones are appropriate for the purposes of the HRA?</p>	<p>The Conservation of Habitats and Species Regulations 2017 (Regulation 63) state that:</p> <p><i>” 63.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—</i></p> <p><i>(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and</i></p> <p><i>(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives.”</i></p> <p>At the time of undertaking the HRA screening for the DCO Scheme, there was no published guidance on the search areas for European sites. The search areas were defined on the basis of the likely zone of influence of the DCO Scheme and on the mobility and sensitivity of the designated features of the European sites. This approach was and continues to be supported by advice in ‘The Habitats Regulations Handbook’ (Tyldesley and Chapman, 2013, revised 2019). The search area of 10km for European sites is sufficient to encompass the zone of influence of the proposed DCO Scheme. The reason for extending the search area to 30km for sites with bats as a qualifying feature is that some species of bat, especially greater horseshoe bats, are known to travel some distance between roosting sites.</p> <p>It is of note that the Design Manual for Roads and Bridges (DMRB) guidance for Habitats Regulations Assessment (LA115; Highways England 2020), which was updated and reissued in January 2020, advises a search area of 2km for Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites and 30km for SACs where bats are one of the qualifying interests. Therefore, the search areas adopted at the screening stage of the DCO Scheme meet the advice for sites with bats as a qualifying feature and are more extensive than the area advised in respect of SACs, SPAs and Ramsar sites with non-bat interest features.</p>

ExQ1 No.	Type / Category	The Question	Current response
			Natural England's response to the draft HRA Screening report was appended to the PINS Scoping Opinion (August 2015). This states the relevant legislation but does not specify defined search areas for European sites. The only reference to distance is: <i>"there are a number of nationally and internationally designated sites relating to greater and lesser horseshoe bats within a 15km radius from the proposed development site, the nearest being Kings Wood and Urchin Wood SSSI, which is a component of the North Somerset and Mendip Bat SAC. Given the mobile nature of these species, their use of the wider area and likely interchange between roosts, the potential indirect effects of the proposed development on greater and lesser horseshoe bats will need to be carefully considered as part of the EIA."</i>
BIO.1.41	Pathways Q to Natural England Relevant Planning Authorities	Paragraphs 5.2.1 (construction) and 5.2.2 (operation) of the HRA [APP-75 and APP-142] report set out the potential impact pathways to the identified European sites. Can you: Confirm you are content that these identified pathways consider all aspects of the Proposed Development that could affect European site(s)?	
BIO.1.42	Decommissioning Q to Natural England Relevant Planning Authorities	Is it appropriate that the Applicant has not assessed the potential decommissioning of the railway in terms of HRA, on the basis that it would remain available either for re-development and that such proposals would be subject to their own assessment and consideration of environmental effect (ie meaningful assessment cannot be made at this stage)? Explain why you do or do not agree and, if relevant, how you would wish to see the Applicant address this issue. You may want to combine the response to this question with the answer to question GC.1.20.	
BIO.1.43	Hydrological Connectivity	Limited information is provided in Section 6 of the HRA report [AAP-75 and APP-142] to support the assertion at paragraph 7.3.2 that "no hydrological connectivity is	Information on hydrological linkages between drains, ditches and ponds and the qualifying habitat of the Severn Estuary SAC is provided in paragraph 9.6.57 of

ExQ1 No.	Type / Category	The Question	Current response
	Q to The Applicant	<p>present between the DCO Scheme and the SAC qualifying habitat” in respect of the Severn Estuary SAC.</p> <p>Can the applicant signpost where additional information is provided in chapters 9 and 17 of the ES to demonstrate that such connectivity can be excluded, given the proximity of the works at 30-80m from the SAC and Ramsar designations (The closest of the SAC / Ramsar is 80m from the DCO Scheme at Pill Marshes. However, there are elements of temporary works that are closer to the designation, namely the temporary cycle path diversion at Jenny’s Meadow in Pill (30m)).</p> <p>Can the Applicant also confirm the closest point to the Severn Estuary SAC at which ballast removal could take place and whether effects of potential contamination release from ballast removal during construction have been considered?</p>	<p>the ES Chapter 9 Ver. 02 [AS-031]. This paragraph specifically considers Pond 11 and Ditches 15, 16 and 17 which lie close to or cross the River Severn SAC.</p> <p>Further information on waterbodies is also provided in the ES Appendix 17.3 Water Receptors (APP-190 and DCO Document Reference 6.25) at Table 1.1. The historical maps in the ES Appendix 10.2, Annex A, Parts 3 and 4 (APP-147/148 and DCO Document Reference 6.25) illustrate the changes in the drainage pattern along the southern bank of the River Avon over the last century following the expansion of the village of Pill and Royal Portbury Dock, the construction of the M5 in 1974 and the construction of the branch line from Pill into Royal Portbury Dock in the 2000s. These maps help to interpret drainage patterns in this area and are described below.</p> <p>The Old Sea Bank (a flood defence) is shown illustrated on the 1887 OS map (Annex A3, page 116) and the 1884 OS map (Annex A4, page 16) along the southern shore of the River Avon. Ditch 16 lies behind (upslope of) this part of this flood defence near Pill where the flood defence is parallel to the River Avon and then in front (downslope) of the flood defence where it lies perpendicular to the River Avon just north of the present-day location of the M5 Avonmouth Bridge (see Part 4, page 29, OS map 1972 and Part 3, page 129, OS map 1972). Following expansion of the port, this ditch flowed to the northwest to join the Easton-in-Gordano stream which discharges to the River Avon (Annex A4 Part 3, page 132, OS 1999 map). Following construction of the M5 Avonmouth Bridge it is not clear whether Ditch 16 passes under the M5 in culvert or is blocked. On a precautionary basis, it has been assumed that Ditch 16 could have hydrological connectivity with the Severn Estuary SAC.</p> <p>Ditch 15 is shown on the OS 2006 maps (Annex A, Part 3) lying to the south of the branch line into the Port within an enclosed triangle of land. The Applicant presumes that this is a recent feature constructed as part of the branch line from Pill into Royal Portbury Dock in 2002, as it is not previously shown on historic maps. The OS 2006 map shows the ditch to be confined between the M5 and the cyclepath, but may discharge via a culvert under the branch line to the area upstream of the Old Sea Bank, which also contains Pond 11. Both the stream, railway embankment and culvert entrance are heavily vegetated. They lie outside</p>

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			<p>the Order limits. The Applicant has concluded that Ditch 15 is not connected with the Severn Estuary SAC.</p> <p>Pond 11 is recorded on the OS maps only since 1999 (Annex A Part 4 page 31). This appears to be an internally draining pond, separated from the Severn Estuary SAC by the Old Sea Bank. A footpath lies along the top of the flood defence. A site visit has been made to verify the Applicant's previous understanding. During the site visit in November 2020 the footpath on the Old Sea Bank was walked and an aerial perspective gained from the M5. The flood defence between Pill and the M5 around this pond is thickly vegetated, which obstructs views across this feature, but the Applicant saw no indication of hydrological connectivity. The Applicant considers it reasonable to conclude that the pond does not drain to the Severn Estuary SAC.</p> <p>Ditch 17 is illustrated in the 1972 OS map and in subsequent maps (Annex A part 4, pages 29 to 34 and page 36). The maps show that this ditch rises north (downslope) of the flood bund that surrounds recent housing in Pill and flows northwards across the Severn Estuary SAC to discharge to the River Avon. The head of Ditch 17 does not connect with the disused railway as it is separated by housing in Pill, Jenny's Meadow (which lies on ground which that rises southwards towards the cyclepath), and the operational railway into the port.</p> <p>It is relevant to consider the nature of hydrological connectivity between the Easton-in-Gordano stream and the saltmarshes of the Severn Estuary SAC through which it flows to the River Avon. The discharge from the Easton-in-Gordano stream to the River Avon is controlled by a tidal flap and only discharges to the River Avon when the water levels in the stream are higher than the tidal levels on the other side of the flap. This ensures that, during high tides, brackish water in the River Avon does not flow up the Easton-in-Gordano stream. When the tidal flaps are closed during high tidal levels floodwaters in the stream can back up until the tidal flaps are open and the Easton-in-Gordano stream can discharge to the River Avon.</p> <p>Consideration has been given to the Flood Risk Assessment model, which indicates that for the 1:100 year flood, the water in the Easton-in-Gordano</p>

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			<p>stream does not overbank and the elevation of the backed up water level is at 6.3 m, well below the Mean High Water Spring peaking at 7.12 m assumed in the FRA modelling and more than a metre below the top levels of the saltmarsh at an elevation of 7.5 to 7.7 m based on LiDAR immediately on the other side of the tidal flap (LiDAR data may be +/- 20-25cms). For fluvial flows to reach the elevated saltmarsh a higher tide condition would be required, above the saltmarsh elevation, in which case the saltmarsh would be inundated by tidal River Avon water and any fluvial contribution would be comparatively insignificant. Therefore, the potential for the discharge from the temporary construction compound into the Easton-in-Gordano Stream to impact the saltmarsh is therefore considered insignificant.</p> <p>The closest point to the Severn Estuary SAC at which ballast removal could take place would be on the western side of the village of Pill, where the disused railway approaches the branch line from Royal Portbury Dock. The yellow line on the image appended as Appendix BIO.1.43-1 is a distance of approximately 85m between the disused railway and the Severn Estuary SAC boundary.</p> <p>The effects of potential release of contaminants from the ballast were considered in the ES Chapter 9 Ecology and Biodiversity paragraphs 9.6.57 to 9.6.59 (AS-031; DCO Document Reference 6.12); Chapter 10 Geology, Hydrogeology, Ground Conditions and Contaminated Land paragraph 6.2.2 (APP-105; DCO Document Reference 6.13); and Chapter 17 Water Resource, Drainage and Flood Risk paragraph 17.6.10 and 17.6.11 (APP-112; DCO Document Reference 6.20).</p> <p>The Drainage Strategy for Portishead and Pill Stations, Haul Roads and Compounds (APP-192091 and DCO Document Reference 56.26) provides indicative information on the temporary drainage design for Lodway Construction Compound. It is proposed to provide temporary drainage on site, with stormwater runoff draining to a settlement pond, which in turn would discharge via a railway culvert into a drainage ditch that connects with the Easton-in-Gordano The Easton-in-Gordano stream discharges to the River Avon upstream of the M5 Avonmouth Bridge. Pollution control would be provided through settlement within the pond and such other measures as may be required by the Environment Agency as part of environmental permitting. The discharge</p>

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			<p>from the Lodway construction compound would only occur in response to rainfall and be controlled at a greenfield rate, which is calculated at the peak rate of runoff for a specific return period due to rainfall falling on a vegetated area. The discharge from the compound would be insignificant compared with the discharge in the Easton-in-Gordano stream.</p> <p>There would be temporary hydrological connectivity between the temporary drainage of the Lodway construction compound, and possibly Ditch 16, with the Severn Estuary SAC, as both drain to the Easton-in-Gordano stream which crosses the saltmarsh habitat of the SAC prior to discharge to the River Avon. The Lodway construction compound lies predominantly outside the catchment area of the Easton-in-Gordano stream. As a conservative estimate, the temporary increase in catchment area is less than 2% and the catchment area for Ditch 16 is not affected by the Scheme. So no material changes in water levels in the Easton-in-Gordano are predicted. Furthermore, pollution control through settlement in a settlement pond prior to discharge from the Lodway construction compound plus dilution within the Easton-in-Gordano stream is not predicted to materially change water quality. Consequently, the drainage water from the construction sites would not directly affect the qualifying features of the Severn Estuary SAC.</p>
BIO.1.44	Management of SAC Grassland Q to The Applicant	<p>The proposals for positive management of SAC grassland, as set out in the AGVMP [APP-141] focuses on scrub control and the removal of non-native species. Part of the management may also require Herbicide treatment (potentially in in proximity to watercourses) which would require a licence from the EA.</p> <p>Having regard to the Sweetman case, and the likelihood and location of herbicide treatment, has the potential for likely significant effects / adverse effects on the integrity of any European sites from herbicide treatment been considered as part of the assessment i.e. as part of a worst case assumption that it may be required? If not, why not?</p>	<p>There are no watercourses in close proximity to positive management areas. All positive management areas are situated on the landward side of the towpath away from the River Avon. The stream at Paradise Bottom is situated 100m to the north of G24/G25 (land parcels for positive management, locations of which are shown on Figure 1 of Annex F of the AGVMP (APP-141; DCO document reference 6.25), with descriptions in Annex G) and about 20m to the south of the Miles Dock whitebeam planting area, with the nearest proposed planting location at least 25m north of the stream. The whitebeam planting areas, Nightingale Valley, Miles Dock, Clifton Bridge No. 2 Tunnel and the Red oak plantation in the AVGMP Ver. 02 (AS-044; DCO document reference 8.12) are separated from the River Avon by the towpath. Management activities will be no nearer than 3 metres from the top of the bank. Herbicide treatment will be confined to spot/stump treatment in these areas, with no risk of contamination of the nearby</p>

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			<p>river. Environment Agency consent is only required for herbicide use within 1m of the top of the bank of a watercourse.</p> <p>Network Rail’s existing SMS Appendix 9.15 of the ES (APP-143; DCO Document reference 6.25) for the Avon Gorge has been agreed with Natural England to give assent under section 28H of the Wildlife and Countryside Act 1981 (as amended) for routine maintenance operations undertaken by Network Rail at the Avon Gorge SSSI. Section 3.1 of the SMS permits vegetation to be maintained by <i>“pesticide application within agreed weedspray restrictions. If application is by spraying within the SSSI boundary then it is only permitted as spot spraying with a knapsack sprayer fitted with a suitable nozzle to minimize any spray drift or by the use of a weedwiper when height differential is sufficient and ground conditions allow.”</i></p> <p>It is therefore considered that there is no potential for likely significant effects / adverse effects on the integrity of any European sites arising from herbicide treatment.</p>
CC.1.1	Use of diesel trains Q to The Applicant & Network Rail	<p>North Somerset Council have declared a climate change emergency and require all new projects to take this into account. The indication is that the trains that would use the route would be diesel.</p> <p>How would the use of diesel trains address concerns regarding climate change?</p> <p>Has the proposed development been designed so that the track could, at some point in the future, either be electrified or used by trains powered by alternative fuels (eg hydrogen)?</p> <p>Are there any long-term proposals for either electrifying the line or using engines powered by alternative fuels?</p>	<p>Details about the climate change impacts in relation to diesel trains are set out ES Appendix 7.5 Climate (AS-034 and DCO document reference 6.25).</p> <p>Rail is a relatively low-carbon form of transport and is one of the most efficient ways of moving high volumes of people into city centres and moving people over long distances¹. Promoting this modal shift from private car use to train is one of the key drivers for the MetroWest scheme and it is expected to reduce emissions per passenger kilometre travelled compared with equivalent road transport².</p> <p>In line with the Government’s plans to decarbonise the rail network by 2040, Network Rail has released its Traction Decarbonisation Network Strategy which is included in Appendix CC.1.1-1. This document explores the alternatives to diesel powered rolling stock and details how decarbonisation can be achieved nationally on a route by route basis.</p> <p>While it is planned for MetroWest to begin operations with diesel powered</p>

¹ Department for Transport, 2020, Decarbonising Transport: Setting the Challenge, p. 26.

² MetroWest, 2019, Environmental Statement Vol.2 Chapter 7: Air Quality and Greenhouse Gases, p.58

ExQ1 No.	Type / Category	The Question	Current response
			<p>rolling stock, it is likely that these could be converted to use an alternative power source such as battery or hydrogen. An example of this is the prototype Class 799 which is undergoing trials in the UK. This unit was converted from a Class 319 Electrical Multiple Unit (EMU), originally built in the 1980's, to run on Hydrogen. Producing the large quantities of hydrogen that a fleet of trains needs does require a large amount of power in itself, but providing this can be generated from renewable sources such as wind, solar or through a carbon capture solution, hydrogen power can be produced carbon neutral.</p> <p>An alternative method would be to use bi-mode trains which are a proven technology. An example of this would be for a bi-mode train to draw power from an AC electrified mainline network and then switch to battery power for non-electrified sections such as branch lines. It is acknowledged that the geography and protected status of the Avon Gorge would make overhead line equipment (OLE) very difficult to install through this section, however the section from Pill Station to Portishead would be possible.</p> <p>When the DCO Scheme is commissioned and the Portishead Branch is incorporated into National Rail Network, the line will assume the same status as other routes within the suburban Bristol railway network. While the timescales and method for de-carbonisation of this route is unknown, it is likely that a holistic approach will be taken for all lines within this network.</p>
CI.1.1	Access to Trinity Anglican Methodist Primary School Q to The Applicant	<p>When on their Unaccompanied Site Inspection [EV-002] the ExA observed that the school appeared to be using a rear pedestrian access from Tansy Green that is the proposed location of work no 7D. Can the Applicant confirm whether this access to the school would be maintained for the duration of the works?</p> <p>If not, why not?</p> <p>Would an alternative access be provided?</p>	<p>There is no intention to close off this access point to the school, or to block access from Tansy Lane across Tansy Green. Work no. 7D does not encroach on the path that leads to the School's access. See Sheet 1A of the Works Plan (APP-009; DCO document reference 2.3)</p>
CI.1.2	Update Q to Bristol City Council LPA	<p>In your relevant representation [RR-001] you state that you are in discussion with the Applicant regarding the measures in the CEMP [APP-127] however no further details are provided. Please provide an update on any discussions and set out any outstanding concerns in this</p>	

ExQ1 No.	Type / Category	The Question	Current response
		respect or highlight where in the revised version of the CEMP [AS-046] these concerns have been addressed.	
CI.1.3	Update Q to The Applicant	When the ExA carried out their Unaccompanied Site Inspection [EV-002] it was noted that works have started on the Hinkley Point C Connection project including on areas of land within the Application around Sheepway, Portbury Wharf and Shipway Gate Farm. Please advise of current timescales for such works, whether there would be any overlap between the projects given the delays caused to both projects as a result of the current COVID-19 pandemic and any proposals to utilise such land in relation to this Application before it is re-instated to its original use and if so who would be liable for its reinstatement?	The Applicant and National Grid Electricity Transmission PLC (NG) have been regularly communicating since 2016 as set out in the draft Statement of Common Ground (SoCG) submitted at Deadline 1 (REP1-023 and DCO document reference 9.3.8). The majority of NG works will be complete prior to the start of the DCO Scheme construction and COVID-19 hasn't impacted on the end date of NG's programme. All NG works are due to be complete in this area in June / July 2023 with only reinstatement remaining to be complete by early 2024. Based a construction start date of early 2023 for the DCO Scheme, there would be some overlap with the works in the Sheepway area and a solution to ensure both projects can continue is set out in the draft SoCG (substantially agreed). The works remaining for NG to complete in 2023 will be pulling conductors through the new 400kV towers and dismantling the 132kV towers. The remaining NG work is of relative short duration so can be managed by regular communication and planning by both parties.
CI.1.4	Railway Freight Q to Bristol Port Company & Freightliner Ltd	Paragraphs 4.9.4-4.96 of the Transport Assessment [APP-155] refers to existing freight movements and data relating to a period between February and March 2016. Would the relevant Interested Parties: Confirm the accuracy of this information. Provide your own data of existing rail freight movements to and from the port, in terms of frequency and typical movements in a more recent time period. Details of any expected increase in such movements during the anticipated project construction period to winter 2023. You may wish to combine the answer to this question with the answer to question GC.1.12.	
CI.1.5	Access in Sheepway Q to The Applicant	Work No 12B would require the creation of a new access off Sheepway. Can you advise whether access to these works via the proposed Portbury Hundred Construction Compound and a disused level crossing as suggested by RR-066 was considered? If not, why not? If it was considered why was it discounted?	Work no. 12B is for the construction of a pond and associated ecological works and the existing access track would be used. It is not the intention that a new access is constructed.

ExQ1 No.	Type / Category	The Question	Current response
		<p>You may wish to combine the response for this question with the answer to questions BIO.1.26 and TT.1.3.</p>	<p>Work no.12B would need to be implemented in advance of the Portbury Hundred Construction Compound being operational so that the pond and great crested newt habitat has time to establish and is suitable as a habitat.</p> <p>Access to the construction compound from Sheepway and across the railway has not been considered given the construction compound will have a left in and left out only access from A369 Portbury Hundred, which is more suitable for HGV vehicles.</p>
Cl.1.6	Safety Q to The Applicant	<p>On the Unaccompanied Site Inspection [EV-001] the ExA observed that access to Work No 12 would run alongside a number of fuel pipelines. RR-066 also raised this as a concern. Can you confirm whether the use of this access by construction vehicles has been assessed as to whether it would cause damage to these pipelines? If not, why not and if it has what was the outcome?</p> <p>You may wish to combine the answer to this question with the answer to question GC.1.14.</p>	<p>The fuel pipeline owned by CLH passes through the western corner of the proposed construction compound Work no. 12A of the Works Plans (APP-009 and DCO document ref 2.3), crosses the railway and cuts across Work no. 12B in a south westerly to north easterly direction. The Applicant has held a number of meetings with CLH and it is agreed that the pipeline can be protected in situ. Protective Provisions are included in Part 6 of the draft DCO (APP-052 and DCO document ref 3.1) for the benefit of CLH and an Agreement is being negotiated.</p>
Cl.1.7	Temporary construction compounds Q to The Applicant	<p>Table 4.4 of ES Ch 4 [APP-099] estimates the areas of the proposed temporary construction compounds at Portbury Hundred (Work no. 12A) and Lodway Farm (Work no. 17) to be 11.39ha and 9.128ha respectively.</p> <p>Provide further explanation for the need for two compounds of this scale, in relatively close proximity to each other.</p> <p>Provide details of the need for the areas of land required for each of these compounds.</p>	<p>The site at Lodway Farm Work no.17 of the Works Plans (APP-009 and DCO document ref 2.3), was chosen to support the proposed works at Pill which include works to Pill station, Avon Road underbridge, earthworks and track works. The temporary compound will contain site offices, welfare and parking as well as storage for plant and materials. Whilst there are smaller compounds available, they are not suitable due to access requirements for larger vehicles (such as flat-bed lorries carrying various plant and machinery) and are limited in space for parking and materials storage. The site was also chosen due to its close proximity to the operational railway and therefore suitable for use as a temporary siding or stockpile area for ballast removal. The size of the site will also allow for more flexibility to work within the constraints posed by an identified archaeological feature, existing hedgerow and nearby housing.</p> <p>The proposed use of the compound at the Portbury Hundred was chosen due to its close proximity to the disused line, proximity to road transport links and also it's remoteness from housing. It is intended that this compound will be used as a main compound for site offices, welfare and parking in order to support the</p>

