

1. Many thanks for giving us the opportunity to set out our position. The National Trust acquired the land at Leigh Woods in a number of distinct parcels in March 1933, January 1949 and September 2009. The area of Leigh Woods owned by the National Trust is very highly designated and is a National Nature Reserve (NNR), a Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and an Ancient Woodland. The area acquired in March 1933 is the most heavily affected by MetroWest Phase 1. As we have said in our representations we are supportive of better public transport to and from Bristol to Portishead. However, we are bound to protect the position of the National Trust as a charity.

2. As you are aware the National Trust has its own Acts, dated from 1907, which protect its land ownership and management. The National Trust was created for the purposes of promoting the permanent preservation for the benefit of the nation of lands and tenements of beauty or historic interest and as regards land for the preservation of their natural aspect, features and animal and plant life. Those areas of land which the National Trust has declared inalienable cannot be voluntarily sold, mortgaged or compulsorily purchased against the Trust's wishes without special parliamentary procedure. This includes the land that we own at Leigh Woods. The National Trust has made a commitment to look after it forever.

3. We would note that we believe that Special Parliamentary Procedures would apply even for temporary compulsory acquisition, though this hasn't been tested.

4. All areas of National Trust land proposed to be acquired by MetroWest under compulsory acquisition is on a temporary basis. We are supportive of our land only being acquired on a

temporary basis. The National Trust can grant leases of up to 99 years without triggering inalienability restrictions subject to internal approvals. Through recent consultation within the Trust we believe that the final proposals will need to go to a Property Board dependent on the future monetary values that we will be obliged to incur should the scheme go ahead as proposed.

5. We have draft Heads of Terms specifically for the access and compound to build Quarry Underbridge 2. We have agreed outline method statements and principles regarding working with the important designations and nature assets found on site specifically regarding the working and storage areas and the construction of the temporary slope for access onto the railway line. We would want to ensure that the structure is rebuilt in this way and that this rebuild solution is secured through the DCO process. We realise that more detailed design work may still be needed, and where it may affect access to or management of our land we would want to be consulted on any changes or refinements to the design or its implementation. When we have met with MetroWest's nature advisers in the past they haven't understood the works that we have undertaken in this quarry to manage non-native species.

6. The National Trust has managed the rock faces at Leigh Woods based on the railway line below them being for Freight and having regard to the public right of way adjacent to the river. Over the years we have done regular rock works, laser scanning and installation and maintenance of the catch fences. The National Trust is concerned about the increased liability that the line being changed to passenger use would create for us as the adjacent landowner responsible for the rock face above. We are consulting with our insurance broker

regarding this specific issue as the public liability sums involved are very high. We feel that it is inappropriate that the National Trust as a charity pays for the increased insurance premiums caused by this change of use.

7. We note that whilst North Somerset Council have proposed to pay for the installation of catch fences on National Trust land to manage the risks of a rock fall onto the passenger line, from that point onwards it is proposed that the National Trust is responsible for all repair, maintenance and replacement of the catch fences as and when it is required. This is also a great expense that is being passed onto the National Trust as a charity to manage due to the change from a freight to passenger line. These risks are not theoretical as we know that there are rockfalls in this area and Network Rail has drawn our attention to the sad loss of life this year at Stonehaven in Scotland, they have suggested that there may be extra regulations for landowners adjacent to train lines.
8. The Trust has previously proposed that Network Rail enter into a lease for the cliff face and quarries above the railway line for a term of 99 years. We asked that there was then an option on behalf of the Landlord to renew this lease on the same terms at the end of the term. We proposed that the National Trust reserve conservation work out of this lease as agreed within a five year management plan by Network Rail. This proposal has been rejected by MetroWest.
9. Our view is that as the landowner and occupier of the rockface, any works and inspections that MetroWest agreed to do as part of the project would still need to be independently checked and verified by a contractor instructed by the Trust. MetroWest have agreed to pay for this expense. Notwithstanding that the Trust is still unsatisfied with the concept of the

proposal that we do take on all future responsibility for the catch fences and rock bolts installed that are necessitated because of the upgrade to the railway line.

10. We would note that Network Rail and North Somerset Council been engaging with us on these subjects. The final decision on the placement of the catch fences has yet to be designed, though it has recently been clarified that though MetroWest would try and place them on Network Rail land, realistically these would be on National Trust land.
11. Whilst the National Trust doesn't doubt that this passenger line would be advantageous, we believe that any private landowner would be concerned about the implications of risk caused by rockfalls and that we are no different. These works and proposals are still under discussion with MetroWest but the National Trust believes it shouldn't be left in a worse position because of the scheme.