

Application by North Somerset Council for an order granting development consent for the Portishead branch line - MetroWest phase 1

**Planning Inspectorate reference TR040011
Interested party reference PORT-S57657**

Note on behalf of First Corporate Shipping Limited trading as the Bristol Port Company (BPC) on oral evidence given by BPC at ISH2 on 11 January 2021

1. This summarises the additional oral evidence given by representatives of The Bristol Port Company (Jonathan Mordaunt and John Chaplin) at Issue Specific Hearing 2 held on 11 January 2021. This summary is in addition to other written evidence previously submitted to the Examining Authority.

Freight services

2. The Port of Bristol needs rail access as part of its multi-modal offering to customers and to discharge its statutory functions.
3. The Port is subject to a restriction on the number of daily train movements imposed by planning permissions dated 26 October 2000 and 2 December 2011, which mean that daily train movements cannot exceed 40. A "train movement" means a freight train travelling in one direction either to or from Royal Portbury Dock.
4. The effect of the proposed development consent order (**DCO**) and the proposals for the passenger services will be to introduce a further restriction by limiting the potential times of freight train movements. If these timing restrictions on use of the Portishead branch line are overlain on rail paths available to BPC's customers over the rest of the national network, those other rail paths may no longer be available. In reality this may reduce the number of possible daily train movements below 40. The position for BPC's customers will therefore be significantly worse than that which prevails today.
5. BPC therefore requires the proposed DCO to enshrine appropriate protections to keep the number of daily train movements at 40 and to ensure that any future changes to the passenger timetable cannot affect that position and reduce even further the availability of train paths for BPC's customers.

Rights of way

6. BPC does not accept that any of its land should be acquired in order to provide rights of way because it would potentially inhibit BPC's use of that land as part of its statutory undertaking.
7. BPC accepts in principle the Applicant's proposed Works 15, 16 and 18 provided the paths are constructed on the routes shown on the current drawings and on the basis that Work 16 would be a permissive path and that Work 18 would be dedicated as a public right of way.
8. BPC agrees that the speed limit on Royal Portbury Dock Road is 30mph and that, under the Applicant's proposed arrangements, there would be good visibility for persons crossing it.

Dust and security

9. BPC relies on its earlier deadline 2 written representation which set out its concerns about the effects of dust arising during construction and later operation of the railway.
10. In order to mitigate the effects of dust arising from the use of the track from Marsh Lane to Lodway Farm as a haul road during construction, BPC requires the track to be surfaced by the Applicant before it is used by construction traffic. The intensive use of the track during construction by HGVs can be contrasted with the occasional use of the track by others and it is the former which creates the need for the track to be surfaced.
11. The existing vegetation to the north of the track must be retained. It provides useful screening for dust. Importantly, it also contributes to the maintenance of the Port's security perimeter fence and protects the bonded HMRC port area.