ExQ1 No.	Type / Category	The Question	Current response
			works happening on the disused section and elsewhere. The site will be used for material and plant storage to support the works across the wider scheme. This site could be used to stockpile old ballast ready for removal at a later date by road or rail.
CI.1.8	Lodway Farm Compound and Pill street network Q to The Applicant	<p>The Compounds, Haul Roads and Access to Works Plan [APP-024] details a range of access points leading to Lodway Farm compound, the temporary compound at Pill Memorial Club, the proposed railway station and car park.</p> <p>On their Unaccompanied Site Inspection [EV-001] the ExA observed that the roads in and around the centre of Pill are very narrow, have a number of sharp bends and steep gradients.</p> <p>Further details are required on the following:</p> <p>A more precise location of the proposed main HGV access into Lodway compound and the haul road – provide larger scale plans of this area.</p> <p>The size and type of vehicles which would use Pill’s street network for construction of the railway line and station infrastructure which cannot be accessed from the proposed haul road.</p> <p>The likely frequency and time periods for movement of any such heavy vehicle movements through Pill’s street network</p> <p>Mitigation measures to prevent access of streets not suitable for use by heavy vehicles, and to ensure the safety of other road users, and how such measures can be secured in the dDCO, specifically for Pill.</p>	<p>It is anticipated that large or heavy vehicles gain access to the Lodway Farm compound via access point AW 5.1 shown on the Compounds, Haul Roads and Access to Works Plan (APP-024 and DCO document reference 2.29) and the haul road, and thus not generally using access points that involve routeing through Easton In Gordano. Access to areas of the DCO Scheme in the Pill area can be achieved directly from Lodway Farm compound via access point AW 5.1 and haul road and the railway alignment itself.</p> <p>Specific details of the size and type of vehicles that will be used in the construction phase, and their movements will be determined by the contractor. The initial Construction Traffic Management Plan (CTMP) (App-210 and DCO document Reference 8.13) notes that the contractor will be obliged to prepare a ‘Final CTMP’ indicating how it is going to operate during the construction period. Alongside this, a Traffic Management Working Group (TMWG) will be formed for the construction phase of the project. The initial CTMP (App-210 and DCO document Reference 8.13) sets out the main access routes to compounds, refer to Figures 6-1 to 6-3. Larger scale plans of Delivery Route 4 (via Pill village) are attached in Appendix CI.1.8-1. The use of specific routes will need to be designated via the Final CTMP, and agreed with the TMWG. This will ensure that appropriate routes are designated and the use of more potentially more sensitive routes is minimised. Ongoing use of access routes, and any associated traffic management measures will be through the auspices of the TMWG, and as such the contractor will have to consult the TMWG regarding such issues. Membership of the TMWG will include the relevant Highway Authorities, thus providing oversight of requests, and assurances that appropriate decisions are taken.</p> <p>There is one specific exception to the ethos that large/heavy vehicles will generally not use routes in Pill. An anticipated requirement of the project will be that a crane will be required to access the scheme for construction of the Avon Road Underbridge in Pill – section 7.1 in the Construction Strategy (APP-074 and DCO document reference 5.4) sets out the indicative methodology for works at</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Avon Road Underbridge, and Figure 6.2 in the initial CTMP (App-210 and DCO document Reference 8.13) shows the 'Avon Bridge Crane Route'. This will be a one-off abnormal load and likely to entail just one inbound and one outbound movement, that it is acknowledged will involve use of sensitive routes. As noted above, the contractor will be required to consider this in its approach and Final CTMP and involve the TMWG in the process and in accordance with Requirement 5 (3)(d) and (4) of the draft DCO (APP-052 and DCO document reference 3.1).</p>
CI.1.9	<p>Road Network Q to The Applicant & The Relevant Highways Authorities</p>	<p>Concerns have been raised [RR-066] that construction traffic would have the potential to damage the existing road network with particular reference to drainage.</p> <p>Has/ will an assessment of the effects on road and bridge condition (surface, drainage etc) proposed to be used by construction traffic been undertaken?</p> <p>What mitigation eg weight limits, agreed delivery routes are proposed to minimise any damage to the road network by construction traffic and how would this be secured through specific provisions in the Construction Traffic Management Plan (CTMP) [APP-210]?</p> <p>Who would be liable for any damage to the road network and who would be responsible for any repairs?</p>	<p>Four bridges have been assessed; Royal Portbury Dock Road bridge, Sheepway Bridge, Old Portbury Station Bridge and Marsh Lane bridge. The bridge surveys have not been included within the application documents. It is anticipated that the works will be undertaken under North Somerset Council's powers as highway authority.</p> <p>At each bridge a series of measures have been identified, largely aimed at vegetation clearance, incursion measures and eliminating minor defects, with some strengthening works at Sheepway Bridge and Old Portbury Station Bridge. These measures will be implemented prior to the main construction period. Although at the time it was assessed it was a potential access route, the Marsh Lane Bridge is no longer on any of the anticipated vehicular access routes for the project; and as such, no measures are planned at this bridge.</p> <p>In general terms though regarding use of the highway network by heavy vehicles, it should be noted that the ethos will be for as much use to be made of on-site haul roads for heavy vehicles, accessed via the most suitable access routes and access points for such vehicles.</p> <p>Specific details of the size and type of vehicles that will be used in the construction phase, and their routes and movements will be determined by the contractor. The initial Construction Traffic Management Plan CTMP (App-210 and DCO document Reference 8.13) notes that the contractor will be obliged to prepare a 'Final CTMP' (Construction Traffic Management Plan), indicating how it is going to operate during the construction period, and in accordance with Requirement 5(3)(d) and (4) of the draft DCO (APP-052 and DCO document reference 3.1).</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Alongside this, a Traffic Management Working Group (TMWG) will be formed for the construction phase of the project. Although the initial CTMP (App-210 and DCO document Reference 8.13) sets out some access routes to compounds, use of specific routes will need to be designated via the Final CTMP, and agreed with the TMWG. This will ensure that appropriate routes are designated and use of more potentially more sensitive routes is minimised. Ongoing use of access routes, and any associated traffic management measures will be through the auspices of the TMWG, and as such the contractor will have to consult the TMWG regarding such issues. Membership of the TMWG will include the relevant Highway Authorities, thus providing oversight of requests, and assurances that appropriate decisions are taken.</p> <p>Overall, it is envisaged that the approach being taken through the CTMP and TMWG processes should mean that the most suitable routes are utilised on the public highway network. As the Applicant and the Highway Authority for the minor roads for limited use by HGVs, are part of same organisation, any issues of any damage caused by the project can be dealt with as an internal matter by North Somerset Council, subject to any claims from the contractor for negligence.</p>
CA.1.1	Update Table Q to The Applicant	<p>In their Rule 6 letter [PD-007], the ExA requested an updated table to be regularly provided on the progress of negotiations for Compulsory Acquisition (CA) of the Freehold of land, of new rights over existing land and of Temporary Possession (TP) of land.</p> <p>Confirm acceptance of this request.</p>	<p>This request is accepted by the Applicant and a Schedule of Negotiations document will be updated with key communication events and forwarded to the ExA at each Deadline with the updates shown as tracked changes.</p>
CA.1.2	Protective Provisions Q to The Applicant & Statutory Undertakers	<p>Applicant: The Book of Reference (BoR) [APP-057] includes a number of Statutory Undertakers with interests in land:</p> <p>Provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR, with an estimate of the timescale for securing agreement with them. State whether there are any envisaged impediments to the securing of such agreements. State whether any additional Statutory Undertakers have</p>	<p>Please see the table appended at Appendix CA.1.2-1 setting out the status of discussions, timescales and any envisaged impediments to the securing of such agreements.</p> <p>Following an update to the utility searches in October 2020 two additional Statutory Undertakers have been identified and added to the latest version of the Book of Reference (APP-057; DCO document reference 4.3). These are ESP Utilities Group Ltd (proposed low pressure gas pipeline) and Gigaclear Ltd (telecommunications).</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>been identified since the submission of the BoR and whether the latest version of BoR includes any recently identified Statutory Undertakers.</p> <p>A number of Statutory Undertakes have requested that their Protective Provision wording should be used as opposed to that which is currently contained within the draft DCO [AS-014]</p> <p>Statutory Undertakers: Either provide copies of preferred wording or if you have provided it explain why you don't want to use the wording as currently drafted.</p>	
CA.1.3	Protective Provisions Q to National Grid Electricity Transmission and National Grid Gas	Your RR [RR-020] makes reference to the need for the DCO to contain Protective Provisions to ensure that your interests are adequately protected and ensure compliance with relevant safety standards with particular reference to the installation of the new transmission line in relation to Hinkley Point C connection project. Please provide suggested wording.	
CA.1.4	Statutory Undertakers Q to The Applicant	<p>Where a representation is made by a statutory undertaker under section 127 of the Planning Act 2008 (PA2008) and has not been withdrawn, the Secretary of State would be unable to authorise powers relating to the statutory undertaker land unless satisfied of specified matters set out in section 127. If the representation is not withdrawn by the end of the examination confirmation would be needed that the "expedience" test is met.</p> <p>The Secretary of State would also be unable to authorise removal or repositioning of apparatus unless satisfied that the extinguishment or removal would be necessary for the purpose of carrying out the development to which the Order relates in accordance with section 138 of the PA2008. Justification would be needed to show that extinguishment or removal would be necessary.</p>	<p>The Applicant continues to discuss the position regarding the apparatus and interests of statutory undertakers. It is anticipated that an update will be provided at Deadline 2 and again at the Compulsory Acquisition Hearing on 4th December. Good progress is being made with each of the relevant undertakers and discussions have been taking place for a considerable period of time.</p> <p>It is suggested by the Applicant that a further (and hopefully final) positions statement regarding undertakers is provided to the Examining Authority in early February 2021, to enable an additional Issues Specific Hearing to be called in mid-March 2021 if this is necessary.</p>

ExQ1 No.	Type / Category	The Question	Current response
		Indicate when, if the objections from Statutory Undertakers are not withdrawn, this information would be submitted into the Examination.	
CA.1.5	Availability of Funding Q to The Applicant	<p>The Applicant is reminded that the Department for Communities and Local Government (as it then was) Guidance related to procedures for CA (September 2013) states that ;"Applicants should be able to demonstrate that adequate funding is likely to be available to enable compulsory acquisition within the statutory period following the Order being made, and that the resource implications of a possible acquisition resulting from blight notice has been taken account of".</p> <p>The Funding Statement [APP-056] identifies that £3.461m would be required for land acquisition but that this includes the cost of land already acquired by the Applicant. Can you provide the CA costs separately from the overall land acquisition costs and provide a copy of the Property Cost Estimate undertaken by Ardent that resulted in this figure?</p> <p>Clarify how the CA figure was arrived at, and how these costs would be met.</p> <p>Clarify when the contributions detailed in table 2 of the Funding Statement [APP-056] were calculated, do they need to be updated given the delay to the start of the Examination and whether these contributions would still be available given the recent impacts on local authority finances as a result of the COVID-19 pandemic.</p> <p>Paragraph 6.3 of the Funding Statement [APP-056] states that the 'Secretary of State can therefore be satisfied that funds are likely to be available' at what point would you know for certain that funds would be available.</p> <p>Provide an update on the outcome of Direct Award 3, whether the Proposed Development was included in it and</p>	<p>The current Property Cost Estimate (PCE) for the DCO Scheme totals £2,843,727 and of this total figure, the costs for compensation for land totals £1,988,727. The figure was derived by overlaying the parcelled red line boundary over land registry data. From this point, the total area to be occupied or acquired was calculated for each landowner.</p> <p>For each landowner the market value of the land was assessed using suitable comparables and judgement. In addition to this professional judgement was used to calculate Disturbance, Severance and Injurious Affection, Loss payments and an allowance was made for professional fees.</p> <p>The Compulsory Acquisition costs (and indeed the full PCE) costs form part of the £116.4M scheme budget and will be met from the funding allocated as set out in the Funding Statement.</p> <p>Some minor swapping between funding sources has taken place since the submission of the DCO Application as follows. The total Local Growth Funding has reduced from £27.320M to £21.024M, and this has led to the total Economic Development Funding increasing from £26.079M to £32.375M. This change was approved by the WoE Joint Committee in October 2020 and is confirmed in Change Request IP666, which is attached in Appendix CA.1.5-1.</p> <p>Covid 19 has not changed the Applicants position, the West of England Combined Authority's (WECA) position or the Department for Transport's (DfT) position on its commitment to fund the scheme subject to the completion of major processes, including the confirmation of consents and the approval of the Full Business Case.</p> <p>The letters appended to the Funding Statement (APP-056 and DCO document 4.2) evidence the status of sources of the funding. The Applicant will be able to draw down the balance of the scheme funds upon approval of the Full Business Case by North Somerset Council (Full Council), WECA Committee and by DfT. The Full Business Case is scheduled to be submitted in mid-2022.</p>

ExQ1 No.	Type / Category	The Question	Current response
		if it was, what the implications are in terms of funding with particular reference to revenue support.	<p>The Applicant has not been able to access Direct Award 3 as it is a commercially sensitive document between the DfT and Great Western Railway (GWR). The Applicant understands that Direct Award 3 contains obligations for GWR to continue to work with the Applicant on the arrangements for the operational resources required to operate the proposed passenger train service. The Applicant understands that Direct Award 3 did not include an obligation on GWR to operate the proposed passenger train service, because the timescales for consenting the scheme and its construction are beyond the duration of Direct Award 3. For clarification Direct Award 3 commenced in April 20 and expires in March 2023, it includes an option to extend by one year to March 2024.</p> <p>There are three mechanisms through which the operational resources for the proposed passenger train service can be procured:</p> <ul style="list-style-type: none"> • Through the re-franchising competitive process (only if this process happens to align with the delivery timescales for the proposed passenger train service), • Through a revenue support agreement directly with the DfT, who in turn enter into an amendment to franchise/direct award agreement with the incumbent train operator, or • Through a bi-lateral agreement directly between the Applicant, WECA and the incumbent train operator. <p>A decision on which of these mechanisms is to be pursued will need to be made by the Applicant and WECA, in conjunction with the DfT by around early 2022.</p>
CA.1.6	Special Category Land Q to The Applicant	The DCO as drafted means that special parliamentary procedure should not apply in relation to the proposed CA of special category land. Provide full details, or signpost where in the application documentation this information can be found, to support the application of the relevant subsections in Section 131 or 132 of the PA2008.	The Applicant's Statement of Reasons (AS-016 and DCO document reference 4.1 Version 2) at Appendix 5 provides the Applicant's justifications for certification under Sections 131 and 132 of the Planning Act 2008.
CA.1.7	National Trust Land Q to The Applicant &	Provide an update on negotiations for plots 11/61, 11/80. 12/07, 12/10, 12/20, 12/21, 12/30, 13/7, 13/31, 13/55 and 14/05.	Plots 11/61, 11/80. 12/07, 12/10, 12/20, 12/21, 12/30, 13/7, 13/31, 13/55 and 14/05 belong to The National Trust for Places of Historic Interest or Natural Beauty (" the National Trust") and form part of Leigh Woods along with Plots

ExQ1 No.	Type / Category	The Question	Current response
	National Trust	You may wish to combine the answer to this question with the answer to question CA.1.14.	11/75, 11b/15 and 13/32 not noted in question CA 1.7 and which the National Trust have a legal interest in. An update on negotiations is set out in the response to Question CA 1.13 below.
CA.1.8	Crown Land Q to The Applicant	Consent is required for any other provision in the DCO which relates to Crown land or rights benefiting the Crown in accordance with s135(2) PA2008. Among other things this includes consent for any Temporary Possession sought over Crown land. Indicate whether consent for any provisions affecting Crown land or rights is forthcoming.	The Applicant is seeking Crown consent from the four Crown authorities with land interests affected by the proposed Order: Department of Health and Social Care; Department for Transport; Ministry of Defence; and Department for Environment, Food and Rural Affairs. The applicant commenced communication before the application was submitted and has continued to liaise with those representing the Crown interests. It is the Applicant's aim to secure Crown consent from each of these bodies well before the closure of the Examination. Timing is however dependant on the delivery of the responses from the appropriate Crown bodies. The applicant has not been aware that there is any reason why the consents will not be forthcoming.
CA.1.9	Access Q to Babcock Integrated Technology Ltd & The Applicant	In their RR [RR-009] Babcock raise concerns about how access to their site would be maintained during construction given the proposal to CA plots 15/81, 15/85, 15/87 and 16/20 which are adjacent to their site access. Provide an update as to whether the discussions mentioned in their RR have occurred and what the outcome of these discussions was; What measures are proposed to ensure that Babcock would be able to maintain access and how would they be secured?	The Applicant confirmed in writing to Babcock its position on 20 th November 2020, see Appendix CA.1.9-1. The Applicant does not believe that Babcock's access to its land will be materially affected by the proposed works but will endeavour to inform Babcock of the timing nature and duration of works to the highway that may impact on Babcock's accesses.
CA.1.10	Access Q to The Applicant	In their RR [RR-010] the BPC raise a concern regarding potential severance of part of their site near Court House Farm. Provide further detail of this including, if available, a layout of the area in question and details of how this matter would/ could be managed or signpost where in the application documentation this matter has been addressed.	BPC own land to the north and south of the disused railway, between Royal Portbury Dock Road and Marsh Lane. The land south of the railway and north of J19 M5 was acquired by BPC from Court House Farm, Marsh Lane in October 2016. BPC applied for planning permission for development of the land that formerly consisted of part of Court House Farm, Marsh Lane, Easton in Gordano. Planning permission was issued by North Somerset Council on 21 December 2016 for the development of the site at Court House Farm. The proposals including a "bridleway/cycle path crossing management plan" dated June 2017. In its

ExQ1 No.	Type / Category	The Question	Current response
			<p>consultation response dated 17 November 2016 relating to the proposals Network Rail stated:</p> <p><i>"With reference to the bridge over the railway, this will be subject to the necessary licence agreement between the Applicant [BPC] and Network Rail being reached before any works can take place. It should be noted that the at-grade "crossing" were not to be acceptable when the Portishead section opens again and construction commences for MetroWest..."</i></p> <p>The BPC application for planning permission included outline design drawings for a proposed bridge which were considered by the local planning authority. As a result, it did not seem appropriate for the Applicant for the MetroWest scheme to include a bridge - this would consent a second structure to the BPC proposals which had already been worked up to a sufficient level of certainty for the local planning authority to issue planning permission to BPC.</p> <p>Planning permission was issued by North Somerset Council including a temporary at-grade crossing over part of the disused railway. The permission to use the at-grade crossing is limited by condition. After the Portishead branch line is re-opened to railway traffic, the at-grade crossing must cease to be used. The Decision Notice 16/P/1987/F dated 21 December 2016 is available at https://planning.n-somerset.gov.uk/online-applications/files/1E7DC39E917AF7E1A29C859CF58F8715/pdf/16_P_1987_F--2609267.pdf.</p> <p>The permission is for:</p> <p><i>Development of the site for port related uses. Provision of hardstanding for storage of cargo in transit (e.g. motor vehicles) through Royal Portbury Docks, with associated infrastructure, including a crossing over the disused railway by a crossing at grade and or vehicle bridge between the current Royal Portbury Dock estate and the proposed site Land To West Of Court House Farm Marsh Lane Easton-In-Gordano BS20 0NE</i></p>

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			<p>The application included a plan for the proposed bridge over the Portishead Branch Line. See:</p> <p>https://planning.n-somerset.gov.uk/online-applications/files/2E749A8173592BF693C585C5DC7E349E/pdf/16_P_1987_F-VEHICLE_BRIDGE-2591986.pdf</p> <p>BPC's Design and Access Statement, at 6.45, says:</p> <p>"Design considerations</p> <p><i>6.45 Policy DM22 seeks to safeguard land for future railway expansion. In preparing the scheme design the applicant has discussed the proposed development with James Wilcox Project Manager for the Metro West project. The design has due regard to the land safeguarded for this development will not prejudice the potential development and operation of the rail link. The proposal therefore fully accords with this policy.</i></p> <p><i>6.46 The applicant is also in consultation with Network Rail regarding the crossing of their land and the design of the crossing at grade and the vehicle bridge. The crossings will be designed to meet Network Rail's specifications and the appropriate permissions will be secured."</i></p> <p>The Design and Access Statement can be found at: https://planning.n-somerset.gov.uk/online-applications/files/87B496DA1B72FAF892B8BEC6C18F7C5D/pdf/16_P_1987_F-PLANNING_DESIGN_AND_ACCESS_STATEMENT-2591976.pdf</p> <p>The Planning Officer's delegated report states (Page 8):</p> <p><i>"Whilst the Portishead rail line remains in a dis-used state, it is proposing to form an at grade crossing over the dis-used railway track and then build a vehicle bridge over the railway prior to the commencement of the construction phase of the MetroWest Phase 1 project, which includes re-opening the railway.</i></p> <p><i>On the basis that, the at-grade crossing is closed and the road bridge over the railway is built in a timescale that fits with the MetroWest Phase 1 project, there</i></p>

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			<p><i>is no objection to the proposal. The MetroWest Phase 1 project is aligned to a programme that will commence construction in Oct 2018 however, this timescale is dependent on many factors the applicant will be advised to maintain a dialogue direct with the project regarding the timescales"</i></p> <p>The report can be found at: https://planning.n-somerset.gov.uk/online-applications/files/4A43E3D66306B0AD1F049152A71D617C/pdf/16_P_1987_F--2609268.pdf</p> <p>Condition 16 of the planning permission states:</p> <p><i>"The use of the site for storage of cargo in transit (e.g. motor vehicles) shall not be commenced until full details of the temporary at-grade vehicle crossing have been submitted to and approved by the local planning authority. Notwithstanding the submitted plan: 42075A, the security fencing/gates shall not be erected across the railway corridor owned by Network Rail. In addition, the use of the site for the storage of cargo in transit (e.g. motor vehicles) shall not be commenced until a programme of works (including timescales) for the introduction and removal of the temporary at-grade vehicle crossing and construction of the vehicular bridge across the railway line so as to not impede the re-opening of the Portishead branch line have been submitted (in consultation with MetroWest and Network Rail) to and approved by the local planning authority. Details of the at-grade vehicle crossing, bridge and above programme of works, once approved, shall be implemented in accordance with the approved details to the satisfaction of the local planning authority. The temporary at-grade vehicle crossing must not be used after the Portishead branch line is re-opened to railway traffic.</i></p> <p><i>Reason: to ensure that the safeguarded railway corridor is adequately protected in accordance with policy CS10 of the North Somerset Core Strategy and policy DM22 of the North Somerset Development Management Policies July 2016."</i></p> <p>The bridleway/cycle path crossing management plan submitted by BPC in June 2017 to discharge condition 18 (relating to the neighbouring Bridleway crossing) states:</p>

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			<p><i>"Prior to the intended re-opening of the Portishead branch line, BPC will stop using this "at-grade" crossing and will be required to build a bridge across the railway and bridleway in order to access the site. This bridge will accommodate the bridleway and cycle path by means of an underpass to the north of the railway for pedestrians, cyclists and horse riders."</i></p> <p>It is therefore apparent that:</p> <ol style="list-style-type: none"> 1. BPC secured its planning permission only by compliance with policy CS10 of the North Somerset Core Strategy and policy DM22 of the North Somerset Development Management Policies July 2016, by including a bridge in its proposals 2. BPC already has planning permission for a suitable overbridge and has worked up its details to a sufficient level of certainty meaning there is no need for the Applicant to contemplate an accommodation structure over the railway alignment; and 3. with the re-opening of the Portishead Branch Line, the ability for BPC to use the temporary at-grade crossing over the railway will fall away in accordance with condition 16 of the issued planning permission. <p>As a result it is for BPC to bring forward its proposals for access for its Court House Farm site to replace its temporary at-grade crossing. Because of this no powers or bridge proposals were included in the dDCO or accompanying documents.</p> <p>In respect of its interest in the land comprising the disused railway, BPC currently enjoy rights granted pursuant to an easement granted by NRIL in 2017 for an 'at-grade' crossing linking their land south of the railway with the main Port site (2017 Easement). BPC entered into the 2017 Easement with full knowledge of the future MetroWest proposals and on the understanding the current access would need to be removed should the Portishead Branch Line be rebuilt. The 2017 easement therefore includes a right for Network Rail to terminate the easement if they require the land for railway purposes. BPC and NRIL are</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>currently discussing terms for permission to construct and maintain a replacement bridge in this locality in place of the current 'at-grade' crossing.</p> <p>The plan appended to this document as Appendix CA.1.10-1 shows the locality of the current crossing with the BPC planning application drawings for the proposed new bridge overlaid on NRIL's land ownership (hatched green). The current crossing runs parallel to the east of the proposed replacement bridge.</p>
CA.1.11	Update Q to The Applicant & Freightliner Limited	Provide an update on the progress of negotiations regarding plots 17/05, 17/10, 17/15 and 17/20.	Heads of Terms are being negotiated directly between Network Rail and Freightliner, which currently holds the land by way of a long lease from NR. Negotiations involve two parcels of land and associated access with the aim of reaching agreement during the examination period.
CA.1.12	Manor Farm/ Lodway Farm Q to The Applicant	At the Open Floor Hearing [Annex E, PD-007] concerns were raised that plots linked to Lodway Farm and Manor Farm had been mixed up. Can you check the land plans and the BoR and confirm that the plots in this location have been assigned to the correct farm?	<p>The Applicant and its responses to the Open Floor Hearing submitted for Deadline 1 on 2nd November 2020 provided the relevant confirmation. The responses appended a letter sent to the relevant landowners by the Applicant's solicitors on 23rd October 2020 which provided to the relevant landowners the necessary corrections required. The corrected plans were also submitted to the Examining Authority at Deadline 1 and were:</p> <ul style="list-style-type: none"> • Works Plan (AS-013 and DCO document reference 2.3); • General Arrangement Plans (APP-010 and DCO document reference 2.4); • Compound, Haul Roads and Access Plans (APP-024 and DCO document reference 2.29).
CA.1.13	Rock fences and access arrangements Q to National Trust and The Applicant	<p>Provide an update on the negotiations with regards to the on-going liability for the management for rock fences and whether there would be any on land owned by the National Trust or if they would all be located within National Trust land.</p> <p>Provide an update with regards to the access arrangements to land owned by the National Trust in relation to Quarry Underbridge 2. RR-021 indicates that the agreement would be that the National Trust would be in 'no worse position', is this the case and how and where is</p>	<p>The Applicant and Network Rail have been in dialogue with the National Trust (NT) since the first meeting on the 6th June 2016. Since this time the DCO Scheme's requirement for access has evolved. There are principally two areas of discussion:</p> <ol style="list-style-type: none"> 1. Rock Stabilisation Works and vegetation clearance; and 2. Temporary Compound provision to facilitate construction works to Quarry Underbridge 2


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		<p>this secured?</p> <p>You may wish to combine the answer to this question with the answer to question CA.1.8.</p>	<p>Heads of Terms were issued to the NT in May 2019 for the occupation of land for works to Quarry Underbridge 2. An Agent was appointed by the NT in July 2020 to progress the rental negotiation element and discussions are ongoing with the Agent and the Applicant in relation to commercial terms for the proposed occupation.</p> <p>On 7th August 2020, a summary of all land requirements by the Applicant was sent to the NT and correspondence also occurring between the NT, Network Rail and NSDC / the Applicant in relation to temporary occupations required, works to the rock faces and access requirements by the Applicant as set out in the above noted summary.</p> <p>Correspondence and discussions between the parties are ongoing. The last meeting to discuss the access and land requirement was held virtually on 21st October 2020 between the Applicant the NT and Network Rail.</p> <p>The rock catch fences will be erected on Network Rail’s land as far as possible, but the outline design shows some rock catch fencing needs to be installed on National Trust’s land.</p> <p>The Applicant proposes stabilisation works and installing catch fences at its own cost which is of benefit to the NT. The Applicant and Network Rail have also offered to work with the NT to periodically inspect and identify any works required to the catch fences and rock faces on an ongoing basis.</p> <p>Separately from the Heads of Terms documents, the parties are also working to document a Statement of Common Ground detailing issues that are agreed and issues that are under discussion still.</p>
CA.1.14	Category 3 Q to The Applicant	Provide further detail/ justification as to how you have identified Category 3 parties for the purposes of the BoR.	<p>When identifying category 3 interests and specifically those who may be entitled to a claim under Part 1 of the Land Compensation Act 1973 ‘Part 1’, a scientific approach is normally adopted. Claims made under Part 1 are for the reduction in the value of a relevant property caused by the physical factors caused by a scheme. These physical factors are:</p> <ul style="list-style-type: none"> • Noise


ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> • Vibration • Smell • Fumes • Smoke • Artificial lighting • Discharge of any solid or liquid substance <p>In a linear transport project, the leading physical factor is normally noise and inclusion of a property as a potential claimant due to the predicted increase in noise levels will cover those that may also suffer a depreciation in property value, due to one of the other physical factors such as light or vibration. As such, to identify which properties may have a potential claim in relation to the increase in noise, the accepted scientific method is to produce noise contours. The identified properties predicted to have an increase of 3dB are included. An increase of 3dB is the smallest perceptible change in environmental noise and is calculated over an average 16-hour period.</p> <p>For the MetroWest scheme, this exercise was undertaken in February 2016. However, due to the relatively infrequent proposed train service, the average predicted noise increase remained close to the Railway corridor itself only including a few residential properties. On reviewing the outcome of this noise model, it was felt that this did not take account of higher noise increases over a relatively short period of time 'a noise spike', for example when a train passes a property at full line speed or when a train is accelerating out of a station. As such, it was felt that a more judgement-based approach would be appropriate. One factor which is often considered when assessing a Part 1 claim relating to a railway project is the betterment a property can enjoy with close proximity to a new station. For the judgement-based approach, we have ignored any potential betterment that properties may enjoy and have simply focused on the potential decrease in value due to a noise spike.</p> <p>The route was walked, and the impact to properties due to a noise spike (mixing sight and auditory senses) was considered based on professional judgement and a conservative assessment of those householders that may submit Part 1 claims</p>

ExQ1 No.	Type / Category	The Question	Current response
			were identified and included in the Book of Reference (APP-057 as updated REP1-006 and DCO document reference 4.3.
DE.1.1	Work No 5 Portishead Station Q to The Applicant	<p>Part 4 of the Design and Access Statement [APP-196] largely focuses on the chosen site of the railway station and its functional layout. dDCO Requirement 4 seeks post-consent approval of detailed design.</p> <p>Explain the design approach for the external appearance/elevations of the Portishead railway stations and associated structures. Reference should be made to the criteria in section 4.31 of NPS for National Networks, and how the proposed development seeks to address or exceed the expectations of good design set out in the National Design Guide. In particular, explain what would make the design of Portishead Station a 'gateway feature'. Provide details of when more detailed designs of the external appearance of the station building and associated structures will be available for consideration, and if not available during the course of the Examination period, why not.</p>	<p>Reference should be made to the following documents:</p> <ul style="list-style-type: none"> • Design and Access Statement (DAS) (APP-196; DCO Document Reference 8.1); • Portishead Station Plans (APP-018; DCO Document References 2.11 – 2.14); and • Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (APP-035; DCO Document Reference 2.38). <p>National Policy Statement for National Networks (December 2014) sets out the criteria for good design in Chapter 4, in particular paragraphs 4.28 – 4.35 (pages 36 – 37).</p> <p>The Applicant's DAS describes how the proposed scheme addresses good design, to produce sustainable infrastructure sensitive to place, efficient in the use of resources, and demonstrates good aesthetics as far as possible. It demonstrates how both functionality and aesthetics have been taken into account.</p> <p>Part 4 (page 30 – 46) of the DAS addresses Portishead Station.</p> <p>The approach to the design has been to make the station a gateway feature. It achieves this by:</p> <ul style="list-style-type: none"> • including a station building in the design, rather than a basic station platform and basic shelter; • responding to the urban context of the site; • the selection of materials in response to the context; • the buffer enclosure providing a prominent new feature along Quay's Avenue; and • the position of the station building as a feature within its urban context. <p>The station being provided with a building recognises the importance of the station to the town.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The overall design seeks integration with other modes of transport with priority given to walking, cycling, bus and taxi, connections to the town centre via the proposed boulevard, boundary treatments and landscaping.</p> <p>DAS Section 17: Figures 17 – 20 illustrate the existing site context and the contemporary nature of the adjacent buildings and urban landscape. The contemporary nature of the adjacent buildings and context has been used to inform the choice of proposed materials for the external appearance and elevations.</p> <p>The proposed materials are set out in the Legend/Notes on drawing Portishead Station Building Design: Proposed Station Buildings (APP-018; DCO Document Reference 2.11) and include through colour render, metal roofing system, natural stone for boundaries and plinths, and colour coated metal.</p> <p>DAS Figure 26 (page 37) illustrates the proposed highway alteration, parking and station layout with the main elements identified within the key, and along with DAS Figure 31 (page 31) illustrates how the buffer enclosure and the station building in particular sit within the overall context.</p> <p>The buffer stop enclosure is enclosed by a lightweight cladding system with natural stone detailing. The proposed materials are shown on drawing Portishead Station Building Design: Proposed Station Buildings (APP-018; DCO Document Reference 2.11). A light weight cladding system is proposed to limit the need for extensive piled foundations which would be required for heavy brick, block or stone walls. The solid cladding system screens views to the buffer stop area which would otherwise be through a palisade fence.</p> <p>The station is a gateway as a result of its position in the urban context and is a feature in the view from the adjacent road network and pedestrian routes.</p> <p>It is not the intention to provide more detailed designs of the external appearance of the station building and associated structures during the course of the Examination period because the scheme detailed design (GRIP 5) has not yet been completed and is not programmed to be completed until after the DCO</p>

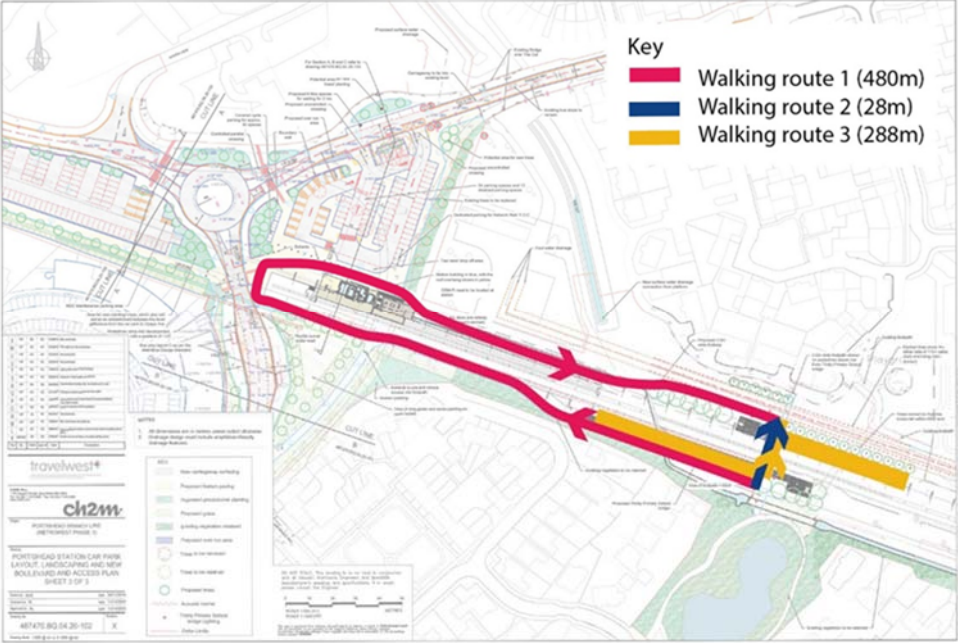
ExQ1 No.	Type / Category	The Question	Current response
			<p>examination closes. Whilst it is not anticipated the detailed design will result in any material changes to the design of Portishead Station, some minor but important changes may be required at detailed design, or in consultation with the relevant planning authority.</p>
DE.1.2	<p>Work No 7 Trinity Footbridge - Design Q to The Applicant</p>	<p>Plans 2.15-2.17 [APP-019] include general arrangement plans of the proposed footbridge at Tansy Lane ('Trinity Bridge'). The Design and Access Statement [APP-196] figures 31-33 provides indicative visuals of Portishead railway station but not the bridge. Provide:</p> <p>Indicative visuals of the type of footbridge proposed. A more detailed explanation of the design and locational criteria for the proposed footbridge having particular regard to the surrounding residential development and school building.</p> <p>Details of colour/paint finish of the footbridge, or how this will be determined at a later stage.</p> <p>Any mitigation proposed to reduce the visual impact of the bridge.</p> <p>You may wish to combine the answer to this question with questions DE1.3 and NV.1.3.</p>	<p>Indicative visuals of the proposed Trinity Bridge are provided in the Environmental Statement, Volume 4, Appendix 11.4 Photomontages Technical Report (APP-152; DCO Document Reference 6.25).</p> <p>On the issue of design and location criteria reference should be made to the following documents:</p> <ul style="list-style-type: none"> • Trinity Footbridge Plans (APP-019; DCO Document Reference 2.15 to 2.17); and • Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (APP-035; DCO Document Reference 2.38). <p>Trinity Bridge is located close to the existing crossing point over the disused railway and is being provided to mitigate severance of a well-used crossing.</p> <p>Both steps and ramps are provided to the bridge. The overall length of the ramps has been reduced as much as possible and they utilise a 1:15 slope with intermediate horizontal landings which are located at the supporting columns.</p> <p>The location of the bridge, in addition to providing a means of crossing the railway close to the location of the existing at grade crossing, has to be where there is sufficient space to achieve a feasible design, accommodating ramps and conforming to the various design standards.</p> <p>As explained further in our response to ExA question DE.1.3, the only location where there is sufficient space that meets these criteria is the location the Applicant is proposing.</p> <p>Figure DE.1.2 – 1</p>


ExQ1 No.	Type / Category	The Question	Current response
			 <p data-bbox="1160 914 1559 946">The preferred option, June 2016.</p> <p data-bbox="1160 1034 1368 1066">Figure DE.1.2 – 2</p>

ExQ1 No.	Type / Category	The Question	Current response
			 <p data-bbox="1167 699 1753 727">An illustration of the preferred option, June 2016</p> <p data-bbox="1167 759 2136 1018">Further design development has included changes to the steps: the steps on the north side by the rear access to Trinity School have been removed; the steps on the north side heading west to the station have been removed; and the steps on the south side at the mid-point of the ramp heading west have been added. This reflects the more likely desire lines for pedestrians and cyclists. In addition, the proposed tree planting has been refined in line with utility constraints and minimises the effects on the open space.</p> <p data-bbox="1167 1050 2136 1155">More detailed information on the design of Trinity Bridge is shown on the drawings within the document Trinity Footbridge Plans (APP-019; DCO Document Reference 2.15 to 2.17).</p> <p data-bbox="1167 1187 2136 1374">The bridge is proposed to be Holly Green in colour (please refer to the legend/notes box on document S051 Trinity Footbridge Proposed General Arrangement Plan (APP-019; DCO Document Reference 2.15). However, the final colour for the bridge will be subject to agreement of the LPA through the discharge of Requirement 4 of the dDCO (DCO Document Reference 3.1).</p>



ExQ1 No.	Type / Category	The Question	Current response
			<p>The mitigation to reduce the visual impact of the bridge is in part due to the location of the bridge as far away from adjacent properties as possible, as described above.</p> <p>Landscape mitigation in the form of tree planting to provide visual screening is illustrated in the Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (APP-035; DCO Document Reference 2.38) – see drawing 467470.BQ.04.20-102. The extent of planting is limited by existing underground services, notably the high voltage 11kv cables and the foul sewer.</p> <p>The Trinity Footbridge Plans (APP-019; DCO Document Reference 2.15 - 2.17) provides additional information on the proposed landscaping (drawing 2.16). The drawings also show that the lighting on the bridge is contained within the hand-rails to avoid the need for lighting columns (drawing 2.17).</p>
DE.1.3	Work No 7 Trinity Footbridge - Alternatives Q to The Applicant	<p>ES Chapter 11 paragraphs 11.6.134-135 indicate that the Trinity Bridge would be a new relatively large-scale feature in the small-scale open landscape between the houses at Tansy Lane and the School, and that there would be a slight adverse significance of effect.</p> <p>The Design and Access Statement [APP-196] sets out alternative locations considered for the proposed Portishead railway station but not for the bridge.</p> <p>What alternatives, if any, to a footbridge were considered in this location? If alternatives were considered what were they and why were they discounted? What would be the implications of there being no crossing over the railway in this location and what is the alternative route for pedestrians and cyclists? If no alternative methods of crossing the railway were considered, why not?</p>	<p>The Applicant considered the following alternatives to the proposed footbridge, during the early stages of the scheme design:</p> <ul style="list-style-type: none"> • An underpass; • A footbridge with circular ramps; • An alternative location for a footbridge; and • Do nothing. <p>An underpass solution was discounted due to the proximity of the watercourses and major utilities.</p> <p>A footbridge with circular ramps was considered but would not be shorter in overall distance for the user and would be ‘wider’ in footprint (to allow for the radii rather than the 90 degree turns in the current design). The footprint for circular ramps would not fit into the available space due to the close proximity of the pond on the Galingale Way side and consequently it is not possible to achieve a feasible design.</p> <p>Alternative locations for a footbridge with ramps were considered, but it was not possible to identify a location where a feasible design could be achieved. It is not feasible to encroach onto the grounds of Trinity Primary School for a footbridge</p>



ExQ1 No.	Type / Category	The Question	Current response
		<p>You may wish to combine the answer to this question with questions to DE.1.2 and NV.1.3.</p>	<p>with ramps because the school explained the school grounds are very modest for the number of children enrolled and consequently they use every inch of the grounds.</p> <p>Immediately east of Trinity Primary School there is not sufficient space to achieve a feasible design for a footbridge with ramps. Further to the east the housing development ends and locating a footbridge there is not practical because of the very limited footfall it would generate.</p> <p>The option of doing nothing was considered but this was discounted due to the long term increased risk of trespass onto a live railway. Another factor is the health and equality impacts arising from increased severance as a result of closing the existing permissive crossing and signposting the community to use the alternative (long way) route via Quays Avenue.</p> <p>The alternative route for pedestrians and cyclists if there was no crossing is shown in Figure DE.1.3 – 1 below – Walking route 1 – which follows the path either side of the platforms and around the end of the station buffer enclosure. For comparison the approximate horizontal distances for the bridge (Walking Route 2, 28m) and the ramps (Walking Route 3, 288m) are also shown on the figure.</p> <p>Figure DE.1.3 – 1</p>



ExQ1 No.	Type / Category	The Question	Current response
			
DE.1.4	Biodiversity Enhancements in Design Q to The Applicant	Paragraph 9.14 of the Schedule of Mitigation [APP-128] refers to installation of bird boxes along the railway line. Are any biodiversity enhancements proposed to be built into the design of the railway stations and bridge, if so what form are these likely to take and how would they be secured?	<p>There are no plans to incorporate biodiversity enhancements into the design of Portishead station, Trinity pedestrian and cycle bridge, and Pill Station.</p> <p>Good practice measures during construction and environmental mitigation measures are proposed at Pill Station to protect an existing bat roost in the two arches on the northern platform and the flight path to the roost along said platform. These measures are described in the Environmental Statement, Chapter 9 Ecology and Biodiversity (AS-031; DCO Document Reference 6.12) in paragraph 9.6.66 for the construction phase and paragraphs 9.7.53 to 9.7.57 for the operations phase. The mitigation is also described in the CEMP (AS-046; DCO Document Reference 8.14) in paragraphs 6.2.47 to 6.2.49. Temporary mitigation measures would be secured through DCO Requirement 5 (Construction Environmental Management Plan etc.) and the permanent measures would be secured through DCO Requirement 28 (operational lighting).</p>

ExQ1 No.	Type / Category	The Question	Current response
DE.1.5	GSM-R Masts Q to The Applicant	<p>The ExA noted on their Unaccompanied Site Inspection [EV-001] the presence of an existing mast near to Pill junction. The GRIP 4 Minor Civils Plan for this area [APP-013] states that this is to be retained and antenna mounted on existing. Requirement 27(2) would require the submission of details of the GSM-R mast to be located at Portishead Station stating that it must be no more than 12m in height.</p> <p>Provide details and an illustrative/photographic example of the proposed GSM-R masts and the works required to the existing mast near Pill junction.</p> <p>Explain why a GSM-R mast could not be incorporated into the design of Portishead station so as to minimise any visual impact (or signpost where in the application documentation this information can be found).</p> <p>Are there any other GSM-r masts which would be retained/ added to?</p>	<p><i>Illustrative/photographic example of the proposed GSM-R masts and the works required to the existing mast near Pill junction.</i></p> <p>An example picture is below (illustrative, not of the actual mast west of Pill). Note, the antenna is the rectangular object at the top of the mast. The additional antenna required will provide the enhanced geographical coverage for the enhanced railway and will be mounted on the existing mast (so the mast will not be increased in size).</p>  <p><i>Explain why a GSM-R mast could not be incorporated into the design of Portishead station so as to minimise any visual impact</i></p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The GSM-R mast at Portishead connects with the existing mast located between the eastern side of the M5 and the operational freight railway west of Pill to provide coverage on the new line between them. The mast antenna will need to be lowered to the ground for maintenance, therefore any mast incorporated into the station would introduce a residual working at height risk for maintenance. Health and safety legislation (most relevant here being Construction Design and Management Regulations and Working at Height Regulations) states a need to eliminate hazards first. In this context the hazard arising for the maintenance of the mast would be less by having a mast that can be lowered from ground level, rather than having to work at height from a building roof.</p> <p><i>Are there any other GSM-r masts which would be retained/ added to?</i></p> <p>There are no further masts within the DCO area, however there will be two other sites, at Clifton Down and Parson Street. These existing masts will have extra/replaced antenna to increase coverage (noting the mast will not increase in size).</p>
DE.1.6	Work No 22 Pill Station Q to The Applicant	<p>The Design and Access Statement [APP-196] figs 46-49 provides indicative visuals of Pill railway station ramp and platform. Figure 50 provides details of indicative materials of minor works. Confirm the following details:</p> <p>That there would be no enclosed station building at Pill? Provide further detail of the proposed shelter/canopy, ramp and associated development at Pill on a larger scale plan, including use of materials and indicative visuals of the proposed canopy/shelter. Explain how the station access, including parking, would comply with the Disability Discrimination Act (DDA).</p>	<p>No enclosed station building is proposed at Pill Station. An enclosed shelter is proposed on the platform. For its location, reference should be made to drawing S050 Pill Station Proposed Station Layout (APP-020; DCO Document Reference 2.19).</p> <p>A more detailed plan of the station forecourt area based on drawing 467470.BQ.04.20-209 (APP-038; DCO Document Reference 2.42) which shows more detail on paving types and use of materials has been prepared by the Applicant. This is drawing number 467470.BQ.04.SK250 at Appendix DE.1.6-1.</p> <p>Colours of steelwork and façade materials and appearance for the retaining walls have not yet been determined.</p> <p>Drawing W1097B-ARP-DRG-EPT-300011 (APP-020; DCO Document Reference 2.19) refers to 'MACEMAIN + AMSTAD PARAGON ANTI-VANDAL OR SIMILAR' for the platform shelter and the ticket machine and cycle parking shelters. Illustrations from the manufacturer's website are shown below (Figures DE.1.6 – 1 to 6) with further consideration at detailed design stage.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p data-bbox="1160 210 2074 277">http://www.macemainamstad.com/products/shelters/paragon-anti-vandal-shelter</p>  <p data-bbox="1160 874 1615 906">Figure DE.1.6 – 1: Macemain Paragon</p> 

ExQ1 No.	Type / Category	The Question	Current response
			<p data-bbox="1160 210 1615 240">Figure DE.1.6 – 2: Macemain Paragon</p>  <p data-bbox="1160 836 1615 866">Figure DE.1.6 – 3: Macemain Paragon</p> 

ExQ1 No.	Type / Category	The Question	Current response
			<p data-bbox="1151 212 1758 240">Figure DE.1.6 – 4: Macemain Paragon Anti-vandal</p>  <p data-bbox="1151 839 1758 868">Figure DE.1.6 – 5: Macemain Paragon Anti-vandal</p>  <p data-bbox="1151 1458 1758 1487">Figure DE.1.6 – 6: Macemain Paragon Anti-vandal</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>It is worth noting that the Disability Discrimination Act has been replaced by the Equality Act 2010. The station design is compliant with the following relevant legislation and standards:</p> <ul style="list-style-type: none"> • Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility Text with EEA relevance (PRM TSI); • Design standards for accessible railway stations: a code of practice by the Department for Transport and Transport Scotland. Compliance with the Code is a requirement of the licence that each train operating company (TOC) and Network Rail has from the Office of Rail Regulation (ORR); • RIS-7016 Interface between Station Platforms, Track, Trains and Buffer Stops; and • BS 8300:2009 Design of buildings and their approaches to meet the needs of disabled people - Code of practice (+A1:2010). <p>In particular the following features are provided:</p> <ul style="list-style-type: none"> • An obstacle-free route from the car park: The footpath gradient is 1:22 which is shallow enough for wheelchair users, pram users, and other persons of reduced mobility to use without landings; • Tactile paving at the top and bottom of stairs and platform edges; • Contrasting visual strips at platform and stair edges; • 2 metre wide stairs and ramps; • Handrails at two levels on ramps and stairs; • Lighting at required levels of stairs, ramps, and platforms; • Public address system on platform; • Customer help points on platform and within fire refuge area; and • Wayfinding signage and information to be developed at detailed design but complying with the aforementioned standards <p>Reference should be made to the Pill Station Car Park and PSP Layout, Landscaping Lighting and Access Plan (APP-038; DCO Document Reference 2.42).</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The main car park is to be illuminated in accordance with North Somerset Council highways standards.</p> <p>The pedestrian route from the main car park includes a small footpath extension to create space for an informal crossing at the junction between Monmouth Road and Newport Road. This will include dropped kerbs and tactile paving, the creation of a footpath on the railway side of Monmouth Road between Crusty Lane and Back Lane (where there currently is none) including dropped kerbs and tactile paving over Monmouth Road. This provides a continuous route between the main car park and the station forecourt.</p> <p>Three disabled car parking spaces are located at the station forecourt as close as possible to the station. The disabled parking spaces are designed to current standards with the pedestrian route to the station between the parking bays and the adjacent property/proposed planting and trees so that those using these spaces do not need to use the vehicle access/forecourt/ drop off area. Kerbs would be flush. The station forecourt is illuminated.</p> <p>The bus stop by the Memorial Club has also been modified – refer to document Pill Memorial Club Bus Stops, Car Park Plan and Construction Compound (APP-039; DCO Document Reference 2.43 to 2.44) to improve pedestrian access between Pill Station and the bus stops with widened footpath and dropped kerbs with the appropriate tactile paving.</p>
DE.1.7	Acoustic Fencing Design Q to The Applicant	<p>Provide further detail of the proposed design, height and materials of acoustic fencing proposed adjacent to existing residential properties at Portishead and Old Station House, Portbury.</p> <p>If this cannot be provided now, when would it be available and would the occupiers of residential properties who would be affected by the proposed fencing be consulted on the design/ location of the proposed fencing and if not, why not?</p>	<p>The proposed height of the acoustic fence at Peartree Field is 2 metres as is stated in the Environmental Statement Chapter 13 – Noise and Vibration (APP-108; DCO Document Reference 6.16) at paragraph 13.7.6. This acoustic fence is proposed to be absorptive on the side facing the railway in order to avoid reflections to the opposite side where there are sensitive receptors in Tansy Lane. The acoustic performance of this proposed acoustic fence is stated in paragraph 13.7.7 (APP-108).</p> <p>The proposed height of the acoustic fence at Old Station House is 2.4 metres as is stated in the Environmental Statement Chapter 13 – Noise and Vibration (APP-108; DCO Document Reference 6.16) at paragraph 13.7.8. This acoustic fence is proposed to be reflective since there are no sensitive receptors directly opposite</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>With regards to Old Station House, Portbury you may wish to combine the answer to this question with the answers to questions NV.1.9 and NV.1.10.</p> <p>With regards to the properties in Portishead you may wish to combine the answer to this question with the answers to questions NV.1.10 and NV.1.12.</p>	<p>the barrier. The acoustic performance of this proposed acoustic fence is stated in paragraph 13.7.8 (APP-108). This barrier would have the appearance of a close-boarded garden fence, which would be appropriate within a garden setting.</p> <p>The final design of these acoustic fences would be available following the Network Rail Governance for Railway Investment Projects (GRIP) stage 5 process of detailed design.</p> <p>The occupiers of the relevant properties in Portishead have been consulted on the barrier. The proposed acoustic barrier was originally located close to the residential properties in Portishead (approximately 3 metres at the closest point) and was shown on plans that were publicly available at the Stage 2 consultation. The location of the acoustic barrier at that location was in part to provide a fence separating the proposed path from the residential properties.</p> <p>At the Stage 2 consultation, local residents raised concerns about the appearance of this barrier, as it was so close to their properties and would involve partial removal of the vegetation that provided a natural visual barrier between the residential properties and the proposed path and railway. In response to this, the Applicant decided to relocate the barrier away from the residential properties and in parallel to the Network Rail fence line. The new proposed location is approximately 20 metres away from the nearest properties and allows the retention of natural vegetation screen. Moving the acoustic barrier closer to the railway means that more of the existing planting can be retained, and supplemented with additional planting where space allows, to reduce the visual impact from property and the new proposed location of the acoustic barrier also serves the purpose of masking the palisade fencing used by Network Rail.</p> <p>The Applicant has held consultations with the owners of the Old Station House and has met with them several times. Initially the proposed acoustic fence was located closer to the house, on the old station platform. However, the occupier was concerned that this would block light into the property, so in response to this the proposed acoustic fence will be further away from the property and located on the trackbed. The height of the fence will be higher to compensate for the fact that it will be located at a lower level (2.4m instead of 1.8m).</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The occupier has been shown an example of the type of fence that Network Rail would propose to use. The occupier has no objections to the proposed design of the fence.</p>
DE.1.8	Railway Fencing Design Q to The Applicant	<p>Provide the following further details of fencing:</p> <p>Explanation of the design criteria for the fencing alongside the railway line and the choice of paladin, palisade or post and wire (Grade I, II or III).</p> <p>Summarise the locations of where the Grade I paladin fence would be located and details of proposed colour.</p> <p>Advise whether the fencing through the Avon Gorge would need to be replaced and if it would why, given this is already an operational railway and what would it be replaced with?</p>	<p>The fencing design has been produced in line with Network Rail standard NR/L2/TRK/5100 and on-site assessments to determine the likelihood and consequence of unauthorised access in each location and the required choice of grade I, II or III fencing. Existing fencing will be retained where possible.</p> <p>Grade I fencing (such as palisade) is proposed in areas such as the backs of gardens in Pill, next to Ham Green public park and in the residential area near Portishead Station. Grade II (paladin) fencing is typically proposed in areas where the risk is deemed lower. Paladin fencing is located throughout the Avon Gorge, some areas through Pill and along the disused line to the outskirts of Portishead where there is non-grazing agricultural land or a natural barrier such as an embankment, heavy vegetation or ditches.</p> <p>It is necessary to replace existing fencing with a modern standard (including in the Avon Gorge) as the introduction of passenger services and the higher frequency of train services increases both the likelihood and consequence (public safety and train performance) of trespass.</p>
DE.1.9	Landscape and Visual Q to The Applicant	<p>Please set out where in the documentation measures to manage the effects of construction on landscape and views is set out. If it is not set out, why not?</p>	<p>Reference should be made to the Environmental Statement Chapter 11 – Landscape and Visual Impacts Assessment (APP-106; DCO Document Reference 6.14) paragraph 11.5.1 'Measures adopted as part of the scheme'. This also makes reference to:</p> <ul style="list-style-type: none"> • Code of Construction Practice (APP-212; DCO Document Reference 8.15) section 4.5, pages 4-5 to 4-6. • Master Construction Environmental Management Plan (AS-046; DCO Document Reference 8.14) section 8, pages 8-1 to 8-3. • Schedule of Mitigation (AS-042; DCO Document Reference 6.31) and the table of ES Chapter Refs 11.1, 11.2 and 11.3 at pages 31 and 32.

ExQ1 No.	Type / Category	The Question	Current response
DE.1.10	Built Environment Q to The Applicant & North Somerset Council LPA	Has there been any changes to the built environment around the proposed railway stations since the plans and Design & Access Statement were produced? If so, please identify where, and consider if the plans and statements would need to be updated/ amended.	There have been no material changes to the built environment around the proposed stations since the plans and Design & Access Statement (APP-196; DCO Document Reference 8.1) were produced. The most recent visit to the station sites was on 30 th September 2020.
DCO.1.1	General Advice Q to The Applicant	Please note the dDCO should be: In the Statutory Instrument (SI) template; follow guidance and best practice for SI drafting (for example avoiding “shall/ should”) in accordance with the latest version of guidance from the Office of the Parliamentary Counsel; follow best practice drafting guidance from the Planning Inspectorate and the Departments contained in Advice Note 15 – drafting development consent orders (and see specific references to Advice Note 15 below); fully audited to ensure that there are no inconsistencies within the dDCO and its constituent parts such as definitions or expressions in the articles, requirements, protective provisions, other schedules and any book or reference, that all legislative references in the dDCO are to extant provisions and all schedules refer to the correct articles.	Noted.
DCO.1.2	Precedents Q to The Applicant	Notwithstanding that drafting precedent has been set by previous DCOs or similar orders full justification should be provided for each power/ provision taking into account the facts of this particular DCO application. Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the Secretary of State’s current policy	Noted and addressed in the Applicant's Explanatory Memorandum (DCO Document Reference 3.1). The precedent DCOs relied on are <ul style="list-style-type: none"> • The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 SI No. 2265 • The Network Rail (Redditch Branch Enhancement) Order 2013 SI No. 2809 • Silvertown Tunnel Order 2018 SI No. 574

ExQ1 No.	Type / Category	The Question	Current response
		<p>preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and dDCO) actually differ in any way from corresponding provisions in the Secretary of State's most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).</p> <p>Provide a list of all previous DCOs which have been used as a precedent for the drafting of this dDCO.</p>	<ul style="list-style-type: none"> • Northampton Gateway Rail Freight Interchange Order 2019 SI No.1358 • Network Rail (Felixstowe Branch Line Improvements – Level Crossings Closure) Order 2018 SI No. 937 • Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 SI No. 2384 • National Grid (Hinkley Point C Connection Project) Order 2016 SI No. 49 • Network Rail (Ordsall Chord) Order 2015 SI No. 780 • East Anglia THREE Offshore Wind Farm Order 2017 SI No. 826 • Rampion Offshore Wind Farm Order 2014 SI no.1873 • M20 Junction 10a Development Consent Order 2017 SI No. 1202 • The Chiltern Railways (Bicester To Oxford Improvements) Order 2012 SI.2679 • Network Rail (Norton Bridge Area Improvements) Order 2014 SI No. 909 <p>Network Rail (Nuneaton North Chord Order) 2010 SI No. 1721</p>
DCO.1.3	Novel Drafting Q to The Applicant	<p>The purpose of and necessity for any provision which uses novel drafting, and which does not have precedent in a made DCO or similar statutory order should be explained. The drafting should:</p> <p>be unambiguous; achieve what the Applicant wants it to achieve; be consistent with any definitions or expressions in the provisions of the dDCO; and identify the PA2008 power on which the provision is based.</p>	Any Novel Drafting is explained in the Applicant's Explanatory Memorandum (DCO Document Reference 3.2). See in particular Appendix 1.
DCO.1.4	Discharge of Requirements Q to Bristol City Council LPA	In your RR [RR-001] you raised a concern regarding the discharge of requirements please provide further details of this concern or signpost where in either your Local Impact Report (LIR) or Written Representation (WR) this information can be found.	
DCO.1.5	Informatives Q to The Coal Authority	In your RR [RR-011] you suggest that should consent be granted an informative be attached to the consent regarding the fact that the route would fall within your defined Development High Risk Area. However, informative notes are not attached to a DCO. Could you	

ExQ1 No.	Type / Category	The Question	Current response
		therefore advise how, in the DCO, you would want this information conveyed to the Applicant?	
DCO.1.6	Suggested Requirement Q to The Applicant	The Royal Mail [RR-027] have requested the addition of two requirements to the dDCO to enable the delivery of mail services throughout the construction period. Please comment as to whether you consider these requirements would be necessary or whether the concerns raised by the Royal Mail could be addressed in another way and if so, how would this be secured?	The Applicant does not consider that it is necessary to include the two Requirements requested by the Royal Mail. As set out in the in the Applicant's response to relevant representations (PDR6-005; DCO document reference 9.4 ExA.RR.D1.V2), Royal Mail will be notified in advance of any proposed road closures, diversions or alternative access arrangements and hours of working, and will be able to review the content of the final Construction Traffic Management Plan which will be provided in accordance with Requirement 5. The final CTMP will include a mechanism to inform major road users about works affecting the local network, which will include Royal Mail.
DCO.1.7	Drainage Q to The Applicant, Relevant Flood Authorities and Drainage Boards	<p>The dDCO as currently drafted does not include an article that would require the maintenance of drainage of land, whether that responsibility is imposed or allocated by any enactment.</p> <p>Why not and how would the maintenance of drainage be secured by the DCO as currently drafted? If an article would be necessary, provide a form of suggested wording.</p>	<p>Article 22 deals with the discharge of water. Under this article, water may be discharged into any watercourse, public sewer or drain within the Order Limits with the consent of the person to whom the apparatus belongs. Where the apparatus is owned by someone other than the Applicant, that person will be responsible for maintenance of the relevant apparatus. In relation to the new drainage connections in Portishead, into the Portbury Ditch and the Cut, and at Pill station, article 22 permits the use of those works once constructed.</p> <p>Requirement 11 provides that details of surface and foul water drainage systems are to be submitted to and approved by the relevant planning authority, prior to the commencement of a stage of the authorised development.</p> <p>Permanent drainage of Order land will be provided for one of two purposes. The first is for the drainage of operational railway land. The second will be for the drainage of highways. Railway related drainage will be the responsibility of Network Rail. Network Rail will wish to maintain its drainage to prevent perturbation of railway services.</p> <p>Highway drainage will be the responsibility of North Somerset Council as local highway authority. The local highway authority is responsible for the maintenance of highway drainage.</p> <p>In neither circumstance is it anticipated that there is any need or purpose for imposition of an article requiring either Network Rail or the Applicant to maintain drainage installed under the powers in the Order.</p>

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.8	General Advice Q to The Applicant	<p>The extent of any flexibility provided by the dDCO should be fully explained, such as the scope of maintenance works and ancillary works, limits of deviation and the ability (through tailpieces in requirements) of discharging authorities to authorise subsequent amendments.</p> <p>The preferred approach to limiting this flexibility is to limit the works (or amendments) to those that would not give rise to any materially new or materially different environmental effects to those identified in the ES.</p> <p>The drafting which gives rise to an element of flexibility (or alternatives) should provide for unforeseen circumstances and define the scope of what is being authorised with sufficient precision. For example, the Secretary of State had to amend article 6 (Benefit of Order) of the National Grid (Richborough Connection project) Development Consent Order 2017 at decision stage to remove ambiguity (as later corrected by Richborough connection correction order).</p> <p>In relation to the flexibility to carry out advance works, any “carve out” from the definition of “commencement” should be fully justified and it should be demonstrated that such works would be de minimis and would not have environmental impacts which would need to be controlled by a requirement (see section 21 of Advice Note 15).</p> <p>The drafting of requirements should reflect sections 17 and 19 of Advice Note 15.</p>	<p>The Applicant notes and understand the comments made. The Applicant believes that the general approach to the dDCO suitably restricts the Applicant's flexibility in implementing the authorised development, and Article 7 (Limits of Deviation) imposes constrains on the location of the individual works.</p> <p>For any amendments of approved details, plans or schemes, Schedule 2, Requirement 36(2) means such submissions must reflect the provisions of the Environmental Statement.</p> <p>The Applicant is discussing the definitions of commencement and preparatory activities with the relevant planning authorities and this will be dealt with in the relevant Statements of Common Ground. See also DCO.1.9 below.</p>
DCO.1.9	Article 2 – definition of “commence” Q to The Applicant & The Relevant	<p>This is a broad definition, the effect of which would be to permit a wide range of works before the discharge of the requirements.</p> <p>Applicant: Explain why you consider it would be necessary to undertake these works prior to the discharging of</p>	<p>The Explanatory Memorandum (DCO Document Reference 3.1) explains why the Applicant has included a number of carve-outs from the definition of "commence" in the dDCO.</p> <p>Primarily this is required to allow the Applicant to carry out certain preliminary activities to prepare the site for development in advance of discharging all</p>

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	Planning Authorities	<p>requirements and clarify whether the impact of these works has been assessed.</p> <p>The Relevant Planning Authorities: Confirm whether you are concerned with the range of works that could be carried out prior to the discharge of requirements and if you are why and if you are should any of these works to be controlled by a requirement?</p>	<p>relevant pre-commencement requirements. The works that are excluded from the definition of commencement are either limited in extent or have minimal potential for adverse impacts. They may in some cases need to be carried out in order to comply with the pre-commencement requirements.</p> <p>This issue has been discussed in detail with both relevant planning authorities and it is anticipated both agree the proposed wording regarding commencement, which also has precedent in a significant number of made Orders. The relevant pre commencement activities have been assessed where appropriate. Pre-construction surveys would not result in environmental impacts and are not subject to impact assessment. However, the Applicant's environmental consultants undertake a risk assessment and method statement prior to site work. Early ecological mitigation works such as badger sett closures and bat exclusion measures would be done under licence from Natural England. Enabling works such as vegetation removal and site construction set up have been assessed as part of the Environmental Impact Assessment.</p>
DCO.1.10	Article 2 – definition of Secretary of State Q to The Applicant	<p>Should a definition of “Secretary of State” be included? If yes provide a definition and if no, why not? Can you confirm whether there are any circumstances that would engage a Secretary of State other than that for Transport; and Confirm that the correct Secretary of State has been identified throughout the dDCO.</p>	<p>The Applicant's view is that a definition is not required for "Secretary of State". This is because the Order, if granted, would be made by the Secretary of State for Transport, as set out in the dDCO (see Article 56 of the dDCO). Where a different Secretary of State is to be engaged in the dDCO, this is made clear. The only example of this being relevant is at paragraph 50 of Part 4 of the dDCO (Protective Provisions for the Environment Agency) where the dDCO makes the distinction between the Secretary of State for Transport and the Secretary of State for the Environment, Food and Rural Affairs. The Applicant confirms that the correct Secretary of State has been identified throughout.</p>
DCO.1.11	Article 6 Q to The Applicant & The Relevant Planning Authorities	<p>This article as drafted would allow development not authorised by the DCO to be carried out within the Order limits pursuant to planning permission. Which would appear to obviate the need to apply to change the DCO (through section 153 of the PA2008). The Explanatory Memorandum [APP-053] states that this would be necessary to enable Network Rail to carry out works to the operational railway following the carrying out of the development.</p>	<p>Precedents for the relevant drafting can be found in a number of made Orders.</p> <p>It would be inappropriate for there to be any question that even minor development, whether under permitted development or express permission led to the need for an application for a material change or a non-material change to the made Order. The railway network is of necessity provided with extensive permitted development rights to allow for development of the railway's infrastructure without needing to secure permission from the local planning</p>

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		<p>The Applicant: Given the extensive Permitted Development rights for operational railway land why is this article considered necessary and what works are envisaged that would be covered by this article?</p> <p>The Relevant Planning Authorities: Do you consider that this should be secured in order to provide certainty that the power could not be used in other circumstances? If yes how would you want it to be secured?</p>	<p>authorities- who would most likely not feel competent to deal with complex engineering issues requiring approval.</p> <p>It is not possible to list all potential works but it could cover works such as:</p> <ul style="list-style-type: none"> - signalling and railway communication equipment - platform lengthening - fencing - provision of safe paths for track access - road/rail access points <p>As the Town and Country Planning (General Permitted Development) Order 2015 (2015 SI No. 596) is itself a grant of planning permission (see Article 3(1) of the 2015 Order) it is felt appropriate to include this article to make it clear that the usual ability to develop operational railway land that is afforded to Network Rail remains available notwithstanding the Order being made.</p>
DCO.1.12	Article 13 Q to The Applicant & The Relevant Highway Authorities	<p>Are the activities listed at 13(1) sufficient to cover the works that would be required to implement the proposed development? Should the list be expanded/amended as follows –</p> <ul style="list-style-type: none"> break up or open the street, or any sewer, drain or tunnel within or under it; tunnel or bore under the street or carry out any works to strengthen or repair the carriageway; remove or use all earth and material in or under the street; place and keep apparatus in the street; maintain, alter or renew apparatus in the street or change its position; demolish, remove, replace and relocate any street furniture within the street; execute any works to improve sight lines; execute any maintain any works to provide hard and soft landscaping; carry out re-lining and placement of road markings; 	<p>The Applicant is content to submit a revised draft with the additional provisions that have been suggested for Articles 13(1) and 13(2).</p> <p>The Applicant believes the drafting of the power to apply to any street in Order Land is appropriate. The Applicant requires the flexibility to carry out streetworks within the confines of the street in case minor alterations to the streets within order limits are identified as the construction strategy for stages is established. The control of the street authority provides the appropriate mechanism for regulating the power.</p>

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		<p>remove and install temporary and permanent signage; and execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (k)</p> <p>Are the activities listed at 13(2) sufficient to cover the works that would be required to implement the Proposed Development? Should the list be expanded to include – make and maintain crossovers and passing places; execute any works of surfacing or resurfacing the highway; carry out works for the provision or alteration of parking places, loading bays and cycle tracks; execute any works necessary to alter or provide facilities for the management and protection of pedestrians.</p> <p>This article would give the Applicant the power to alter the layout and width of any street within the order land. While it would be necessary to obtain the consent of the street authority (which may not be unreasonably withheld) to exercise this power it is still a wide-ranging power. Should it therefore be limited to identified streets and if yes, which streets?</p>	
DCO.1.13	Supplemental Powers Q to The Applicant	<p>The dDCO as currently drafted does not contain an article requiring the applicant to carry out protective works to any buildings lying within the Order Limits or which may be affected by the authorised development.</p> <p>Why not and how would these protections be secured by the DCO as currently drafted?</p> <p>If an article would be necessary, provide a suggested form of wording</p>	<p>The power to carry out protective works to buildings was not included as no such buildings were identified. As a result consultation under S42 and 44 of the 2008 Act did not consult with persons who's land might be affected by that power. It was not felt that the power could be introduced without formal consultation and it remains the position that no such works have been identified as necessary. This is because the permanent way for the railway was constructed between 1862 and 1867. No significant impacts on properties is therefore expects as a result of construction work.</p> <p>The assessment of vibration in the ES (APP-108; DCO document reference 6.16) did not identify the need for additional work. Noise insulation is not covered by the standard protective works drafting.</p> <p>In all cases if in the unlikely event that structural or other works are required then the Applicant will seek to undertake such works by negotiation.</p>

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.14	Article 15 Q to The Applicant	Notwithstanding other precedents justify why this power is appropriate and proportionate having regard to the impacts on pedestrians and others of authorising temporary working sites in these streets.	<p>The Applicant believes this power is essential. Similar powers exist in s.14 of the Road Traffic Regulation Act 1984 (which does not require consultation with affected parties).</p> <p>The provisions of Article 15(2) have recent precedent. See for instance the A19 Downhill Lane Development Consent Order 2020 (2020 No. 746) Article 12 .</p> <p>The scheduled street in Schedule 5 Part 1 is included because working space is needed for works to the adjacent railway embankment and bridge. An alternative route will be provided, forming a short diversion to another part of Avon Road Pill.</p> <p>For Part 2 of Schedule 5:</p> <p>LA8/67/10 – this will form the principal Haul Road to the Lodway Farm compound. It is essential that the public is prevented from using this Bridleway during the construction period. Alternative existing routes via the highway network in Pill and Easton in Gordano are available.</p> <p>LA8/68/10 - This footpath will be required to close for the proposed compound under the M5 Avonmouth Bridge to be established. It is essential that the public is prevented from using this footpath during the construction period. The southern terminus of the footpath is Bridleway LA/67/10, which will also be closed. The northern terminus is a junction with LA/8/6/5 and LA8/6/10 which will remain accessible from Avon Road, Pill.</p> <p>LA8/5/40 – This footpath is under the railway, where the current single track bridge south of Avon Road, Pill, is to be replaced by a double track bridge. This cannot be achieved safely without the temporary prevention of public access.</p> <p>LA8/4/10 – This footpath is immediately north of the railway, where the current single track bridge south of Avon Road, Pill, is to be replaced by a double track bridge. The footpath's norther boundary is the back wall of the garages north of the railway which will be demolished for the site compound required for the bridge replacement works. The proposed demolition and subsequent use as a</p>

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			<p>compound cannot be achieved safely without the temporary prevention of public access. An alternative route along Avon Road and Severn Road, Pill already exists.</p> <p>Protection for any stopping up under this article for streets not schedules is provided by the need to obtain the consent of highway authority under Article 15(6).</p>
DCO.1.15	Article 23 Q to The Applicant	<p>As currently drafted this article in addition to giving the Applicant the power to enter, survey and investigate land within the Order limits it extends to land “which may be affected by the authorised development”. Can you:</p> <p>Clarify which land outside the Order limits would likely to be affected.</p> <p>Justify the need and extent of this power.</p>	<p>The Applicant adopted standard wording from precedents in a large number of made Orders.</p> <p>The Applicant does not anticipate requiring to survey land outside of Order limits. However, the power to carry out ecological surveys may be needed, for instance if badger setts are identified in proximity to the Order land. In addition there may be a need for additional noise surveys outside of Order land. The power would not be exercised unless it was reasonably necessary to survey or investigate the land. Any decision to exercise the power by the Applicant would be capable of being challenged by way of judicial review if being used unreasonably by the Applicant</p>
DCO.1.16	Article 24 Q to The Applicant	<p>For clarity and precision should 24(1) be amended to ‘the undertaker may acquire compulsorily so much of the Order land described in the book of reference and shown on the land plans as is required...’</p> <p>Explain why 24(2) does not include reference to article 26 (time limit for exercise of authority to acquire land compulsorily or take land temporarily)</p> <p>Explain the reasoning as to why 24(2) only refers to paragraph 8 of article 33 rather than the whole of article 33</p> <p>Should ‘nothing in this article authorises the acquisition of an interest which is for the time being held by or on behalf of the Crown’ be added as 24(3) and if not, why not?</p> <p>Should the list included in 24(8) include wayleaves?</p>	<p>i) the Applicant does not believe the words " described in the book of reference and shown on the land plans" should be added to the Article as the definition of Order Land in Article 2 covers this point.</p> <p>ii) Article 24 does not need to include references to time limit as Article 26 is a self-contained provision that limits the exercise of powers to launch compulsory acquisition - by way of service of notice to treat or executing a vesting declaration. Reference to the same time limit in article 24 would provide no additional clarity.</p> <p>iii) Article 24 deals with compulsory acquisition of land. Article 33 deals with temporary use of land. The latter is not a compulsory acquisition. It is more akin to a compulsory licence. As a result the only part of Article 33 relevant to Article 24 is the exclusion clause in Article 33(8), preventing the power in article 24 being exercised against plots that are listed in Schedule 12 of the dDCO.</p> <p>iv) The additional wording is not necessary. See section 135 of the 2008 Act.</p>

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			v) The Applicant believes the reference to Article 24(8) may be to Article 28(4). If so the Applicant is content to include the word "wayleave" but has not yet done so.
DCO.1.17	Article 26 Q to The Applicant	The proposed construction programme indicates that work would commence in Winter 2021/22 can you therefore explain why a 5-year time period would be required? You may wish to combine the answer to this question with the answer to question GC.1.1	The 5 year time period is standard and is taken from the Model Provisions and preceded in many made orders and Acts of Parliament for railway infrastructure. Entry may well not be taken on all Order land at one time but is instead likely to be phased. In any event it may be possibly that unforeseen events prevent start on site in accordance with the currently anticipated programme. The provisions in the dDCO present a reasonable compromise between clarity and certainty on timing and the ability for the Applicant to have some degree of flexibility in relation to its start on site without the need to pursue a second application if time for compulsory acquisition is at risk of expiring before all Order lands are subject to notices to treat or vesting. The Applicant will seek approval of a full business case as soon as practicable after the Order is made but will not have control over the time taken for that business case to be approved, it is appropriate therefore that there is sufficient time allowed in the article to provide sufficient time for implementation of the works following the necessary approvals being obtained.
DCO.1.18	Article 27 Q to The Applicant	For clarity and precision should 27(1) be amended to '...by acquiring rights and the benefits of restrictions already in existence'?	Article 27(1). The current wording allows the Applicant to both create new rights and take the benefit of existing rights such as rights of way over land. The Applicant has not identified the need for the additional power contained in the proposed additional wording and has therefore not added the suggested wording to the Article.
DCO.1.19	Article 28 Q to The Applicant	These provisions (and any relevant plans) should be drafted in accordance with the guidance in Advice Note 15, sections 23 (extinguishment of rights) and 24 (restrictive covenants). Review drafting and amend accordingly. Review the drafting in light of paragraph 62 of the Secretary of State's Department for Transport's decision on the M4 Motorway (junctions 3 to 12) (Smart Motorway) DCO) and either amend the drafting or explain why the current inclusion of tailpieces is necessary and appropriate. Where this article refers to all private rights should this be amended to 'all private rights or restrictive covenants over land subject to....'	i) The Applicant has reviewed AN 15 sections 23 and 24. Section 24 does not appear relevant to Article 28 as it refers to the creation of restrictive covenants which is not provided for in Article 28. Regarding Paragraph 23 the Applicant has followed both recent and precedented drafting. Note there is a drafting error in Article 28 (7) which should read: if any such agreement as is referred to in paragraph (6)(b)— (a) is made with a person in or to whom the right is vested or belongs; and

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		<p>Does a similar provision to that contained within 28(1) need to be included for land owned by the undertaker eg 'Subject to the provisions of this article, all private rights or restrictive covenants over land owned by the undertaker which, being within the Order limits, is required for the purpose of this Order, are extinguished on the commencement of any activity authorised by this Order which interferes with or breaches such rights or such restrictive covenants'</p> <p>28(4) explain why section 152 of the 2008 Act is not referred to.</p>	<p>(b) is expressed to have effect also for the benefit of those deriving title from or under that person,</p> <p>it is effective in respect of the persons so deriving title, whether the title was derived before or after the making of the agreement.</p> <p>This has been changed in the Deadline 2 version of the dDCO.</p> <p>ii) The Applicant is not clear as to which of the bullet points in the Decision letter for the M4 Motorway (junctions 3 to 12) (Smart Motorway) DCO is relevant. The Applicant cannot identify a "tailpiece " in Article 28. To the extent the question relates to Article 29, the applicant believes the provisions of that article are appropriate as the majority of the Order land has been in the ownership of the Applicant or Network Rail for a long period of time and it may be that the provisions of Ss203-5 of the Housing and Planning Act 2016 might not apply.</p> <p>The Applicant believes the proposed amendment regarding the inclusion of the words "and restrictive covenants" is not needed as Article 29 applies to restrictive covenants to the extent the power is needed and in any event restrictive covenants are unenforceable (save for compensation for injurious affection being due) if their existence is inconsistent with the statutory purpose for which the land was acquired.</p> <p>iv) Similar provision for the Applicant's own land is provided in Article 29.</p> <p>v) The applicant has not amended the Article to make the suggested amendment. The Applicant believes the heads of compensation are different. Section 152 of the 2008 Act applies to claims in lieu of nuisance and Article 28(4) relates to compensation for extinguishment or suspension of interests in land.</p>
DCO.1.20	Article 30 Q to The Applicant	<p>Do you need to add (2a) In section 1 (application of Act) for subsection 2 substitute- "(2) This section applies to any Minister, any local or public authority or any other body or person authorised to acquire land by means of a compulsory purchase order"</p> <p>Should 28(7) refer to section 7 (constructive notice to treat) (f) not (e)</p> <p>Should 28(8) refer to Schedule A1 (counter notice requiring</p>	<p>The proposed change is not needed.</p> <p>S. 1(2) of the 1981 Act applies to "...any local or other public authority authorised to acquire land by means of a CPO". The Applicant is a local authority and 30(1) makes the 1981 Act apply as if the DCO was a CPO.</p> <p>The Applicant believes the footnote references are correct.</p>

ExQ1 No.	Type / Category	The Question	Current response
		purchase of land not in general vesting declaration) (g) not (f) Should 28(9) refer to article 26 (modification of Part 1 of the 1965 Act) not article 25?	The Applicant believes article 25 to be the correct reference.
DCO.1.21	Article 31 Q to The Applicant	For clarity and precision should 31(1) be amended to ‘...over the land referred to paragraph (1) of article 24 (Compulsory Acquisition of land)...’ For clarity and precision should 31(3a) include ‘...to the 1965 Act (as modified by article 265 (modification of Part 1 of the 1965 Act))’	The Applicant has made the proposed change to Article 31(1). Article 31(3)(a) has also been modified, but with reference to Article 25(5) of the 1965 Act.
DCO.1.22	Article 33 Q to The Applicant	Should 33(2) be amended to include ‘...entry on the owners and occupiers of the land and explain the purpose for which entry is taken in respect of land specified under paragraph 1(a)(ii).’	The Applicant is content to make the change and has done so.
DCO.1.23	Article 34 Q to The Applicant	As currently worded Article 34 requires a 28-day notice period for intended entry. How does this article allow access where the undertaker has identified a potential risk to the safety of the authorised development or any of its parts; the public and/or the surrounding environment? Would the following wording address this and, if so, should it be inserted into the article? ‘The undertaker is not required to serve notice under paragraph (3) where the undertaker has identified a potential risk to the safety of – the authorised development or any of its parts; the public; and/or the surrounding environment and in such circumstances, the undertaker may enter the land under paragraph (1) subject to giving such notice (if any) as is reasonably practicable in the circumstances.’	The Applicant has made the proposed change.
DCO.1.24	Article 38 Q to The Applicant	Does this article have effect in relation to apparatus to which Part 3 (street works in England and Wales) of the 1991 Act applies? If it does not, does the article need to state this or would it be captured by Article 37(2a)?	The effect of 37(2)(a) is that the power to extinguish rights, of, remove or reposition apparatus of streets does not apply where Part 3 of the New Roads and Street Works Act 1991 applies. Since Article 38(1) only applies where the apparatus is removed under Article 27(1)(b), it does not apply where apparatus is dealt with under Part 3 of the 1991 Act.

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.25	Article 43 Q to The Applicant & Natural England	<p>As currently worded this article would only allow trees to be felled or loped for completeness does it need to include other arboricultural practices such as pruning, coppicing, pollarding or reducing in height or width?</p> <p>Article 44 would only allow removal of hedgerows subject to requirement 6 (landscaping). Is the same preclusion needed in article 43 and if not, why not?</p>	<p>The Applicant has amended the article to allow additional arboricultural practices such as pruning, coppicing, pollarding or reducing in height or width.</p> <p>The Applicant has amended the article to refer to 'BS3998:2010 Tree Work – Recommendations' which covers the range of potential works to trees.</p> <p>Article 42 should not be made subject to the provisions of requirement 6 as it is of wide application, including operation of the authorised development. Tree lopping may be required for protection of the operational railway, sometimes in emergency. Such activity should not be in any way controlled by the provisions of the landscaping plan, which is not relevant. 43(8) provides an appropriate limitation. Retained trees are protected by Requirement 12.</p> <p>A few trees in Bower Ashton Conservation area, at the Clanage Road Compound, have been identified as needing to be removed and which may qualify for protection under the provisions of s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In Addition there is a chance that some trees within North Somerset overhang Bristol City Council's Sneyd Park and City Docks Conservation Areas. The Applicant has accordingly proposed additional wording in this Article.</p>
DCO.1.26	Article 44 Q to The Applicant & The Relevant Planning Authorities	<p>This article would give the Applicant the power to remove any important hedgerows listed in Schedule 13, plus any other hedgerows within the Order limits. Contrary to the guidance contained within Advice Note 15 the 'other hedgerows' are not listed in a schedule nor is there a requirement that would require the Applicant to submit and have approved the removal of these hedgerows.</p> <p>Applicant: Explain the current drafting.</p> <p>The Relevant Planning Authorities: Should the removal of hedgerows outside of those listed in Schedule 13 be controlled and, if so, how by article or requirement? Provide the preferred wording.</p>	<p>The Applicant has provided a revised schedule 13 and a new plan to illustrate the additional hedgerows that may be removed.</p> <p>This revised drafting will be discussed with the relevant planning authorities and dealt with in the next iteration of the relevant Statements of Common Ground.</p>

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.27	Article 45 Q to The Relevant Planning Authorities	Are the Relevant Planning Authorities satisfied with the defence to proceedings in respect of statutory noise nuisance and, if not, what alternative wording would they suggest?	
DCO.1.28	Article 46 Q to The Applicant & The Relevant Highway Authorities	<p>Applicant: Why is this article included in Part 7 (miscellaneous and general) rather than Part 3 (streets, highways and level crossings).</p> <p>The Relevant Highway Authorities: are the measures proposed by this article appropriate? If not, why not and please provide any alternative wording that you consider would address your concerns.</p>	The Applicant was following recent precedent.
DCO.1.29	Article 56 Q to The Applicant	Explain the reasoning behind the choice of the President of the Institution of Civil Engineers as the person chosen to appoint an arbitrator.	<p>In many cases the dispute will affect how railway works are to be executed in which case the appropriate professional for the arbitrator would be an engineer. This is recognised by model clause 45 of the Model Clauses for Railways prescribed by the Secretary of State under section 8 of the Transport and Works Act 1992 which similarly provides for the President of the ICE to appoint the arbitrator in default of agreement.</p> <p>If a dispute requires an arbitrator with a different discipline (such as a surveyor) it would be open for the President of the ICE to appoint an arbitrator of that discipline. The Applicant notes that Article 57 of the A303 (Amesbury to Berwick Down) Development Consent Order 2020 (2020 SI No 1297) also provides for arbitration by an arbitrator appointed by the President of the Institution of Civil Engineers.</p>
DCO.1.30	Removal of Human remains Q to The Applicant	Should the dDCO include an article to deal with the removal of human remains (see article 17 of the model provisions). If not, why not and if it should please amend the next draft to include an appropriately worded article.	<p>The need for this power was not identified in pre application discussions. The vast majority of the Order land is existing operational railway or former railway. In such circumstances it is likely any disturbance of human remains on those parts of the Order land would have occurred between 1863 and 1867.</p> <p>The model provision in Article 17 of the Model Provisions requires the power in that article to be directed to "specified land". As the applicant's pre application activities did not identify land to be so specified it was not felt necessary to include the provision in the dDCO.</p>

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.31	Schedule 1 Q to The Applicant & The Relevant Planning Authorities	<p>Paragraph 14.6 of the Explanatory Memorandum [APP-053] sets out the defining characteristics of associated development and states that it must not be an aim in itself and must be subordinate to and necessary for the effective operation of the NSIP. Provide an explanation as to how the following works would fulfil this criteria:</p> <p>Work No 3 Work No 7B Work No 22A Work No 27 Work No 28</p>	<p>The listed works are associated with the principal NSIP development for the following reasons.</p> <p><i>Work No 3</i> – this work is a new foot and cycle track across the Portbury Ditch, providing direct access from Work No 4 (the new car park associated with the NSIP as parking for users of the reopened branch line) and providing a link for cyclists and pedestrians from the part of the Portishead Town Centre comprising various shops and leisure facilities to the west of the Order Land and Portbury Ditch. The land is owned by the Applicant and already forms a path available to the public. It is to be improved as part of the Applicant's ambition to link the station closer into the centre of Portishead, and is a product of the railway not being able to follow the former alignment (of which Work No 3 forms part) in to the centre of Portishead. The bridge over the Portbury Ditch is a former railway bridge that carried the Portishead branch line into the second station at Portishead. The work is associated with the NSIP and it forms part of the improved connectivity between Portishead Town Centre and the location of Portishead Station.</p> <p><i>Work 7B</i> – this part of the new footpath and cycle path network in Portishead is associated development because it provides an appropriate cycle and foot access away from the highway network for residents of the "Vale" area of Portishead direct to Portishead Station. It is anticipated to be used as a walking and cycling route for passengers to better access Portishead Station and it is therefore fully associated with the NSIP.</p> <p><i>Work 22A</i> – this work is provided as an outcome of formal consultation where it became apparent that it would be difficult for rail replacement bus services to negotiate the highway network including Station Road, Pill, if bus replacement services had to be provided during interruptions in the railway service. Further, once it was accepted that rail replacement buses could realistically reach no closer to Pill Station than Heywood Road, it was pointed out that the bus stop for buses heading to Portishead is not an Equality Act compliant stop. It was felt that the bus stop needed to be improved to be available for passengers using rail replacement services that are mobility impaired. The location of the bus stop allows for access from Haywood Road on the level to Pill Station and will also</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>provide for connections with local bus services by using the same location as those services. Improving the bus stop also allows mobility impaired passengers leaving trains at Pill Station to access the local bus network at Heywood Road. Without the proposed improvement mobility impaired passengers would have to descend a steep hill to the centre of Pill to access local bus services opposite Baltic Place in the centre of Pill – a longer and more difficult journey than to Heywood Road.</p> <p>As a result the improvements to the bus stop are intrinsically linked to the reopening of the Portishead branch line, as Pill Station would otherwise be unable to be served by rail replacement bus services when the railway itself was unable to operate and would have reduced interchange facilities for mobility impaired users leaving rail services at Pill Station.</p> <p><i>Work No 27</i> – this proposed foot and cycle ramp from Ashton Vale Road to Ashton Road would provide an alternative crossing for pedestrians and cyclists at times when Ashton Vale Road level crossing barriers are down. It has been included in the works because of the anticipation that some pedestrians would not wish to wait for the all barrier downtime to expire and would instead prefer to continue their journey via the new ramp, to Ashton Road and to cross the railway via the existing Ashton Road bridge. As the increased service pattern on the Portishead branch line arises only from the NSIP it was felt that this ramp was sufficiently associated with the NSIP to be included as a work in the dDCO.</p> <p><i>Work No 28</i> – improvement of highway of Winterstoke Road – As with Work No 27, the increased barrier down time that results from the re-introduction of passenger services on the Portishead Branch Line means that Work No 28 is required to mitigate the impacts of the increased services on the Portishead Branch Line as they affect the operation of the Winterstoke Road/Ashton Vale Road junction. The works package is intended to provide extra capacity at the junction and to combine railway signalling and road traffic signalling through an intelligent traffic light control system such as MOVA. This will result in the Winterstoke Road/Ashton Vale Road junction functioning so as to limit impact of traffic flows. It is therefore intrinsically linked with the services restored to the Portishead branch line over the NSIP.</p>

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.32	Schedules 3, 4, 5,6, 7,8 and 9 Q to The Relevant Highway Authorities & The Relevant Planning Authorities	Confirm that the streets, bridleways, cycle tracks and footpaths listed in these schedules accurately reflect your understanding of the streets, bridleways, cycle tracks and footpaths that would be affected as a result of the proposed development and if not, why not?	
DCO.1.33	Schedule 17 Q to The Applicant	Reference is made to the ES being a certified document however it is not currently included in Schedule 17. Should it be included? if it should be included please include it the next version of the dDCO and if it shouldn't be included please explain why.	The Applicant has added the ES to Schedule 17.
DCO.1.34	Requirement 6 and 7 Q to The Applicant & The Relevant Planning Authorities	For precision should 6(4) and 7(2) be amended to read ' Any tree or shrub planted as part of the approved railway landscaping scheme that, within a period of five years after the date that it is planted is removed, uprooted, destroyed, dies or becomes in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced with a specimen of the same species and size as that originally planted, unless the relevant planning authority gives written consent to any variation.'	The Applicant has made the proposed changes.
DCO.1.35	Requirement 8 Q to The Applicant & The Relevant Planning Authorities	For precision and enforceability should 8(4) include a time period by which the temporary fencing should be removed and if yes, how long should this be?	The Applicant is content to add wording as follows: Temporary fencing 8.—(1) Prior to the commencement of a stage of the authorised development (or such part of that stage as may be agreed with the relevant planning authority) the relevant planning authority must receive for its approval a plan indicating the extent of temporary fencing that must be erected for the authorised development. (2) A part of the authorised development within a stage (or such part of that stage as may be agreed with the relevant planning authority) and being an area where temporary fencing is so indicated must not commence without

ExQ1 No.	Type / Category	The Question	Current response
			<p>the temporary fencing approved by the relevant planning authority having first been erected.</p> <p>(3) The approved temporary fencing must be retained and maintained to the reasonable satisfaction of the relevant planning authority until the cessation of works in that area.</p> <p>(4) The fencing must be removed to the satisfaction of, and in accordance with time periods approved by, the relevant planning authority.</p>
DCO.1.36	Requirement 9 Q to The Applicant & The Relevant Planning Authorities The Relevant Highway Authorities	For precision and enforcement should 9(2) be amended as follows '...in accordance with the approved details and timetable and the stage of the authorised development must not commence until these works have been completed'	Given the large area that is covered by some of the woks stages it is felt that this additional control could unnecessarily restrict mobilisation of the proposed works for that stage.
DCO.1.37	Requirement 10 Q to The Applicant	Provide an explanation why this requirement only applies to a limited number of works or signpost where in the application documentation this information can be found. Explain why Work No 17 is not included in the list at 10(1) as works requiring a Written Scheme of Investigation (WSI) but a WSI for Work No 17 is then referred to at 10(6) and 10(7). How would a WSI for Work No 17 be secured?	<p>This requirement only applies where there is a need for archaeological investigation because the sub soil in that work is largely undisturbed. The majority of the Works are on land that were developed by way of construction of a railway between 1863 and 1867 and it is felt there is little likelihood of archaeological features being found. In any event there is only limited construction work interfering with soil or subsoil where the railway is being relaid on the existing trackbed.</p> <p>Work No 17 has been added to the list in Requirement 10(1).</p>
DCO.1.38	Requirement 11 Q to The Applicant & Environment Agency Lead Local	i) Why is the tailpiece at 11(2) necessary? And if it is necessary why is only the agreement of the relevant planning authority required when the original details would have to be agreed with the relevant planning authority in consultation with the lead local flood authority and the Environment Agency?	The tailpiece has been removed in the latest version of the dDCO

ExQ1 No.	Type / Category	The Question	Current response
	Flood Authorities		
DCO.1.39	Requirement 12 Q to The Applicant & The Relevant Planning Authorities	i) For precision should this requirement make reference to BS 5837:2012? For precision and enforceability should 12(4) include a time period by which the fencing must be removed?	The suggested amendments have been made.
DCO.1.40	Requirement 16 Q to The Applicant	Should this be entitled Construction hours rather than construction noise given the requirement sets out the working hours? Clarify why works within compounds would need to be carried out, outside of the 6am to 6pm timeframe? Clarify why works on a Saturday would need to be undertaken between 6am and 6pm rather than the reduced hours normally used on a Saturday?	<p>In order to address concerns from the NSC LPA, the Applicant has revised its proposed construction start time from 6am to 6.30am. Although access to the compounds by vehicles will commence from 6am, no construction works will commence until 6.30am. Works would be required in the compounds outside of 6.30am to 6pm in order to support the main construction works happening on both the operational railway to and from the Port and on the new section of line to Portishead. Works overnight on the operational railway are often undertaken at this time when less traffic is timetabled to operate and therefore access to the network is less disruptive to passenger and freight train operators, noting that at all times the planning of disruption must be undertaken in line with the conditions documented within the regulated Network Licence issued to Network Rail.</p> <p>Staff will also be able to make use of the time available outside of the core working times to make necessary preparations, before and after each shift, for items such as the management of materials and machinery, staff briefings, maintenance and cleaning of site welfare facilities and parking. In addition, it is likely that stockpiles of redundant materials (ballast, sleepers and rail) would be managed or removed during this time.</p> <p>Works at weekends will also be required at certain times as some equipment to be installed and upgraded (such as signalling and telecommunications) on the line will be linked to other equipment on the main line and as outlined above the ability to take possession of the mainline is easier at weekends and overnight. The duration of some of these construction and commissioning works will require</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>24/7 working for up to 2-4 days e.g. replace of bridge decks and the final signalling commissioning.</p> <p>It should be noted that the line from Parson Street Junction to Portbury docks is closed to traffic from 22.00 Saturday night to 18.00 Sunday evening. Therefore, planned maintenance and renewal activities are normally planned in these hours and extended, through negotiation, where necessary to undertake larger programmes of work such as track renewals.</p>
DCO.1.41	Requirement 18 Q to The Applicant & The Relevant Planning Authority The Relevant Highway Authority	Requirement 18 would appear to duplicate requirement 4 as both would require the submission and approval of details for Work No 28. Are both requirements necessary or could 4 be reworded to capture the detail contained within 18 or should reference to work No 28 be deleted from requirement 4?	The specific details sought under requirement 18 relating to Work No 28 (Winterstoke Road and Ashton Vale Road junction) specify in particular the installation of traffic control measures to deal with the operation of the Winterstoke Road and Ashton Vale Road junction. Those measures are unlikely to be captured under the provisions of requirement 4 and it was considered appropriate that an additional requirement be provided.
DCO.1.42	Requirement 19 Q to The Applicant	It would appear that there is some wording missing from 19(1)(b) which as drafted requires a 'statement detailing that the temporary path....'. Clarify if this is correct and if it is provide the missing wording Explain why there would be time constraints on the use of this path or signpost where in the application documentation this information can be found Explain how the time constraints for the use of the path would be enforced	Requirement 19(1)(b) has been amended by including "the times at which the temporary path...will be available for use". See 19(3). The time constraints were included at the request of Network Rail to allow for some opportunity to close the path at times when it is likely to be less busy, to allow for construction plant to cross the path. The relevant planning authority will be able to enforce requirement 19, by reference to the documentation submitted under requirement 19, in accordance with the provisions of Part 8 the 2008 Act.
DCO.1.43	Requirement 20 and 21 Q to The Relevant Planning Authority	Is the use of the phrase 'as soon as reasonably practicable' in relation to the removal of temporary works sufficiently precise for the purposes of enforcement or should a timeframe such as 6 months from the date of completion of the works be used and if so what timeframe would be appropriate?	

ExQ1 No.	Type / Category	The Question	Current response
DCO.1.44	Requirement 24 Q to The Applicant & The Relevant Planning Authority	Parts (1), (2) and (3) of this requirement relate to the proposed tree planting on the A369 Portbury Hundred. Can you: Confirm if the land required for this planting is within the Order Limits and if not, why not? Given the additional tree planting is to encourage the foraging/commuting of bats should the details submitted be also considered by Natural England as well as the Highway Authority?	The land is not within order limits but is in the control of the Applicant. It is highway land. As the proposal is to provide an alternative commuting route in addition to the remaining route that the railway will continue to provide, it was not felt necessary to provide for Natural England to be consulted. The additional planting was proposed by the Applicant following a suggestion by Natural England to include more additional planting (potentially outside of the corridor) to address the provision of bat commuting routes.
DCO.1.45	Requirement 28 Q to The Applicant & Natural England	The requirement proposes a number of measures in relation to minimising the impact of proposed lighting at Pill station on bats. Part (4) would only require the maintenance of the lighting scheme for a ten-year period. Would such a period be sufficient to protect the bats?	The Applicant's ecological consultants confirmed that the maintenance period should be ten years, on the basis that after ten years the habitats on the railway corridor will be established. After this period of time, any changes to the operational lighting that may affect bats would need to be managed by Network Rail in accordance with their policies and procedures
DCO.1.46	Requirement 29 Q to The Applicant	The requirement as currently worded would only require the installation and not the retention of any approved lighting scheme. Should 29(2) be amended to 'installed in accordance with the approved details and thereafter retained' and if not, why not?	It was felt any requirement relating to lighting should not be indefinite as standards may change. The requirement was worded in this way as the Applicant is also the highway authority and responsible for lighting. Therefore it was not deemed necessary to fetter the position of the highway authority who might at some point want to change the lighting and not be constrained.
DCO.1.47	Requirement 31 Q to The Applicant	31(1) and 31(3) would require works to be carried out in accordance with approved plans. Is the rider 'to the reasonable satisfaction of the relevant planning authority' therefore necessary? If yes, why?	The words 'to the reasonable satisfaction of the relevant planning authority' have been removed.
DCO.1.48	Requirement 32, 33 and 34 Q to The Applicant	Reference is made at 32(1), 33(1) and 34(1) to details being 'submitted to and approved in writing by'. However, Requirement 35 would require that all approvals must be given in writing. For consistency amend wording. As with requirement 31 the phrase 'to the reasonable satisfaction of the relevant planning authority' is used where the requirement would require the works to be	The Applicant has amended the wording.

ExQ1 No.	Type / Category	The Question	Current response					
		carried out in accordance with the approved details. Is the rider therefore necessary and if yes, why?						
DCO.1.49	Requirement 38 Q to The Relevant Planning Authorities	38(2) would give deemed consent for any application to discharge a requirement if a decision has not been made by the relevant planning authority within the defined 8-week period or where an extension of time has not been pre-agreed. Can you comment on whether you are content with this?						
FRD.1.1	Updated Flood Information Q to Bristol City Council	Does the additional flood information submitted by the Applicant [AS-007] address the concerns raised in your RR [RR-001], if not, why not?						
FRD.1.2	Culverts Q to The Applicant	Provide further details in relation to the proposed works to the Easton-in Gordano culvert and the unnamed culvert linking the Court House Farm site, beneath the north abutment of the Royal Portbury Dock Road that leads eventually to the Drove Rhyne.	<p>With reference to the Flood Risk Assessment (Part 1 of 17) (APP- 076; DCO Document Reference 5.6), Table 10.1 (copied below for convenience), all existing culverts are intended to <i>'be structurally assessed and refurbished or replaced if required'</i>. It is assumed that this question relates to culverts crossing beneath the proposed railway at 126 miles 70.5 chains and 127 miles 22 chains.</p> <table border="1"> <tbody> <tr> <td>Numerous existing culverts conveying watercourses crossed by the DCO Scheme</td> <td>Potential increase in flood risk upstream of the DCO Scheme if conveyance is reduced</td> <td>Areas upstream of watercourses crossed by the DCO Scheme</td> <td>All existing culverts crossed by the DCO Scheme will be structurally assessed and refurbished or replaced if required with culverts of the same dimensions (i.e. same flow capacity, and</td> <td>Low risk of blockage of culverts (risk reduced through maintenance regime).</td> </tr> </tbody> </table>	Numerous existing culverts conveying watercourses crossed by the DCO Scheme	Potential increase in flood risk upstream of the DCO Scheme if conveyance is reduced	Areas upstream of watercourses crossed by the DCO Scheme	All existing culverts crossed by the DCO Scheme will be structurally assessed and refurbished or replaced if required with culverts of the same dimensions (i.e. same flow capacity, and	Low risk of blockage of culverts (risk reduced through maintenance regime).
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ExQ1 No.	Type / Category	The Question	Current response			
						<p>so no increase in flood risk).</p> <p>Maintenance of culverts to reduce likelihood of culvert blockage by the EA, NSLIDB, NSDC, NRIL and BCC as appropriate.</p>
FRD.1.3	Updated information Q to The Environment Agency	In your RR [RR-013] you raised a number of concerns regarding the application. The Planning Inspectorate raised similar concerns in the s51 advice [PD-003] that was issued in January 2020. The Applicant submitted additional information [AS-007] in response to the advice. Can you confirm if this information addresses your concerns and if	<p>Detailed designs for any proposed works to these culverts will be developed at the next stage of the project but will comply with the principles of the Flood Risk Assessment. Should the culverts need to be replaced, this would be with modern design and materials, typically precast concrete circular or rectangular culvert cross-sections or high density polyethylene pipes, suitable to take loading from the track. Brick or concrete headwalls would be provided where existing headwalls need to be replaced. Should refurbishment be found to be economical, this could take many forms including root cutting, pipe lining, or masonry and concrete repairs.</p> <p>During the replacement or refurbishment works, water would be over pumped from one side of the culvert to the other to ensure works can be carried out safely and to ensure that drainage paths are maintained.</p>			

ExQ1 No.	Type / Category	The Question	Current response
		<p>not, why not and what additional information is required (and potentially being discussed with the Applicant)?</p> <p>In your RR you mention that additional flood modelling information had been received and you were reviewing it, provide an update with the progress on this review.</p>	
FRD.1.4	Disapplication of Byelaws Q to North Somerset Levels Internal Drainage Board	<p>In your RR [RR-024] you advised that the drawings submitted with the application did not provide sufficient information to enable you to agree to the disapplication of a number of byelaws. Can you:</p> <p>Provide an update with regards to discussions and whether this detail has been provided by the Applicant If it has not been provided, provide further detail as to what the Applicant needs to provide to address your concerns.</p>	
FRD.1.5	Mitigation Q to The Applicant	<p>Paragraph 3.2.38 of the HRA [APP-142] Refers to “mitigation measures” potentially being necessary prior to the start of works to protect the watercourse which flows under the bridge to Ham Lakes. With reference to the CoCP, CEMP and other provisions, can the applicant clarify what mitigation measures would be proposed, the duration for which they would be required and how they would be secured?</p>	<p>S12 Miles Viaduct Bridge crosses a stream entering Ham Green Lakes which in turn discharge into the River Avon which flows into the Severn Estuary.</p> <p>It is proposed to install a rod drainage system on S12 Miles Viaduct Bridge. The works are small scale, likely to be carried out by workmen using roped access and small hand tools. It may be necessary to instigate mitigation measures to protect the watercourse under the bridge and its water quality during the works. These measures have not been identified at present. The CEMP (AS-046; DCO Document Reference 8.14) section 13 requires the contractor to take measures to protect watercourses and water quality. The mitigation measures if required will be identified by the successful contractor in agreement with the Applicant and Network Rail and approved by the Environment Agency through the environmental permitting regime.</p> <p>The mitigation measures would be in place for the duration of the construction works, currently estimated to be 2 – 4 months.</p> <p>The mitigation measures, if required, would be secured through Requirement 5 'Construction Environmental Management Plan etc.' of the dDCO (DCO</p>


ExQ1 No.	Type / Category	The Question	Current response
			Document Reference 3.1) and the granting of a licence by the Environment Agency under the Environmental Permitting Regulations 2017.
FRD.1.6	Updated information Q to The Applicant & The Environment Agency The Relevant Lead Local Flood Authorities	<p>In your response the s51 advice [AS-007] you state “However, the Applicant formally acknowledges that at detailed design GRIP 5 it will need to consider a design capacity reflecting an allowance for 40% for climate change which may be enforced through Requirement 11 of the dDCO”.</p> <p>Applicant: If the GRIP process would require a higher climate change allowance than is currently assessed how would this be secured through dDCO requirement 11 as currently drafted? Why hasn't a 40% allowance been modelled on the basis that it is foreseeably required as part of GRIP 5?</p> <p>The Environment Agency/The Relevant Lead Local Authorities: Are you satisfied that the design capacity submitted to the Examination is acceptable or should it reflect the higher allowance required for GRIP 5 and if it should are you satisfied that Requirement 11 as currently drafted could capture this or is this information required prior to the determination of the Application?</p>	<p>There is sufficient control in Requirement 11 of the dDCO (DCO Document Reference 3.1) for the relevant statutory bodies to work together to apply the then relevant standards. The approving authorities are unlikely to approve a design that does not comply with current climate change guidance.</p> <p>The railway drainage design for track and stations only utilised Network Rail standard NR/L3/CIV/005 Railway Drainage Systems Manual current at the time of design to determine the climate change allowance. The relevant documents are:</p> <ul style="list-style-type: none"> • Flood Risk Assessment (Part 14 of 17) Appendix O (APP-089; DCO Document Reference 5.6); and • Flood Risk Assessment (Part 15 of 17) Appendix O (APP-090; DCO Document Reference 5.6). <p>The Network Rail standard has since been updated to reference the Environment Agency guidance 'Flood Risk Assessments: Climate Change Allowances', taking into account the design life and vulnerability of the assets.</p> <p>Detailed design will be undertaken in accordance with the modern design criteria (i.e. current climate change guidance). Hence the 40% allowance has not been modelled because the appropriate climate change allowance will be used at the stage of detailed design whether this is 40% or a different allowance at the time.</p> <p>The quote from document AS-007 referred to in the ExA's question relates only to rainfall intensity. To provide some context, the Applicant states at paragraph 3 of Section A to AS-077 that "<i>Rainfall intensity and peak river flow have some but not a significant impact on flood risk (see implications in Tables 1 and 2 in Appendix 1). The most significant impact of future projected climate change on flood risk will be an increase in tidal (River Avon) flood risk due to the projected sea level rise. (see paragraph 2.4.12 of the FRA)</i>". Since the 40% climate change allowance only relates to rainfall intensity not having a significant impact on flood risk and only for track and stations, the Applicant is very confident that the</p>


ExQ1 No.	Type / Category	The Question	Current response
			relevant climate change allowances to be applied at the stage of detailed design will be able to be accommodated and approved by the approving authorities.
FRD.1.7	Additional information Q to The Applicant	The response to the s51 advice [AS-007] states “furthermore, notwithstanding the reference to the small size of the catchments (see table 1) the Applicant will also re-run the simulation with a 70% allowance for fluvial flooding as an ‘upper limit’ sensitivity test”. Can you confirm when this information will be submitted into the Examination and confirm whether it will include an appraisal of effects beyond what is already presented in the FRA?	<p>The Applicant has now completed the simulations with a 70% climate change allowance for fluvial flooding in Longmoor and Colliter’s Brooks, as specified in the response to the s51 advice (AS-007).</p> <p>The Applicant has reported this modelling and the interpretation of its results (i.e. an appraisal of effects beyond what is already presented in the Flood Risk Assessment (APP-076; DCO Document Reference 5.6)) in the note appended to this response at Appendix FRD.1.7-1 – the relevant details are in Section 8 of the updated technical note.</p> <p>Please note the above document at Appendix FRD.1.7-1 is an updated version of the document entitled 'MetroWest Flood Risk Assessment – River Avon flood risk: Off-site impacts and mitigation' incorporated from page 23 of the Flood Risk Assessment (Part 6 of 17) Appendix N (APP-081; DCO Document Reference 5.6).</p>
HE.1.1	Historic Bridges Q to The Applicant	<p>RR-066 raised concerns that two historic bridges, Station Bridge and Tarr Bridge, would be damaged as a result of construction traffic.</p> <p>Confirm whether these are listed or are non-designated heritage assets?</p> <p>Would these bridges be able to bear the weight of construction traffic?</p> <p>Was any assessment of the impact of construction traffic on these bridges carried out if yes signpost where in the application documentation this information can be found and if no, why not?</p>	<p>The two road bridges over the railway referred to are not listed or non-designated heritage assets. The two road bridges have been surveyed and works have been identified to repair and improve them prior to the start of the main construction phase. These works will include strengthening works to ensure they can take the weight of construction vehicles. The bridge surveys have not been included within the application document, as a DCO is not required to undertake the work to these North Somerset Council owned structures and it is anticipated that the works will be done at an early stage, potentially prior to the DCO approval decision.</p> <p>An assessment of the staff and construction vehicle traffic was contained within Construction Traffic Management Plan (CTMP) (APP-210; DCO Document Reference 8.13), however the traffic assessment information has since been updated (as part of a recent request from Highways England for more detailed traffic assessment information). The assumptions used in the latest assessment shows that on an average day, during the peak of construction, there will no construction vehicles using the two road bridges. However, construction vehicles may need to access the area to undertake works to construct the proposed</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>permanent road rail access point at Sheepway, a small temporary compound and other associated highway accesses. These are shown on the Sheepway Bridge Maintenance Compound and Interim Access Arrangements plan (APP-043; DCO Document Reference 2.49 to 2.51). The works numbers are No. 9, 10, 10A, 10B, 11, 11A and 11B. From time to time a low loader may need to cross the bridges during and after construction in order to deliver road rail vehicles to the proposed Sheepway road rail access point.</p> <p>Alongside this, a Traffic Management Working Group (TMWG) will be formed for the construction phase of the project. Although the initial CTMP sets out some access routes to compounds (see figures 6.1 and 6.2), use of specific routes will need to be designated via the Final CTMP, and agreed with the TMWG. This will ensure that appropriate routes are designated and use of more potentially more sensitive routes by heavy vehicles is minimised. Ongoing use of access routes, and any associated traffic management measures will be through the auspices of the TMWG, and as such the contractor will have to consult the TMWG regarding such issues. Membership of the TMWG will include the relevant Highway Authorities, thus providing oversight of requests, and assurances that appropriate decisions are taken.</p>
HE.1.2	GSM-R Mast Avon Gorge Q to The Applicant & Historic England	<p>The Explanatory Memorandum [APP-053] (paragraph 11.6) refers to a number of ‘minor’ works within the Avon Gorge including a proposed GSM-R mast. Can you:</p> <p>Applicant: Provide further detail of what these minor works are and where they would be located? Provide further details of the height, location and design of the GSM-R mast. Confirm whether any of these works, particularly the GSM-R mast would affect the setting of the Clifton Suspension Bridge or any other designated heritage assets within the Avon Gorge.</p> <p>Historic England:</p>	<p>Works within the Avon Gorge are listed in Table 1 of the Avon Gorge Vegetation Management Plan (APP-209; DCO Document Reference 8.12). Further detail is provided below to supplement this information.</p> <p>These items are:</p> <ol style="list-style-type: none"> 1. Fencing proposed within the Avon Gorge. The fencing will comprise new fences on both sides of the railway track for trespass prevention. The new fencing will be 1.8-metre-high paladin type fencing and typically be offset 3 metres from the railway, occasionally more. New fences will not be constructed where existing retaining walls and rock faces already prevent trespass. The likely colour of the fencing will be an olive green/grey. 2. Access steps from the River Avon Tow Path to the existing freight line. The change of use of the line requires further access points to enable the safe maintenance of the railway due to introduction of passenger services. The

ExQ1 No.	Type / Category	The Question	Current response
		<p>Given the sensitivities of this location should the detail of these works be provided now or are you satisfied it could be considered as part of the discharge of requirements should development consent be granted?</p>	<p>access points within the Avon Gorge are indicatively depicted on General Arrangement Plans (APP- 010; DCO Document Reference 2.4) but detailed locations will be determined in accordance with further localised ecological assessments, ground conditions, topography, and proximity to trackside equipment. The access steps will typically be 2 metres wide and have a lockable gate at the boundary fence. A typical example is provided below.</p>  <p>3. Rock catch fencing and stabilisation works. The locations and general description of the rock catch fencing and stabilisation works are depicted on the General Arrangement Plans (APP- 010; DCO Document Reference 2.4). The condition of the rock faces above the railway line is dynamic and poses an increased risk to a passenger service. As such, works are required to stabilise the rock faces and prevent falling rocks from reaching the tracks and causing a derailment.</p> <p>The works vary according to location, but will include:</p>

ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> • scaling (mechanical removal of loose rock blocks and unstable vegetation during a cliff face rope access inspection). Extent will only be confirmed at detailed design following a detailed rock face inspection. • catch fences situated below rock faces, on both Network Rail and third party owned land. Catch fences comprise of metallic rope and mesh fall prevention systems suspended between posts which are anchored into the ground. Catch fences are designed to act as barriers to falling rocks which would otherwise reach the railway. • Rock bolting (metallic bolts mechanically drilled into the rock face to hold rocks in place). Extent will only be confirmed at detailed design following a detailed rock face inspection. • Removal of existing rock debris. <p>4. GSMR masts, antennae and associated equipment boxes.</p> <p>The GSM-R masts will be lightweight structures with antenna. A typical example is shown below. They are required to ensure that the radio coverage for train driver-signaller communication is adequate through the gorge and through the tunnels.</p> <p>Within the gorge, the following GSM-R masts are proposed. Locations are given to indicate the area of placement but will be confirmed at detailed design:</p> <ul style="list-style-type: none"> • 1no repeater site at Clifton Tunnel No.2 south portal comprising a 8 metre high mast with 2 antenna and 1no equipment case. The mast foundations will take up approximately 2m². The equipment case will be approximately 2 metres tall, 2 metres wide and 1 metre deep. • 1no repeater site at Sandstone Tunnel south portal comprising a 5 metre high mast with 2 antenna and 1no equipment case. The mast foundations will take up approximately 2m². The equipment case will be approximately 2 metres tall, 2 metres wide and 1 metre deep.

ExQ1 No.	Type / Category	The Question	Current response
			 <p data-bbox="1205 1015 2085 1121"><i>Confirm whether any of these works, particularly the GSM-R mast would affect the setting of the Clifton Suspension Bridge or any other designated heritage assets within the Avon Gorge.</i></p> <p data-bbox="1205 1155 2136 1414">It is not expected that these works will impact the heritage assets in the Avon Gorge. The GSMR masts (antenna) would not be taller than the tunnel portals. In accordance with requirement 14 these works must not commence before details of the location, siting and design of the relevant work, together with any required site clearance, working space and lay down areas, have been submitted to and approved by the relevant planning authority in consultation with Natural England.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>5. Signals, cable routes and associated equipment boxes. There will be various small equipment boxes required along the side of the railway associated with the control of the signalling system and typical of a normal railway environment. Detailed positions of signalling equipment will be established at detailed design. Equipment will include:</p> <ul style="list-style-type: none"> • 'Lock out devices' that will be located close to the portals of Sandstone Tunnel, Clifton Bridge No.1 Tunnel, and Clifton Bridge No.2 Tunnel. Lock out devices comprise a telephone and equipment case (0.5m²). 

ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> • Signals and location cases. There are three signals between Sandstone Tunnel and Pill Tunnel, BL1899, BL1901 and BL1903PRI. They are all east of Pill Tunnel. BL1903PRI (preliminary route indicator) and BL1901 are both east of Ham Green compound / Miles Underbridge. BL1899 is halfway between the west portal of Sandstone Tunnel and Cages (Chapel Pill Lane) Overbridge. Final locations will be confirmed in detail design. • These signals will each have associated 'location cases' (2 metres high and 1 metre wide) – equipment control and power cubicles – that will be located close to each signal. The signal will also have an associated telephone (0.1m²). Equipment cases may need to be sited on a raised platform where located on the side of an embankment.



ExQ1 No.	Type / Category	The Question	Current response
			<ul style="list-style-type: none"> • Equipment disconnection boxes. Small trackside equipment boxes (0.1m²) which serve to reduce the number of cables having to travel long distances to location cases. • Cable route-typically concrete or glass reinforced plastic cable troughs placed at surface on ballast. <p>6. Works to retaining walls and structures;</p> <p>There are a number of bridges under the railway along the Avon Gorge that require minor repair works. Repair works comprise the introduction of pattress plates and tie bars, masonry repairs including stitching, pinning, casing and repointing to improve the condition of each structure. With reference to General Arrangement Plans (APP- 010; DCO Document Reference 2.4), repair works will be undertaken at the following bridges:</p> <ul style="list-style-type: none"> • Valley Underbridge • Underbridge at 122 miles 40 chains • Quarry Underbridge 3 • Quarry Underbridge 4 • Quarry Underbridge 5 • Quarry Underbridge 6 • Miles Dock Underbridge • Underbridge at 124 miles 44 chains <p>Referring to General Arrangement Plans (APP- 010; DCO Document Reference 2.4), Walls 8 and 9 located along the river side of the railway, adjacent to the tow path, require repairing and some localised rebuilding to improve condition and stability.</p> <p>Ballast support boards around 0.5 metres high may be locally required in the rail corridor to support the track on steep embankment sections on the River Avon side of the railway. These retaining structures could take the form of</p>

ExQ1 No.	Type / Category	The Question	Current response
			steel posts driven into the ground with concrete planks between to support the ballast. These will typically be offset 3 metres from the rail.
HE.1.3	Clanage Road Q to Bristol City Council & Historic England	A permanent maintenance depot is proposed at Clanage Road which would be located in the Bower Ashton Conservation Area. It would be in close proximity to Ashton Court Registered Park and Garden and a number of listed buildings at Bower Ashton. Are you satisfied that the proposed depot would not adversely affect the setting of these heritage assets?	
NV.1.1	Noise Survey Q to The Applicant	Provide a response to the concerns raised in AS-002 regarding the noise survey work undertaken in the Fennel Road/The Vale area. In particular how the survey work undertaken is representative of these areas and whether additional mitigation had been considered in respect of these receptors?	<p>A site walkover was undertaken by two experienced noise consultants to identify possible baseline survey locations. In the vicinity of Fennel Road / The Vale the site walkover was undertaken along the disused railway line in Portishead, since this is close to the receptors that are likely to experience impacts.</p> <p>In 2015 an attempt was made to secure a survey location in the garden of a property in Fennel Road but no positive response was received from the householder that was contacted. This was not considered to be a limiting factor since from the site walkover the baseline noise climate was judged to be very similar along the length of the disused railway line from Fennel Road to The Vale area. Therefore, the noise measurements undertaken at 16 Tydeman Road (survey location LT15) are considered to be representative of the baseline noise level at the sensitive receptors along Fennel Road that back onto the disused railway line.</p> <p>The noise assessment of the DCO Scheme has considered the impact at Fennel Road, with locations F4 and F5 shown on Figure 13.2 sheet 1 of 11 (APP-122; DCO Document Reference 6.24) being representative receptors. The speed of the trains as they accelerate from the proposed station in Portishead has been taken into account within the noise calculations, and this assumed speed is higher at Fennel Road than The Vale area. Table 8.1 of Appendix 13 (APP-153; DCO Document Reference 6.25) shows that the predicted increase in noise at these two locations is, respectively, 1.5 and 1.9 dB(A) in the opening year. These increases in noise do not meet the criteria for noise mitigation described in section 2.12 of Appendix 13 (App-153; DCO Document Reference 6.25).</p>

ExQ1 No.	Type / Category	The Question	Current response
NV.1.2	Baseline Survey Q to The Applicant & Interested Parties	<p>Can the Applicant provide the ExA with assurances that the baseline noise environment remains valid and robust, taking into account the time since the noise measurements were undertaken (primarily in September and October 2015 for noise and March 2016 for vibration)?</p> <p>In terms of the impacts of existing freight traffic on the baseline noise environment, paragraph 13.3.31 of the ES [APP-108] explains that the number of freight movements in 2015 was lower than the previous five years; therefore it concludes that the impact from the Proposed Development services would be worst case, since a higher baseline level would have meant the passenger services would contribute less to the predicted noise climate. Whilst this is noted, can the Applicant comment on whether this approach could also result in the overall predicted noise and vibration levels not representing a true worst case (ie of higher freight traffic levels). Do any Interested Parties have comments in this regard?</p>	<p>The baseline noise measurements undertaken in 2015 and 2016 are robust and were a valid representation of the noise climate at that time. Between these survey dates and the submission of the DCO application in 2019 it is possible that the noise climate could have changed. However, examining the main noise source in the area (i.e. traffic) this is not the case. Information from the TEMPro, which is a DfT program and dataset which includes forecasts trip movements based on planning data and is usually applied for background growth in models, suggests that traffic within North Somerset Council and Bristol City Council areas will have increased by 3.8% from 2015 to 2020. In acoustic terms an increase of 3.8% in traffic would account for 0.2 dB(A). Along the M5, data from WebTRIS, which is a Highways England managed traffic information website, can also be examined. At a location close to Junction 19 of the M5 the traffic growth between 2015 and 2019 also shows an increase in traffic equivalent to 0.2 dB(A). From the magnitude of impact scale provided in Table 2.2 of Appendix 13.3 (APP-153; DCO Document Reference 6.25), changes of this magnitude would be negligible and would not be noticeable. It is therefore considered that the noise measurements undertaken in 2015 and 2016 would still be a valid representation of the noise climate in 2020.</p> <p>If the level of freight traffic were higher when the baseline noise measurements were undertaken then the absolute noise level would have been higher. This would influence the effect level category (see Table 2.8 of Appendix 13.3 (APP-153; DCO Document Reference 6.25) for the locations within Pill. The higher the effect level category, the smaller a change in noise from the DCO Scheme would be needed to cause a significant effect (see Table 13.12 of Chapter 13 (APP-108; DCO Document Reference 6.16). Within Pill at the locations where noise from the freight traffic would dominate, the highest measured 16-hour L_{eq} daytime level was 54 dB(A) at LT20 which is 3 Star Lane (Table 13.15 of Chapter 13 (APP-108; DCO Document Reference 6.16). This measured noise level is between the LOAEL of 50 L_{Aeq},dB and the SOAEL of 66 L_{Aeq},dB. During the night the measured noise level at LT20 was 48 dB(A), which is again between the LOAEL of 40 L_{Aeq},dB and the SOAEL of 55 L_{Aeq},dB.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>At this effect level (i.e. between LOAEL and SOAEL), a change of 3 dB(A) is where noise mitigation would be considered. A worst case would be if the noise from freight traffic places the effect level above SOAEL, as here a 1 dB(A) change in noise would cause mitigation to be considered. To place LT20 above SOAEL would require an increase in the baseline noise of 12 dB(A) during the day or 7 dB(A) at night. It is considered unlikely that freight train numbers as high as they were in 2012-2014 would increase these baseline levels to above SOAEL.</p> <p>The impact from vibration is expressed as a maximum level from an individual event, as opposed to a cumulative level. While it is possible that a higher number of freight train passages could result in a higher maximum level of vibration being measured, the composition and operating regime of the freight trains through Pill does not vary by much and so this is considered unlikely.</p>
NV.1.3	Operational Noise Levels Q to The Applicant & The Relevant Planning Authorities	<p>Two methods have been used by the Applicant to compare Operational noise levels with and without the scheme, depending on existing noise sources in the area;</p> <p>Do the Environmental Health Officers from the Relevant Planning Authorities agree with the methodologies used? Can the Applicant explain how method two takes into account different times of the day, for example evenings when the dominant noise source of traffic is likely to decrease?</p> <p>Paragraph 13.3.33 [APP-108] states that in order to focus on the impact of the Proposed Development, no noise contribution from freight traffic has been assumed in either the Do-Minimum or Do-Something scenarios assessed using method 2. Can you comment on whether this has the potential to mask the potential effects of noise from freight movements plus movements from the Proposed Development?</p>	<p>Method two uses road traffic flow data over an 18-hour period (06:00 to 24:00) to predict the Do-Minimum level of noise. This is the prescribed method for predicting noise within the UK described within the Calculation of Road Traffic Noise. The predicted 18-hour L_{A10} level is converted to an L_{Aeq} over 16-hours (07:00 to 23:00) for the purpose of the assessment. This prediction method from road traffic is also used for the Do-Something scenario with the addition of the DCO Scheme sources of noise. These additional noise sources are also considered over the 16-hour period as they are for Method one.</p> <p>If freight movements were considered within the calculated noise levels for Method two then the predicted noise level in Do-Minimum could be higher. The amount the predicted noise levels could be higher would depend upon the proximity of the assessment location to the existing railway line and the noise source from roads close to the assessment location. The assessment locations where Method two has been used are close to roads with high levels of traffic noise (e.g. A4, M5). Therefore, the contribution from freight train movements at these assessment locations would be negligible and so an already high Do-Minimum noise level is unlikely to be increased by a noticeable amount. The same would be true if freight train movements were included within the Do-Something scenario.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Given that the number of freight movements to include in both the Do-Minimum and Do-Something scenarios would need to be assumed, the only sensible approach would be to assume the same in each. The effect from this would therefore be negligible since the noise level in Do-Minimum and Do-Something scenarios would increase by the same negligible amount. The exclusion of the noise from freight train movements from Method two is therefore not considered to mask any potential effects from the DCO Scheme.</p>
NV.1.4	<p>Noise from construction traffic Q to The Applicant</p>	<p>Can you clarify how the contribution of noise from construction traffic has been assessed?</p>	<p>The contribution of noise from construction traffic has been included within the construction calculations when calculating the noise level at the construction sites and compounds. This has included the use of access routes. Construction traffic movements on the road network have not been considered within the noise assessment. This is because the potential impact from this was considered to be negligible given the number of vehicles already using the routes compared with the expected construction traffic movements. In paragraph 16.6.2 of the Traffic and Transport chapter (APP-111; DCO Document Reference 6.19) it is concluded that the potential effects from construction traffic will not be significant.</p>
NV.1.5	<p>Assessment for Significant Effects Q to The Applicant</p>	<p>Can you explain how the assumptions listed in Table 3.1 of Appendix 13.3 [APP-153] would be secured?(with particular reference to train type, speed limit, number of train movements, closure of Barons Close Crossing).</p> <p>You may wish to combine the answer to this question with the answer to question BIO.1.5.</p>	<p>The assumptions listed in Table 3.1 of Appendix 13.3 (App-153; DCO Document Reference 6.25) are necessary to undertake the noise calculations. These assumptions are based on what was the reasonable and most likely worst-case scenario, taking into account knowledge at the time of the assessment and professional judgement. While some of these assumptions could be secured, it is not appropriate to secure others.</p> <p><u>Train type.</u> There is no intention to secure the train type. The type of train used would be the decision of the Train Operating Company based on the stock available at the time. At the present time this type of train (class 16x) is the main type of local train in operation in the vicinity of Bristol.</p> <p><u>Speed limit.</u> The speed limit of the line is determined by the signalling system, the radii of the curves and the gradients. The current line speed on the freight line from Parson Street Junction to Portbury Docks is 30 mph. Although this alignment will be improved for passenger comfort, it is proposed that the line speed on this section is not increased as considerable additional track and civil</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>engineering works would be required, which is not affordable for the present scheme. On the re-opened section of railway from Pill junction to Portishead station the maximum line speed is proposed to be 70 mph. This proposed speed profile allows a passenger train to undertake a round trip from Bristol Temple Meads to Portishead station in an hour (with a suitable 5 minute break at either end of the journey) thus enabling an efficient use of train and train crew. For further information about line speed refer to our response to question BIO.1.5.</p> <p><u>Number of train movements.</u> At present freight operating companies have access rights to operate services to and from Portbury docks 7 days a week. The infrastructure proposed on under the DCO S scheme will enable an hourly (or hourly plus) passenger service and an hourly freight service to operate in each direction. The operating hours of the passenger service will be subject to commercial discussions between the Applicant, Train Operating Company, Department for Transport, Network Rail and the Office of Road and Rail.</p> <p><u>Barons Close Crossing.</u> This pedestrian crossing was closed temporary when Bristol City Council (BCC) undertook the Metro Bus works. At the same time BCC constructed a new pathway parallel to the Metro Bus roadway which joins the public highway on Ashton Vale Road. This crossing is to be permanently closed in accordance with article 16 and schedule 6 of the dDCO.</p>
NV.1.6	Assessment of Significant Effects Q to The Applicant	The opening Assessment Year is defined in paragraphs 13.3.34-13.3.38 [APP-108] as 2021 (and a future scenario of 2036). It states that the actual year of opening is likely to be winter 2023/24 but states that the difference in terms of predicted levels of road traffic between these years is considered to be negligible in noise terms and not considered to be a limitation of the assessment. Can you justify this statement further, for example by providing figures of predicted traffic movements to back up this assertion?	<p>The expected increase in traffic in the Bristol City Council and North Somerset areas from 2021 to 2024 is 2.8%. These data are from TEMPro, which is a Department for Transport (DfT) program and dataset which includes forecasts trip movements based on planning data and is usually applied for background growth in traffic models.</p> <p>Taking an increase in traffic of 2.8%, this would represent an increase in noise of 0.1 dB(A), which would be negligible in the short-term by the scale provided within Table 2.2 in Appendix 13 (APP-153; DCO Document Reference 6.25).</p>
NV.1.7	Timetabling of trains	The Scoping Opinion [APP-093] states that “The Secretary of State has already noted the uncertainty regarding the characteristics and timetabling of the trains that would	At the time of submission the timetabling for the DCO Scheme was sufficiently certain that considering a range of scenarios was not considered necessary. The

ExQ1 No.	Type / Category	The Question	Current response
	Q to The Applicant	operate on the line. Should any such uncertainty remain at the time of submission the Secretary of State recommends that the noises modelling should consider a range of scenarios, including the potential worst case.” Table 13.4 of the ES [APP-108] states that this is addressed in Section 13.3. However, there is no further reference to the uncertainty from timetabling. Can the Applicant confirm how any such uncertainty has been considered in the assessment?	two trains per hour service that was proposed at scoping has been changed to the hourly plus service and the uncertainty largely removed. Table 3.1 of Appendix 13.3 (APP-153; DCO Document Reference 6.25) lists the assumptions and justification made for various input parameters to the noise model. These assumptions include the number of services and dwell times, which are both characteristics of the timetabling. The service that was modelled was the hourly plus scenario, which was the reasonable worst case. For further information about assumptions refer to our response to question NV.1.5.
NV.1.8	Soil Stability Q to The Applicant	Can the Applicant direct the ExA to the specific parts of the ES which assess the effects of vibration on the stability of soil, as highlighted by a member of the public and reported in Table 13.4 of ES Chapter 13 Noise and Vibration [APP-108]?	<p>This topic was not discussed within the Environmental Statement.</p> <p>The householder wrote: <i>“The vibration aspect with our soil has not been addressed. The work on the vibration is not comparative. It was done in Oxford and the soils types are not the same. We regularly lose soil as it regularly goes into the rhyme (drain) and the vibration of the train will accelerate this process. We request a retaining wall alongside our property to prevent soil erosion.”</i></p> <p>The vibration study referred to was some vibration measurements undertaken by the Applicant at Oxford station for passing trains. The boundary of the property concerned lies about 3 m from the drain and about 30 m from the new railway line.</p> <p>There is expected to be no impact on the drain referred to in Table 13.4 (APP-108; DCO Document Reference 6.25) due to operation of the railway.</p> <p>Rolling stock suspension and wheels, the rails, sleepers and track bed are designed to minimise vibration and evenly distribute forces from passing trains into the ground. The ground resistance is calculated in accordance with Eurocode 7 Geotechnical Design to ensure ground stability is sufficient and movement minimal in order to prevent a derailment. Vibration effects attenuate with distance from the source and therefore it can therefore be inferred that ground movement will not have an impact at neighbouring properties.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>With reference to the Environmental Statement Table 13.18 and Table 13.24 (APP-108; DCO Document Reference 6.25), measurements of peak particle velocity typical of two locations on the operational railway are shown to be just above the level that may be considered as ‘just perceptible in residential environments’ in accordance with the scale of magnitude presented in Table 2.7 of Appendix 13.2 in the ES Volume 4 Technical Appendices (APP-108; DCO Document Reference 6.25). These would be considered as being just above the LOAEL. In relation to potential for building damage the levels are below the level of negligible risk of building damage (Table 2.6 in Appendix 13.2 in the ES Volume 4 Technical Appendices, (APP-108; DCO Document Reference 6.25). Building damage from vibration is caused by ground movement and therefore soil stability can be directly compared to this criterion (i.e. negligible risk of building damage is negligible risk of ground movement).</p>
NV.1.9	Living conditions Q to The Applicant	<p>Requirement 26 would require the installation of a 2.4m high fence from track bed level adjacent to the disused Station at Portbury:</p> <p>Can you confirm that the ‘disused Portbury Station’ referred to in the requirement is the Old Station House which has now been converted into a residential dwelling. Given that the former station is elevated above the track would the proposed acoustic fencing be of the correct height</p> <p>How would the outlook from this property be affected as a result of the proposed fencing and if it is adversely affected what measures are proposed to minimise the impact?</p> <p>You may wish to combine the answer to this question with the answer to questions DE.1.7 and NV.1.10.</p>	<p>We confirm that the disused Portbury Station is also known as the Old Station House, which has been converted into a private dwelling.</p> <p>The proposed height for the acoustic fence of 2.4 m is measured from the track ground level. Given the old platform height of about 0.5m above track level, the acoustic fence would stand 1.9m above the old platform, which is now a garden patio. These differences in height were taken into consideration in the noise calculations that were undertaken to determine barrier height. This barrier height was predicted to reduce average train noises to under 1 dB(A). We consider the proposed height of the acoustic barrier to be correct.</p> <p>Refer to Environmental Statement, Volume 4, Appendix 11.3 Landscape and Visual Impacts Assessment (APP-151; DCO Document Reference 6.25), No 18 Page 1-9, for the visual impact assessment at Old Station House.</p> <p>The acoustic fence would have the appearance of a close-boarded garden fence, which would be appropriate within a garden setting, although its position off-set from the platform edge may look incongruous from the patio.</p> <p>The Applicant has held consultations with the owners of this property over several years. Initially, they did not want an acoustic fence over fears that it</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>would block the light and views from the house and patio across the railway to the opposite embankment and woodland screen. In more recent years, the owners decided that they would prefer an acoustic fence on the condition it was further away from the house on the track bed and not on the patio. We have discussed with them both a close-boarded fence and a clear screen to reduce shading, although such fences are difficult to keep clean and would reduce privacy from the passing train. Pictures showing the close-boarded design were provided to the owners and cross sections to illustrate the what it might look like. The owners preferred close-boarded design.</p>
NV.1.10	Living Conditions Q to The Applicant	<p>The ES stipulates the performance required of the noise barriers along Peartree Field and at Old Station House in Portbury in paragraphs 13.7.7 and 13.7.8 [APP-108]. The performance levels are not referred to in dDCO Requirement 26. Can the Applicant explain how these performance levels would be secured?</p> <p>You may wish to combine the answer to this question with the answers to questions DE.1.7 and for the Old Station House NV.1.9 and for Peartree Field NV.1.12.</p>	<p>The noise barriers to be provided at Peartree Field and Old Station House have been included to mitigate the effects on the relevant receptors that have been identified by the Environmental Statement. They will be designed so as to achieve the performance levels sought but it was not felt appropriate that the performance level be imposed in a requirement. This is because alternative remedies for the affected receptors would apply under, in particular, the provisions of part 1 of the Land Compensation Act 1973 and/or the Noise Installation (Railways and other Guided Transport Systems) Regulations 1996.</p>
NV.1.11	Monitoring Q to The Applicant & The Relevant Planning Authorities	<p>Applicant: Confirm whether the noise and vibration monitoring proposed in the outline CEMP [APP-127] would be made available to local authorities? Outline how would thresholds be identified and implemented, and indicate whether the CEMP should include a commitment to remedial measures should monitoring identify higher than predicted noise and vibration levels?</p> <p>Applicant and Relevant Planning Authorities: Comment on the need for monitoring of operational phase noise and mitigation? Can the Applicant explain if monitoring (and appropriate trigger levels) would be required to determine whether measures need to be implemented to reduce rail squeak?</p>	<p>The results from the noise and vibration monitoring during construction will be made available to local authorities.</p> <p>Thresholds for construction noise and vibration would be identified using one of the methods outlined in Annex E of BS 5228-1:2009+A1:2014 - Code of practice for noise and vibration control on construction and open sites – Noise. These thresholds would be implemented via the Section 61 application as stated in the outline CEMP in section 10.3 (APP-127; DCO Document Reference 6.25). The process for remedial measures is outlined in paragraph 10.1.4 of the outline CEMP (APP-127; DCO Document Reference 6.25).</p> <p>The operation and maintenance of railway infrastructure and the operation of passenger trains creates some noise. Network Rail recognises this and has set out its approach to the management of noise on its website, see website link below.</p> <p>https://www.networkrail.co.uk/communities/living-by-the-railway/noise-and-vibration/</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>If so, how would these and any requisite remedial measures be secured?</p>	<p>Although Network Rail is protected by section 122 of the 1993 Railways Act and cannot be prosecuted for statutory noise nuisance, Network Rail must use 'reasonable diligence' to control noise and vibration. Appendix 13.9 (APP-153; DCO Document Reference 6.25) demonstrates how the DCO Scheme is using reasonable diligence during the design and operation.</p> <p>The Department for Environment, Food and Rural Affairs published a Noise Action Plan: Railways Environmental Noise (England) Regulations 2006 on 2nd July 2019, the following extract explains how noise from trains is regulated.</p> <p>“Source levels</p> <p>6.8 Noise from individual new railway vehicles are controlled through EU legislation which sets limits for noise emissions from rail vehicles and other equipment used on the railway.</p> <p>6.9 The Technical Specification for Interoperability (TSI Commission Regulation 1304/2014) is a suite of binding EU technical standards required to satisfy the essential requirements of interoperability. The noise-related Technical Specification for Interoperability include limits for starting noise, noise from stationary vehicles and pass-by noise for conventional and high-speed rolling stock. Many vehicles have already been introduced that meet these limits, and a recent review at the European Union Agency for Railways considered the application of the Noise Technical Specifications for Interoperability to existing freight wagons.</p> <p>6.10 The Technical Specification for Interoperability covering conventional and high-speed rolling stock currently adopts a two-step approach to reduce the noise emission limits over time. Furthermore, disc brakes or composite brake blocks are installed on the majority of passenger vehicles and freight vehicles, which reduces noise emissions in comparison with cast iron brake blocks.</p> <p>6.11 The replacement of diesel trains with electric stock as electrification progresses across the network also contributes to reducing noise at source. The government is committed to electrification of railways where it delivers benefits and value for money, but will also take advantage of new technologies, such as</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>bi-mode trains, which have potential to make improvements without as much disruptive engineering work.”</p> <p>Given there is legislation already in place in relation to operational noise from railways, there is no need for any monitoring obligations to be imposed upon the Applicant, Network Rail or the Train Operators, in the context of the Portishead Branch Line being transferred back into the national railway network, post opening.</p> <p>In respect of noise mitigation, the noise modelling undertaken by the Applicant indicated there are two locations where noise levels will increase above 3 dB(A) without mitigation. These locations are south of Portishead Station and at Old Station House, Portbury. The proposed mitigation for both locations to reduce the increase to below 3 dB(A), by installing acoustic fencing at these locations.</p> <p>It is not considered that monitoring is required to determine whether measures need to be implemented to reduce rail squeak. As outlined in Table 3.1 of Appendix 13 (APP-153; DCO Document Reference 6.25), rail squeak should not occur from a new track and the likelihood of rail squeak is considered to be low for the new railway line. If rail squeak is identified on opening and requires treatment then this will be a maintenance issue normally treated with flange lubricators.</p>
NV.1.12	Living conditions Q to The Applicant	<p>The ramp of the proposed footbridge at Portishead station would run alongside a number of residential properties in Peartree Field.</p> <p>Would the footbridge and ramp be lit? If yes how would the lighting be designed/ managed so as to minimise any light spillage to adjoining residential properties and how would this be secured?</p> <p>You may wish to combine the answer to this question with the answers to questions DE.1.7 and NV.1.10.</p>	<p>Trinity footbridge lighting will be maintained by North Somerset Council, with occupancy detectors also installed to dim the lighting on the bridge and stairs when unoccupied. It is proposed to install handrail lighting on the stairs and ramp which is very directional and reduces overspill into neighbouring properties. There are anti-climb luminaires on the footbridge deck and 5m columns in area on approach to the bridge.</p> <p>Being LED and modern fittings there is very limited upglow, and they are designed to meet environmental E2 guidelines for rural areas (details from GN01-2005 Guidance notes for the reduction of obtrusive light):</p> <p>Sky glow – 2.5%</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Light trespass into windows pre curfew – 5 lux</p> <p>Light trespass into windows post curfew – 1 lux</p> <p>Source intensity pre curfew – 7.5kcd</p> <p>Source intensity post curfew – 0.5 kcd</p> <p>As this bridge and surrounding areas are not at a station it is considered a public path, hence the lux level instead have an average of 30 lux for the footbridge (from BS 5489-1), an average of 10 lux for the walkways and 0.4 uniformity.</p> <p>Note, please also see answer provided to DE1.7.</p>
NV.1.13	Lighting Levels Q to The Applicant	Give reasons why dDCO Requirement 29 (operational lighting) does not also stipulate the same lighting levels (>0.5 lux) as in Requirement 28?	<p>The level is relevant only to limit impacts on the bat roost at Pill station and does not need to be more widely applied.</p> <p>Requirement 28 stipulates a lighting level of <0.5 lux specifically for the northern platform to mitigate the impact of bat flight lines to a roost within an arch on the platform. This level of lighting is compliant with the Supplementary Planning Document related to the North Somerset and Mendip Bats SAC (North Somerset Council, 2018), which requires that introduced light levels shall not affect existing features used by SAC bats to above 0.5 lux.</p> <p>Requirement 29 applies to lighting generally and not specifically to locations near bat features where introduced light levels could adversely affect bats.</p> <p>Furthermore, there are specific legal standards or guidance for lighting for different types of infrastructure such as highways and railway stations, and public open spaces where people are likely to be walking or congregating.</p> <p>See also our responses to BIO.1.27 and BIO.1.28.</p>
SE.1.1	Tourism Q to The Applicant	Has there been an assessment of tourism benefits at Portishead and Pill resulting from the future use of the railway line? If it has been provided with the Application can you signpost where in the application documentation this information can be found or submit it into the application. If an assessment of the tourism benefits has not been undertaken, why not and would there be any?	<p>An assessment of tourism benefits at Portishead and Pill has not been undertaken for the DCO Scheme.</p> <p>The DCO Scheme has been conceived as a local branch line primarily to provide an alternative transport mode between Portishead and Bristol and improve connectivity between a rapidly growing town and the regional centre.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Tourism potential was considered in the Outline Business Case (OBC document 8.3, parts 2 and 3) (APP-202 and APP-203; DCO Document Reference 8.4) as part of the study to assess the demand for the railway.</p> <p>Demand forecasts include an element of additional demand to reflect that a rail link to Portishead could attract more trips than a straightforward urban or suburban station in the local area. The rationale for this is that the demand forecasts pivot off stations for calibration that do not cater for many (if any) tourist trips, so the <i>de facto</i> assumption is that the initial Portishead line forecasts do not include tourist trips, whereas it is considered to have the potential to do so. In the OBC:</p> <ul style="list-style-type: none"> • Chapter 2, Economic Case, Table 2.1 (page 2-4, 68/159 in the PDF, part 2 of 8.3) notes that a tourism uplift of 5% was added to demand; and • Appendix 2.1 Forecasting Report, Table 3.1 (page 3-1, 147/696 in the PDF, part 3 of 8.3) is basically the same table, but adds a little more explanation in a footnote: <i>“The 5% uplift reflects that Portishead has an element of tourism related economy already, but further specific tourism initiatives could be developed with the train operator and tourism promoters and attraction owners. This has the potential to generate more demand, and as such the 5% assumption could be conservative.”</i>. <p>This uplift in demand is reflected in the calculation of the demand, revenue and transport user and non-user benefits streams used in economic assessments. As such, it influences the amount of demand/revenue/benefits in the economic assessment, but the amount specifically related to tourism is not evaluated. The 5% tourism uplift was an estimate, albeit based on real demand and revenue – a basic comparison of weekend and weekday demand at a number of urban/suburban stations with and without a tourism element.</p> <p>The Environmental Statement Chapter 14 Socio-economics and Regeneration (APP-109; DCO Document Reference 6.17) paragraph 14.6.54 identified the potential for an increase in internal tourism within the region (e.g. from Bristol to</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Portishead) as well as attracting additional external tourists through the provision of more seamless connectivity throughout the sub-region.</p> <p>Whilst the potential for additional tourism was recognised through the above qualitative statement, it was felt that any increase in tourism was likely to be ad-hoc and small scale in nature. The 5% uplift factor referred to in the OBC above relates to c. 20,000-25,000 tourism journeys to Portishead using the railway (per annum by 2036). A proportion of these trips are likely to be trips that would have occurred anyway albeit by other modes in the absence of the scheme; not all tourism trips are additional and attributable to the DCO Scheme. Within this context, the magnitude of the impact of the scheme on tourism was insufficient to justify assessment of the benefits of tourism as a discrete economic impact category. Hence the assessment of tourism benefits were captured qualitatively as a sub-component of the 'Increased Accessibility and Connectivity' theme under the 'wider regeneration' impact category. Combined with other constituent elements of the 'wider regeneration' impact category, the significance of the benefits of increased tourism are assessed as major beneficial.</p> <p>In addition to the qualitative discussion around wider tourism impacts, it should be noted that the transport-related impacts affecting tourists are captured (alongside the impact of other journey makers) within the transport economic efficiency impacts highlighted in Section 14.6.31 of the EIA.</p>
TT.1.1	Permanent Railway Maintenance Compounds Q to The Applicant	<p>ES Chapter 4 [APP-099] paragraph 4.8.8 sets out that the existing maintenance regime required by Network Rail would be increased.</p> <p>Where are the maintenance compounds located in respect of the existing freight line? What additional maintenance/emergency access is required over and above that necessary for the existing freight line? Provide an overview/ summary to explain the purpose of each permanent maintenance compound and the reasons for the location and scale.</p>	<p>The existing line from Parson Street Junction to Portbury docks is currently maintained on weeknights on a 1 week in 12 cyclical basis. At weekends the line closed to traffic from 22.00 Saturday night to 18.00 Sunday evening. This frequency is related to current traffic flows and makes use of the existing road rail access points (RRAP) at Portbury dock (with agreement of the Port) and at Liberty Lane (Parson Street Jcn). In addition, there is an access point to the line at Ham Green to enable staff to inspect and maintain the silt busters and inspect Pill tunnel.</p> <p>Once the line is upgraded for passenger service the tonnage over the line will significantly increase and coupled with new infrastructure there will be a need to</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>enhance the maintenance regime and integrate fully into the current regime in the greater Bristol area. As a result, the weeknight access to the line will probably be every 6 weeks with a reduction of time at weekends (to allow weekend passenger services to operate).</p> <p>To maximise the available working time on the line, noting that road rail vehicles (RRVs) can only travel at 5mph during possessions, it will be necessary to have access points situated across the length of the line. Additional 'pedestrian' access points are also required to enable maintenance teams to reach any locations safely without walking long distances along the line and to react quickly, minimising disruption to passengers. In addition, emergency services access points are required either side of Pill tunnel to allow passengers to reach a point of safety in the event that there is an incident in the tunnel.</p> <p>The new maintenance compound at Clanage Road is required to provide access from the Bristol end of the Avon Gorge. The size of the site is required to allow vehicles to pull off the public highway as well as providing turning space for low-loaders to drop off RRVs and equipment at the compound. In addition, there is also need for space for a ramp up to the level of the railway line. This compound will be one of the main maintenance compounds and will be used for temporary storage of materials, parking and welfare supporting major maintenance works when required.</p> <p>The small maintenance compound at Ham Green is required to provide access from the Portishead end of the Avon Gorge and also emergency access from Pill tunnel. The space in the compound allows for access from the road down to the railway where there is a turning space for vehicles. In addition, it is likely that it will be utilised for the following:</p> <ul style="list-style-type: none"> - Continued access to inspect and maintain the drainage and silt filtration systems for Pill Tunnel - Access point for track inspections - Temporary storage of materials (e.g. track components)

ExQ1 No.	Type / Category	The Question	Current response
			<p>A small maintenance compound is required at Pill station (Monmouth Road) to house electrical equipment needed for the safe running of the railway. There is also provision for road rail vehicles to 'off track' using the RRAP, however due to the tight roads through Pill and small size of the compound, RRVs will not be dropped off by road. Materials would be delivered to the maintenance compound by rail and this would be used for temporary storage of materials, parking and welfare, supporting major maintenance works when required.</p> <p>In addition Network Rail will be seeking rights from the Port for Network Rail to use the RRAP next to the Portbury railway dock gates. This access point will allow for the provision to drop off RRVs via low loaders which can then travel up the line towards Bristol and be 'off tracked' into other compounds (such as Monmouth Road and Ham Green) ready for use in possessions.</p> <p>The compound at Sheepway is required to provide RRV access onto the section that is currently disused. The location was chosen so staff and equipment can access the line at the Portishead end of the Branch line, at a location that has good access from the highway and is remote from housing. The space in the compound is required to allow low-loaders to reverse back into the compound to drop off RRVs, there is also a turning space for smaller vehicles.</p>
TT.1.2	Removal of ballast and old track Q to The Applicant	<p>The Construction Strategy [APP-074] states that there is an estimated 15,000 cubic metres of waste ballast and old track to be excavated. Can you provide the figure for each element separately?</p> <p>The strategy assumes that old ballast taken from the disused line could be transported by rail to a Network Rail recycling facility. If this is not the case it states that it would need to be transported by road to a local site but that this would be determined as the scheme progresses.</p> <p>Advise if the method for removal of old ballast has been determined.</p> <p>Advise whether the Transport Assessment [APP-155]</p>	<p>The 15,000 cubic metres of waste ballast comprises the track formation. In addition to this there is approximately 10,000m linear length of old rail to be removed and 3,000 railway sleepers.</p> <p>The Construction Strategy (APP-074; DCO Document Reference 5.4) includes a number of options for removing old materials, it has not yet been determined which method will be used as this will depend on further agreements with the Port and the contractor's preferred methodology.</p> <p>The method that the transport assessment has assumed is for old track materials and ballast to be stockpiled at Lodway or Portbury Hundred construction compounds and then all removed via road to a depot within the sub-region for onward transfer by rail for recycling. This depot could potentially be at Portbury Docks, Avonmouth docks, or further afield, but the traffic assessment has</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>assess for the removal of this ballast by road and if it does not what would be the implications for construction traffic if ballast had to be removed by road.</p> <p>The Construction Strategy highlights a number of potential options for removing old track. Can you confirm which option or options has been decided upon and whether this has been assessed as part of the Transport Assessment [APP-155]. If not, why not and what would be the implications for construction traffic.</p>	<p>assumed a worst traffic case that all HGV movements would use the northbound M5. Greater use of rail haulage than this is anticipated in this process, and desirable as it minimises traffic impact, but is ultimately dependent on the Contractor's methodology.</p> <p>The implications for construction traffic have been considered, however depending on the location of the local depot (if Avonmouth or Portbury docks cannot be used), there may be impacts elsewhere, however this cannot be assessed until the location is confirmed.</p> <p>The movement of ballast/old-track is assumed to be regular across days when (if) it occurs, and therefore would not impact greatly, if at all, on peak time traffic.</p>
TT.1.3	Access from Portbury Hundred – Works no. 12 Q to The Applicant	<p>GA Plan Sheet 3 [APP-010] indicates a new permanent access point from the A369 Portbury Hundred. In relation to this proposed access, Para 4.5.10 of the ES Ch 4 [APP-099] states 'This will provide access to the field between the A369 Portbury Hundred to the south and the disused railway to the north, to be used initially for access to the temporary construction compound then to replace the current accommodation crossing over the disused railway providing access to that field'.</p> <p>Provide further detail of the location and size of the construction compound access or direct the ExA to where in the application documents that this can be found. Would the access be altered in size or specification once the compound is no longer required for construction purposes? Is the access required to be made permanent for any other reason than to enable access to Elm Tree Farm land following closure of their historic crossing?</p>	<p>Please refer to Wessex Water Compound and Portbury Hundred Construction Compound (APP-036; DCO Document Reference 2.39 to 2.40) and drawing '467470.BQ.04.20-600 Portbury Hundred construction compound and permanent access' contained therein.</p> <p>The access is designed as a 'left in left out' so that vehicles entering the compound do not turn right across on-coming traffic. Vehicles approaching from M5 Junction 19 will be required to continue along the A369 and u-turn at the roundabout junction with Portbury Common and Sheepway. There is sufficient space off the A369 Portbury Hundred to allow a large vehicle to leave the highway completely before a gate.</p> <p>It is not the intention to alter the access in size or specification once the compound is no longer required for construction.</p> <p>The access is only required to enable access to Elm Tree Farm land after construction.</p>

ExQ1 No.	Type / Category	The Question	Current response
		You may wish to combine the response for this question with the answer to questions BIO.1.26 and CI.1.5.	
TT.1.4	Further Information Q to Bristol City Council	Provide further details on the proposed highway improvements on Winterstoke Road referred to in your RR [RR-001] and how the Proposed Development would affect them or signpost where in either your LIR or WR this information can be found. In your relevant representation [RR-001] you state you are in discussion with the applicant regarding the measures in the CTMP [APP-210] however no further details are provided – please provide an update on any discussions and set out any outstanding concerns in this respect.	
TT.1.5	National Highway Design Guidance Q to The Applicant	Design Manual for Roads and Bridges guidance has been revised since the 2005 version which is referred to in the ES chapter 16 [APP-111]. Explain the extent to which you consider the changes might affect the findings in the ES.	<p>Two elements of DMRB are referenced in the ES chapter 16 (APP-111; DCO Document Reference 6.19) and Transport Assessment (APP-155; DCO Document Reference 6.25):</p> <ul style="list-style-type: none"> • DMRB Vol 2, Assessment and Preparation of Road Schemes, Section HD 42/05 – this is cited as a reference used to assist with ‘best practice’; and • DMRB Vol 12, Traffic Appraisal in Urban Areas, Chapter 6, Section 6.2 – this is cited as a reference for more specific ‘guidance’. <p>The documents referenced have been updated, but much of the assessment reported in the Transport Assessment (APP-155; DCO Document Reference 6.25) was carried out in the period 2016-17 [as noted in section 16.1.5 of ES chapter 16 (APP-111; DCO Document Reference 6.19), thus made use of guidance extant at that time. DMRB referencing has comprehensively changed in recent years, with a completely new structure and referencing system introduced from 2018 onwards, and for all documents from 1st April 2020. Some previously referenced documents have dropped out of the DMRB framework in the process.</p> <p>DMRB Vol 2, Section HD 42/05 covers ‘Non-Motorised User Audits’. This was superseded in May 2017 by HD 42/17, newly entitled ‘Walking, Cycling and Horse-Riding Assessment and Review’, itself superseded in November 2019 by GG-142 (with the same title; ‘Walking, cycling and horse-riding assessment and review’). This guidance specifically pertains to highway schemes, though can be</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>applied to the road network in general, and the assessment recommendations in it used as best practice for any scheme.</p> <p>There is little difference between the current guidance in GG-142 and the predecessor document HD 42/17. While the ethos of HD 42/05 and HD 42/17 is substantially similar, the latter introduced the WCHAR process (Walking, Cycling and Horse-riding Assessment and Review), replacing the NMU (Non-Motorised User) audit process. Both the WCHAR and NMU processes consider walking, cycling and horse-riding, and the aims of the respective guidance are similar; HD 42/05 seeks to “...encourage consideration of the needs of non-motorised users (NMUs) in all Highway Schemes.” and the purpose of HD 42/17 is “...to facilitate the inclusion of all walking, cycling & horse-riding modes in the highway scheme design process”. However, a key difference is that, in HD 42/17 (and continued in GG-142) how the WCHAR process is incorporated in the design process is formally prescribed, whereas HD 42/05 is more flexible about how the NMU process is used (though NMU audits are still mandatory for relevant schemes). Details of the sorts of issues that should be addressed by the guidance is similar in all versions. As such, its application to the DCO Scheme assessment as a best practice guide in the form of HD 42/05 should not substantially affect methods used and conclusions drawn, had later guidance of HD 42/17 been specifically referenced.</p> <p>DMRB Vol 12 is pertinent to general traffic assessments set out in the TA [APP-155]; and section 4.5.1 indicates how guidance from Section 6.2 from DMRB Vol 12 has been referenced. DMRB Vol 12 was issued in May 1996 and withdrawn in September 2019, and did not change in that time. On withdrawal though, no specific “superseded by documents” were set out. As such, guidance followed when assessments of the DCO S scheme were carried out had not changed when final documents were being prepared for DCO submission, and though they have not been replaced within DMRB framework, remain good practice.</p>
TT.1.6	Significant effects Q to The Applicant	ES Table 16.9 [APP-111] states that there would be no significant impacts to the local road network at construction stage. However, paragraph 5.1.1 of the Non-Technical Summary [APP-094], in summarising likely	This is an inconsistency that was created during the refinement of measures and analysis during preparation of documentation. Analysis presented in ES chapter 16 (APP-111; DCO Document Reference), Table 16.9, is correct, and the reference to ‘significant impacts’ on the local road network at the construction stage in

ExQ1 No.	Type / Category	The Question	Current response
		<p>significant adverse effects, includes impact of construction traffic on the local road network – please explain this inconsistency and if significant effects are likely can the applicant explain why these cannot be further mitigated.</p>	<p>paragraph 5.1.1 of the ES Non-Technical Summary (APP-094; DCO Document Reference 6.2) should be corrected.</p> <p>While there could be significant impacts on the local road network at the construction stage if no mitigation was provided, such measures are part of the DCO Scheme, including recommended routes for construction traffic and specific treatment for abnormal loads, consideration of timing of operations and traffic management. Table 16.9 (APP-111; DCO Document Reference) thus summarises impacts on the local road network with mitigation measures in place, indicating that, while minor adverse impacts are likely, no significant impacts are anticipated on either the local or strategic road network.</p> <p>Specific details of activity in the construction phase will be determined by the contractor, but that the contractor will be obliged to prepare a Construction Traffic Management Plan ('Final CTMP') indicating how it is going to operate during the construction period (as noted in the initial CTMP (APP-210; DCO Document Reference 8.13)), incorporating the embedded mitigation measures.</p> <p>Alongside this, a Traffic Management Working Group (TMWG) will be formed for the construction phase of the project. Use of local roads will need to be agreed with the TMWG, to ensure that appropriate routes are designated, and the use of more potentially more sensitive routes is minimised. Likewise, any associated traffic management measures will be through the auspices of the TMWG. Membership of the TMWG will include the relevant Highway Authorities, thus providing oversight of requests, and assurances that appropriate decisions are taken.</p>
TT.1.7	<p>Traffic Management Q to Relevant Highway Authorities & The Applicant</p>	<p>ES Table 16.9 [APP-111] sets out that local traffic management measures which should reduce the effects of the works would be agreed with the Highway Authority post the granting of any consent – are the relevant Highway Authorities content that such measures could be agreed post consent?</p>	<p>The Highway Authorities (North Somerset Council and Bristol City Council) are aware of the sorts of measures included in the ES Table 16.9 (APP-111; DCO Document Reference 6.19) and are content that such measures can be agreed post consent.</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>In the absence of reference to such measures in the CTMP [APP-210] can the Applicant provide assurances that such measures would be implemented if necessary and how would they be secured?</p>	<p>The North Somerset Council Local Impact Report [REP1-033] notes, in its summary of traffic and transport issues that: <i>“In respect of new local road provision, NSC has accepted the principle of the preliminary scheme design layout, design speeds and cross sections and the powers that will be granted by the proposed DCO. There is a significant range of works to the highway network on a temporary and permanent basis. This is supported and will enable the DCO to be implemented which will in due course have positive effects on the North Somerset road network. There is a considerable amount of detailed design work to be done in order to implement the works and this is provided for in the DCO. There is a significant amount of change to the network, particularly during the construction phase but there are suitable provisions in place to allow the Council to assess and agree these.”</i></p> <p>The Bristol City Council Local Impact Report [REP1-032] indicates, pertaining to transport and highways, that the various discussions already held and process identified for going forward are appropriate. Specifically in relation to traffic management and the CTMP process, the report indicates that: “Bristol City Council is satisfied that this provides sufficient controls to the Local Highways Authority”.</p> <p>Mechanisms are also in place to assist with the process.</p> <p>The CTMP (APP-210; DCO Document Reference 8.13) states that the contractor will be obliged to prepare a ‘Final CTMP’ (Construction Traffic Management Plan), indicating how it is going to operate during the construction period. Alongside this, a Traffic Management Working Group (TMWG) will be formed for the construction phase of the project. Identification and implementation of traffic management measures will be through the auspices of the TMWG, and as such the contractor will have to consult the TMWG regarding any traffic management measures that may be sought. Membership of the TMWG will include the relevant Highway Authorities, thus providing oversight of requests for measures, and assurances that appropriate measures are devised and actually implemented. This is secured by Requirement 5 of the dDCO.</p>
TT.1.8	Infrastructure Mitigation	ES Table 16.8 [APP-111] and section 10 of the TA [APP-155] detail infrastructure measures to be implemented however	The local infrastructure measures have been finalised.

ExQ1 No.	Type / Category	The Question	Current response
	Measures Q to The Applicant	<p>the TA indicates that these measures have yet to be finalised.</p> <p>Explain what reliance has been placed on the implementation of these measures in the assessment of effects.</p> <p>If the measures are yet to be finalised what confidence can the Applicant provide that they would be successful in mitigating potential impacts?</p> <p>The measures do not appear in the CTMP [APP-210] so how would they be secured?</p>	<p>The local infrastructure measures were included in the DCO Scheme to minimise certain environmental effects.</p> <p>The local infrastructure measures would be implemented as part of the DCO Scheme.</p> <p>The Applicant has attached at Appendix TT.1.8-1 an updated ES Table 16.8 showing how the specified measures are secured in the dDCO, or will otherwise be secured.</p> <p>Reference in paragraph 10.2.1 of the TA (APP-155; DCO Document Reference 6.25) that “the inclusion of individual measures, and their detailed implementation, is currently being reviewed and finalised.” has been superseded, in that the measures have been finalised. To that end, the content of ES Table 16.8 (APP-111; DCO Document Reference 6.19) supersedes that of Table 10.1 in section 10 of the Transport Assessment (APP-155; DCO Document Reference 6.25). Although it should be noted that there are no material differences, only minor wordings of two interventions:</p> <ul style="list-style-type: none"> Row ‘Ref 4’, column ‘Measure’ – Table 10.1 (APP-155; DCO Document Reference 6.25): “Extension and widening of the shared footway and cycleway...”. Table 16.8 (APP-111; DCO Document Reference 6.19): “Extension of the shared footway and cycleway...”. Table 16.8 (APP-111; DCO Document Reference 6.19) contains the final version. <p>Row ‘Ref 22’, column ‘Measure’, second sentence – Table 10.1 (APP-155; DCO Document Reference 6.25): “Option of installing a replacement pedestrian/cycle ramp...”. Table 16.8 (APP-111; DCO Document Reference 6.19): “Installation of a replacement pedestrian/cycle ramp...”. Table 16.8 (APP-111; DCO Document Reference 6.19) contains the final version.</p>
TT.1.9	Weight Restrictions Q to The Applicant	<p>In their RR [RR-008] Avon and Somerset Constabulary advise that there is a weight restriction of 4 tonnes in place on Clanage Road/Rownham Hill where a storage compound would be located. Are you:</p> <p>Aware of this weight restriction and if so, was this</p>	<p>The Applicant is aware of the four tonne weight restriction. It does not affect the siting of the compound since there are exclusions in the Traffic Regulation Order (TRO) to provide for deliveries to and from any site adjoining the length of road.</p>

ExQ1 No.	Type / Category	The Question	Current response
		<p>considered when the location of the storage compound was selected?</p> <p>If you were not aware of this weight restriction would it effect the siting of the storage compound in this location?</p> <p>What measures are proposed to ensure that the weight limit is not breached and how would these be secured?</p>	<p>We have attached the TRO dated 11 July 1973 in Appendix TT.1.9-1 to this response.</p> <p>The Applicant has had confirmation from Bristol City Council that the intended access arrangements for the proposed development would benefit from the exclusions in the TRO.</p>
TT.1.10	<p>Strategic Road Network Q to Highways England & The Applicant</p>	<p>In their RR [RR-016] Highways England requested additional detailed information in relation to a number of matters in the Transport Assessment [APP-155] and CTMP [APP-210].</p> <p>Has this information been provided? The ExA notes the Applicant’s response to these points as part of [PDR6-005] that a response will be provided as part of the SoCG process.</p> <p>If it has are Highways England now satisfied with the information submitted? If not, why not?</p> <p>If it hasn’t is this information going to be provided and if it is when will this information be provided? If the information is not going to be provided why not?</p> <p>In the RR Highways England mention the potential need for a capacity assessment of Junction 19 of the M5 is this required? if so why and when would it be required ie during the Examination or is it a matter that could be provided post decision?</p> <p>In the RR Highways England mention that they are likely to request a number of additional or amended requirements – provide further information on what requirements they consider would be required, why and preferred wording</p>	<p>A Statement of Common Ground (SoCG) has been signed with Highways England (HE) [REP1-019].</p> <p>Additional analysis of traffic movements requested by HE [RR-16] was carried out as part of the process of drawing-up the SoCG, and results are reported in an appendix to the SoCG [REP1-019].</p> <p>Discussions were held between representatives of HE and the Applicant in carrying out the analysis, and as such HE is satisfied with the information submitted. The SoCG [REP1-019] notes that there are “...no outstanding matters to be agreed between the parties.”</p> <p>As part of the aforementioned discussions, specific capacity assessments of M5 junction 19 were not deemed necessary, now or in the future.</p> <p>The SoCG [REP1-019] contains a series of Requirements (section 10). Accompanying notes to the requirements indicate that: “<i>The Applicant agrees to the principle of the inclusion of those Requirements required by Highways England the final form of the wording that is to be included in the draft DCO is to be finalised between the parties, with a view to submitting this to the Examining Authority at Deadline 2 (23 November 2020)</i>”.</p> <p>Since agreeing the SoCG with HE, the Applicant and the HE have jointly agreed the drafting of the requirements to be included in the dDCO as below:</p> <p>(1) Works Nos. 1- 24A must not commence until the undertaker has created a Traffic Management Working Group (J19 TMWG) to consider the impacts of the authorised development on Junction 19 of the M5 special road which must be</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>organised by the undertaker and to which Highways England, Bristol Port Company, Network Rail and the relevant highway authority will be invited to participate. Unless agreed otherwise by the parties J19 TMWG will meet on a monthly basis for the duration of the construction period.</p> <p>(2) Works Nos. 1- 24A must not commence until the local planning authority has approved in writing a construction traffic management plan having first consulted with Highways England in respect of those works as they affect Junction 19 of the M5 ("J19 CTMP") and detailing:</p> <p>(a) construction traffic routes (including HGV routes, construction traffic profile (for the duration of construction period disaggregated by daily movements, vehicle type (including abnormal loads) and construction activity) and operational hours;</p> <p>(b) the construction compounds to which the J19 CTMP will apply ("the J19 compounds");</p> <p>(c) the management of junctions to and crossings of the public highway and other public rights of way;</p> <p>(d) the scheduling and timing of abnormal load movements;</p> <p>(e) temporary warning signs;</p> <p>(f) a scheme to encourage the use of public transport amongst contractors;</p> <p>(g) a monitoring strategy to include the provision of a monitoring report to be submitted to the J19 TMWG a minimum of one week in advance of the J19TMWG monthly meeting</p> <p>(h) a change process (in the event that any changes to the J19 CTMP are proposed during the construction phase) and a process to implement corrective measures if required; and</p> <p>(i) a construction worker travel plan, including car parking arrangements for staff and contractors.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>(3) All morning shift construction staff arriving by private car at the J19 compounds will be told in advance to arrive no later than 7.30am or no earlier than 9am (Monday to Friday) ("the restricted hours").</p> <p>(4) Except in exceptional circumstances morning shift construction staff arriving by private car at the J19 compounds must not arrive within the restricted hours.</p> <p>(5) The undertaker must record and report to Highways England in the CTMP monitoring and reporting strategy the numbers of morning shift staff arriving by private car at the J19 compounds within the restricted hours together with the exceptional circumstances for such arrival;</p> <p>(6) The numbers of staff arriving by private car within the restricted hours at the J19 compounds in the absence of any exceptional circumstances must be reported to Highways England in accordance with (5) above together with the proposed steps to be taken by the undertaker to avoid any further such arrivals within the restricted hours.</p>
TT.1.11	Ashton Vale Industrial Estate Q to The Applicant	Provide a response to the concerns raised in RR-019 regarding access to the Ashton Vale Industrial Estate including an explanation as to why the option of a rear access road was not progressed.	<p>On 17th March 2017 the WoE Joint Transport Board determined to take a staged approach to the delivery of MetroWest Phase 1, in light of cost escalation issues in relation to the infrastructure required for the proposed half hourly train service for the Portishead Line. The report to the Board set out three stages for the delivery of the project as follows.</p> <p>Stage A - Deliver the service improvements on the Severn Beach & Bath corridors.</p> <p>Stage B Deliver an initial rail passenger service to Portishead with an hourly (or hourly plus) service.</p> <p>Stage C Deliver the full two trains per hour passenger service to Portishead at a later date.</p> <p>The Board is determined to:</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p data-bbox="1211 245 2096 352"> i) Progress technical development of Stage A and B, and ii) Pending the outcome of Stage A and B, investigate Stage C, in due course; </p> <p data-bbox="1167 405 2114 512"> The DCO application relates only to MetroWest Phase 1 Stage B - Delivery of an initial rail passenger service to Portishead. The report to the 17th March 2017 WoE Joint Transport Board, is attached in Appendix TT.1.11-1. </p> <p data-bbox="1167 560 2136 783"> This decision to progress with Stage B halved the number of passenger train services from approximately 36 passenger trains in each direction per day (a half hourly service) to approximately 18 passenger trains in each direction per day (an hourly service). The Applicant has also assessed an option referred to as Hourly Service Plus which entails operating one additional morning peak and one additional evening peak passenger train per day in each direction. </p> <p data-bbox="1167 831 2107 938"> Given the reduction from 36 passenger trains in each direction per day to 18 to 20 passenger trains in each direction per day, the Applicant re-assessed the traffic impacts arising at Ashton Vale Road level crossing. </p> <p data-bbox="1167 986 2136 1481"> The alternative access (to Ashton Vale Road Industrial Estate) was proposed because it was determined that the way that the half-hourly Portishead train services operated in the vicinity of the Ashton Vale Road level crossing would result in regular and potentially lengthy closures for traffic. The main reason for this was that the railway would be double-track through the level crossing and timetabling was such that the up and down passenger trains would cross on that double-track section. So instead of a series of discrete closures with distinct time in between for traffic movements to 'recover', timings were such that there would probably never be much of a gap (if any) between the barriers needing to close for a train in one direction and then the other direction. And if there is not enough time between trains to fully re-set the barriers, they do not just close for the two trains to pass, but stay closed for the time in between as well. This would regularly have resulted in two long closures per hour. </p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Taking away one passenger train per hour in each direction does not just halve the number of trains passing through the level crossing, but changes the dynamic of how they run in the area. The railway is currently single-track through the level crossing, and this now would not change with the current scheme. So, trains in opposite directions can pretty-much never run close enough together to need the barriers to stay closed for two trains, thus allowing recovery time for traffic. Even with freight trains giving a third or fourth closure in an hour, gaps between closures for traffic should be such that traffic is never kept waiting as much as the half-hourly passenger service would probably have done.</p> <p>So, the original MetroWest Phase 1 scheme included both double-tracking in the vicinity of the level crossing to accommodate the then proposed half-hourly Portishead train service, and an alternative access to Ashton Vale Road industrial estate to deal with traffic impacts. The revised plan to deliver MetroWest Phase 1 in stages was developed in the response to cost escalation, and this put half-hourly train services into Stage C, to be delivered at a later date (to be determined) and thus not the subject of the current DCO scheme (Stage B). The hourly train service does not require double-tracking in the area, and this, coupled with passage of a significantly smaller number of train services, means the alternative access is also no longer required to deal with traffic problems caused by the level crossing, as documented in the Appendix N to the TA.</p> <p>It was concluded that the mitigation, including extending the left turn only lane from Winterstoke Road into Ashton Vale Road and upgrading the highway traffic signals on Ashton Vale Road to 'MOVA', improves the way the junction works to cope with the regular level crossing closures anticipated. The existing level crossing could remain open and as a result there will be no detriment to the existing highway level of service and an alternative access into the Ashton Vale Industrial Estate is not required.</p> <p>We provided the following response to RR-019 for deadline 1 on 2nd November.</p> <p>"The traffic impact in this area has been examined in detail and reported in the Transport Assessment (TA) (ES Appendix 16.1, (APP-155; DCO Document</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>Reference 6.25). Mitigations have been identified, including the extension of the left-hand turn lane from Winterstoke Road (to ensure it is adequate to mitigate any increase in queuing traffic during barrier down times as assessed in the TA) and upgrading of the traffic signals to MOVA to increase capacity. The proposed mitigations will ensure there will be no detriment to the existing highway level of service.</p> <p>The relevant evidence supporting the DCO is contained in the Environmental Statement, Volume 4, Technical Appendices, Appendix 16.1: Transport Assessment (Part 18 of 18) – Appendix N, Ashton Vale Road Junction Assessments (APP-172, DCO Document Reference 6.25), prepared by CH2M (now Jacobs) and dated July 2018. CTC have made several comments in relation to this evidence which are set out in the following sections with responses which are mainly based on the evidence previously submitted.”</p>
TT.1.12	Local Parking Provision Q to The Applicant	<p>ES Table 16.11 [APP-111] identifies a moderate adverse impact in relation to parking provision in the vicinity of the proposed Portishead Station, which is linked to other committed developments in the vicinity at Harbour Road and Serbert Way. The table states “This issue is considered further in Section 16.8 in relation to cumulative effects” however there is no evidence of these developments being considered further.</p> <p>Please provide further explanation as to how the conclusion that moderate adverse effects would arise was achieved. If significant effects were likely, could these be further mitigated?</p>	<p>Table 16.11 (APP-111; DCO Document Reference 6.19) summarises the future transport conditions across the study area with the Scheme in operation. This table is based on assessments described in the Sections 6 and 7 of the TA (ES Appendix 16.1, (APP-155; DCO Document Reference 6.25), and as such includes all committed developments in the Portishead area. The reference in the table: “This issue is considered further in Section 16.8 in relation to cumulative effects” should be deleted. Parking is not a specific impact from cumulative effect beyond what has already been taken into account for committed development and described in this table.</p> <p>The issue of impacts on parking in the vicinity of the station in Portishead has been identified as having a potential adverse impact, as noted in ES Chapter 16 Table 16.11 (APP-111; DCO Document Reference 6.19). It has also featured in local consultations, as summarised in the development of mitigation measures in Section 9 of the Transport Assessment (APP-155; DCO Document Reference 6.25). As such, mitigation related to parking in the vicinity of Portishead Station is included in the infrastructure measures to be implemented that are part of the</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>project, as set out in Table 16.8 in ES Chapter 16 (APP-111; DCO Document Reference 6.19); these include:</p> <ul style="list-style-type: none"> • Traffic management measures (including double-yellow lines and waiting restrictions) in the vicinity of the station (Quays Ave, Harbour Rd, Haven View & Phoenix Way); and • Post implementation monitoring of parking in the vicinity of Portishead station. <p>While initial traffic management measures will immediately control on-street parking in the areas they are implemented, monitoring will be important in mitigating future issues. This serves a double purpose of investigating issues that may be caused by parking related to the station itself, and brings in the potential cumulative impact of increased demand for parking in the vicinity of the station arising from other developments.</p> <p>Hence, the Applicant has committed to monitoring parking in the area, to identify problems should they occur, and thus be able to develop additional mitigation measures, if these are deemed appropriate. The Local Traffic Authority has powers to make any changes to on-street parking post opening of the scheme, in light of actual parking behaviour. IT has a three-year rolling programme to review specific parking restrictions and can impose temporary restrictions as an interim measure.</p>
TT.1.13	Local Parking Provision Q to The Applicant	<p>The TA [APP-155] indicates that there would be monitoring of the Pill and Portishead Station car parks after opening. Please provide further detail:</p> <p>How would parking be monitored at the stations and with which bodies would the results be shared? What would the triggers be for remedial action and what actions would these be? Would the monitoring programme be agreed with those bodies in advance?</p>	<p>The issue of impacts on parking in the vicinity of the stations (in Portishead in particular) has been identified as having a potential adverse impact, as noted in ES Chapter 16 Table 16.11 (APP-111; DCO Document Reference 6.19). It has also featured in local consultations, as summarised in the development of mitigation measures in Section 9 of the Transport Assessment (APP-155; DCO Document Reference 6.25). As such, initial traffic management measures are included in the scheme, and the Applicant has committed to monitoring parking in the area, to identify problems should they occur, and thus be able to develop additional mitigation measures, if these are deemed appropriate, and as the local traffic authority has powers to make any changes to on-street parking post opening of the scheme, in light of actual parking behaviour.</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>The car parks at Portishead and Pill stations will be owned and operated by the Applicant. Pay and display charging mechanisms are planned and data will be collected continuously from the car park meters. Car park charges will be reviewed annually. The station car parks will fall under the purview of regular monitoring of off-street parking facilities that North Somerset Council operates. Regular patrols will monitor use of the car parks and surrounding roads, as well as carry out maintenance of the car parks and equipment. As part of this, occupancy of the car parks will be recorded, as well as checking for and enforcing inappropriate usage (such as parking outside designated spaces or misuse of disabled spaces).</p> <p>North Somerset Council also has responsibility for civil enforcement of on-street parking, which, in addition to on-street pay and display parking, includes monitoring and enforcement of double and single yellow lines, blue badge bays, limited waiting bays, taxi ranks, loading bays, parking in bus lanes and stops, zig-zag markings at schools (if restrictions apply) and pedestrian crossings, parking across dropped kerbs where there's a crossing point, with or without tactile paving and double parking (parking too far from the kerb). The police retain responsible for enforcement involving dangerously parked vehicles (including where there are no parking restrictions in place such as on bends, brows of hills and junctions) and parking causing an obstruction.</p> <p>Regular council parking patrols are mounted as part of the civil enforcement responsibility, and once the railway is operating, it would be a priority to include the areas around the station car parks, to monitor any impacts on-street that could overflow from the station car parks. This would need to be an on-going requirement, as demand for the railway is anticipated to build-up over time. In any case though, notwithstanding that regular patrolling would be anticipated, patrol planning also takes into account reports received of illegal parking (reports can be made via the Council's website). Liaison with the police would be required where civil enforcement efforts identify dangerous or obstructive parking.</p> <p>Station Travel Plans are proposed at Portishead and Pill (outlined in Chapter 16 of the ES (APP-111; DCO Document Reference 6.19), with more details in Section 10 of the TA (APP-155; DCO Document Reference 6.25) and Appendix M to the TA</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>(APP-171; DCO Document Reference 6.25). Although Station Travel Plans are mostly concerned with promoting sustainable and active travel options for accessing the station, it is recommended that Station Travel Plans are monitored by a Travel Plan Steering Group, the makeup of which will be determined prior to opening but would be likely to include (but not limited to) local interest groups, residents and Parish Councils in addition to North Somerset Council, the train operator and the police. This group could receive parking monitoring information, and potentially be involved in discussions around problems, issues and potential solutions.</p> <p>Triggers for remedial action are to be determined in detail, but are likely to be driven by the significance of problems reported/recorded associated on-street parking in areas around the stations, particularly if this deemed to be causing a nuisance or danger to traffic or pedestrians.</p> <p>Monitoring will largely be an extension of existing practice, being a combination of routine patrolling of North Somerset Council parking staff and wardens, of off-street and on-street parking sites and for civil enforcement of parking offences, and by the police. Hence, it is unlikely that the Travel Plan Steering Group would be involved in planning this form of monitoring. Scope will exist though for ad hoc patrolling and monitoring to be identified as a requirement based on reports of illegal or antisocial parking. As noted above, the mechanism already exists for public reports to feed into this process, but the Travel Plan Steering Group could also feed in.</p>
TT.1.14	Local Parking Provision Avon Road – Work no. 20B Q to The Applicant	<p>ES chapter 4 [APP-099] and Access to Works Plan sheet 6 [APP-024] shows 12 garages to be demolished on Avon Road to enable access point AW 6.1 and provide space for a crane. Please provide further information:</p> <p>What would be the alternative parking arrangements for residents of Avon Road during construction? Paragraph 4.5.169 of APP-099 indicates that it is not proposed the garages will be rebuilt. What are the re-</p>	<p>One garage belonging to a third party landowner A H (Executors of BG H) and 9 garages belonging to Alliance Homes are scheduled to be demolished by the Applicant. Two other garages owned by a third party landowner (SL B and CA P-B) are to remain and not be demolished, their access will be limited during works but this has provisionally been agreed to by them.</p> <p>Heads of Terms with the two landowners have been agreed and signed off and agreements are being prepared.</p> <p>Heads of Terms have provisionally been agreed with Alliance Homes in September 2020 in relation to the demolition of their 9 garages and use by the</p>

ExQ1 No.	Type / Category	The Question	Current response																															
		<p>instatement proposals for this area of land and alternative parking arrangements for user's post-construction?</p>	<p>Applicant of the cleared land for a crane during Works. The Applicant is waiting for formal sign off of these to be able to progress legal documentation of the various agreements and is chasing Alliance homes on a regular basis for this.</p> <p>The garages are not of modern construction and are not large enough to park a modern vehicle inside them. They are used in the main by the occupiers for storage only not parking vehicles. The site that the garages are constructed on also does not currently allow for vehicles to be parked on as this would block access to the garages. The parking for residents of Avon Road will not be affected by the removal of these garages as they do not keep vehicles on this area or in the garages currently standing on the site.</p> <p>The current reinstatement proposals for the land is that the land is returned back to Alliance Homes, levelled and made suitable for surface car parking so that this can be used for future vehicle parking as managed by Alliance Homes.</p>																															
TT.1.15	Operatives Parking Q to The Applicant	<p>Between 20 and 50 construction operatives are assumed at each of the main compounds during construction and up to 20 at the satellite compounds (CTMP paragraph 5.4.5 [APP-169 and APP-210].</p> <p>Provide details of the location and design parameters of the parking provision for operative's vehicles to demonstrate that each of the car parks would include sufficient capacity to avoid "fly parking" on and adjacent to the local highway network.</p> <p>How would "fly parking" on and adjacent to the local highway network be prevented?</p>	<p>These assumptions were made to feed into assessments of construction-related traffic.</p> <p>Assumptions have been refined for further assessments of traffic impact, resulting in a greater range of potential operatives (and hence potential parking requirement) at each compound. The total number of operatives will vary during the construction period, from around 100 to a maximum of 300, and are allocated to compounds as follows:</p> <table border="1" data-bbox="1167 1129 1928 1501"> <thead> <tr> <th data-bbox="1167 1129 1435 1177" rowspan="2">Main compounds</th> <th colspan="3" data-bbox="1435 1129 1928 1177">Total workforce</th> </tr> <tr> <th data-bbox="1435 1177 1599 1225">100</th> <th data-bbox="1599 1177 1762 1225">200</th> <th data-bbox="1762 1177 1928 1225">300</th> </tr> </thead> <tbody> <tr> <td data-bbox="1167 1225 1435 1273">Clanage Rd</td> <td data-bbox="1435 1225 1599 1273">9</td> <td data-bbox="1599 1225 1762 1273">18</td> <td data-bbox="1762 1225 1928 1273">29</td> </tr> <tr> <td data-bbox="1167 1273 1435 1321">Ham Green</td> <td data-bbox="1435 1273 1599 1321">5</td> <td data-bbox="1599 1273 1762 1321">10</td> <td data-bbox="1762 1273 1928 1321">17</td> </tr> <tr> <td data-bbox="1167 1321 1435 1369">Monmouth Rd</td> <td data-bbox="1435 1321 1599 1369">6</td> <td data-bbox="1599 1321 1762 1369">12</td> <td data-bbox="1762 1321 1928 1369">20</td> </tr> <tr> <td data-bbox="1167 1369 1435 1417">Lodway Farm</td> <td data-bbox="1435 1369 1599 1417">30</td> <td data-bbox="1599 1369 1762 1417">60</td> <td data-bbox="1762 1369 1928 1417">92</td> </tr> <tr> <td data-bbox="1167 1417 1435 1465">Portbury Hundred</td> <td data-bbox="1435 1417 1599 1465">30</td> <td data-bbox="1599 1417 1762 1465">60</td> <td data-bbox="1762 1417 1928 1465">92</td> </tr> <tr> <td data-bbox="1167 1465 1435 1501">Sheepway</td> <td data-bbox="1435 1465 1599 1501">2</td> <td data-bbox="1599 1465 1762 1501">4</td> <td data-bbox="1762 1465 1928 1501">8</td> </tr> </tbody> </table>	Main compounds	Total workforce			100	200	300	Clanage Rd	9	18	29	Ham Green	5	10	17	Monmouth Rd	6	12	20	Lodway Farm	30	60	92	Portbury Hundred	30	60	92	Sheepway	2	4	8
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ExQ1 No.	Type / Category	The Question	Current response			
			Portishead station	18	36	56
			<p>The method of operating compounds and control of staff movements/parking will be a requirement of the contractor to set out in the 'Final CTMP', that they will have to prepare and agree with relevant Highway Authorities prior to commencing work. Section 6.2.4 in the initial CTMP (APP-169 and APP-210; DCO Document Reference 8.13) sets out the main requirements of the 'Final CTMP', which in the specific context of this question includes:</p> <ul style="list-style-type: none"> • "Measures to ... reduce construction traffic impacts or impacts associated with over-parking on residential streets"; and • "Details of parking arrangements for site staff and site visitors". <p>For example, therefore in particular relation to parking:</p> <ul style="list-style-type: none"> • The contractor will be responsible for ensuring no fly parking; • Could use Portishead station for cars and provide mini-buses; and • The contractor will understand the work spikes when more parking will be necessary. The contractor will then manage this. Examples of ways to mitigate include using a separate 'car park' area for people to park and be taken by bus to site. <p>As noted above, the 'Final CTMP' will need to address the issue of parking on the highway network. For any traffic management issues, a key requirement set out in the initial CTMP (APP-169 and APP-210; DCO Document Reference 8.13) is the formation of a Traffic Management Working Group (TMWG) for the construction phase of the project. The contractor will have to consult with the TMWG regarding all traffic management measures. Membership of the TMWG is to be finalised, however it will include the relevant Highway Authorities.</p> <p>It is anticipated that all of the compounds, have sufficient parking available to accommodate the proposed parking levels at the realistic worst-case scenario during the peak period of construction activity. As part of the proposed staff travel plan, sustainable travel measures will be encouraged such as car sharing</p>			

ExQ1 No.	Type / Category	The Question	Current response
			and the use of mini-buses to shuttle staff from the main compounds at Portishead, A369 Portbury Hundred and Lodway to the smaller compound sites.
TT.1.16	Travel Plans Q to The Relevant Highway Authorities	<p>TA Appendix M [APP-171] sets out the outline travel plans for Portishead and Pill and the CTMP [APP-169 and APP-210] (TA Appendix K) at section 6.9 refers to a Construction Workers' Travel Plan which would be prepared by the contractor. Could the Relevant Highway Authority:</p> <p>Confirm if the limited information provided for the construction workers' travel plan is sufficient at this stage, and if not, what else would be required?</p> <p>Confirm if the outline station travel plans including arrangements for monitoring and review provide a suitable basis for agreement of detailed travel plans post consent?</p>	
TT.1.17	Bridleways Q to The Applicant	Proposed bridleway improvement works include an extension around and under the M5. Have the relevant horse societies been consulted and, if so, how have their views been addressed?	<p>The British Horse Society (BHS) has been directly consulted on the proposed bridleway improvement works and also via the North Somerset Local Access Forum (NSLAF). The BHS is an active participant of the NSLAF and the NSLAF has sent us correspondence on their behalf.</p> <p>It should be noted that there is no bridleway route between the M5 viaduct and Pill (the bridleway terminates at the western side of the M5 viaduct). However, equestrians are known to pass beneath the M5 and into Pill using the cycle path that is located adjacent to the disused line as it passes beneath the M5. The licence granted to Sustrans by Network Rail for this path is for cycle and pedestrian use only. The cycle path will be rebuilt in the same location as part of the works to reopen the railway line. Fencing would segregate the railway from the path.</p> <p>In response to the Stage 1 consultation NSLAF and the BHS both stated that equestrians would not want to use this path as the width of the M5 meant that they would be in close proximity to the railway for a prolonged period in a</p>

ExQ1 No.	Type / Category	The Question	Current response
			<p>confined space that would be shared with other users such as pedestrians and cyclists. NSLAF and BHS both requested that the Applicant provide a new bridleway extension that would pass beneath the main span of the M5 away from the railway. This request was repeated in further correspondence prior to the Stage 2 consultation (February 2016). In May 2016 the Applicant responded to the NSLAF with the initial proposal for the bridleway extension detailing its materials and gradient. In June 2016 the NSLAF responded that they were “delighted” with the proposals.</p> <p>In response to the request from the BHS and NSLAF, the Applicant designed a proposed bridleway extension in the location that they requested. This was set out at the Stage 2 consultation when the BHS stated that they were “very pleased to see that the bridleway into Pill is to be extended around the base of the M5 motorway bridge.” At a Stage 2 consultation meeting with NSLAF, the NSLAF expressed support for the proposals. A summary of consultation responses is included within the DCO Consultation Report. (APP-058; DCO document reference 5.1).</p>
TT.1.18	Public Rights of Way Q to The Applicant & Bristol City Council	The Planning Statement [APP-209] at paragraph 6.4.57 states that the Metrobus works at Ashton Vale are to become a public right of way. Please provide an update.	<p>Paragraph 6.4.57 states: "Powers are also sought to extinguish the Barons Close Container Crossing footpath level crossing in Bristol with pedestrians being routed along the currently permissive path provided as part of the MetroBus works parallel to the railway (to become a PRoW), then crossing the railway at the existing Ashton Vale Road level crossing. The Ashton Vale Road Level Crossing is a full barrier crossing equipped with CCTV."</p> <p>The proposed works are shown in the Ashton Vale Road and Winterstoke Road Highway Works Plan (APP-041; DCO document reference 2.47). The Barons Close crossing has been closed for several years and is to be permanently stopped up and new path substituted in accordance with article 16 and schedule 6 of the dDCO. The Applicant and Network Rail are also to enter into a s 278 Highways Act 1980 agreement with Bristol City Council which provides for the new substituted shared cycle and footway.</p>