

Submissions Received after the Close of the Examination

TR040011 – Portishead Branch Line - MetroWest Phase 1

Submissions made during Recommendation Stage		
No.	Name / Organisation / Interested Party Ref	Receipt Date
1.	Robert Sweetham	11 May 2021
2.	Exolum Pipeline System Limited	26 May 2021
3.	Sue Freestone	16 July 2021

Submissions made during Decision Stage		
No.	Name / Organisation / Interested Party Ref	Receipt Date
1.	National Grid Electricity Transmission plc	11 April 2022
2.	Western Power Distribution (South West) PLC	11 April 2022
3.	North Somerset Council	12 April 2022
4.	West of England Combined Authority	12 November 2021

From: [REDACTED]
To: [Metrowest1](#)
Subject: Development Consent Application-Portishead Branch Line (Metro West Phase 1) Order Section 102A Planning Act 2008 -North Somerset District Council. Further Representation by Land Owner (Bimcorp Ltd) re title number [REDACTED] including development plots 1...
Date: 11 May 2021 21:32:24
Attachments: [IMG_3510.JPG](#)
[IMG_3513.JPG](#)
[IMG_3523.JPG](#)

Dear sir

I know the deadline for submissions has passed but I thought you should see the attached screenshots of a national television program reporting on local elections at Bristol on 29th April. The site location is indicated by hand on the second image.

This iconic image is taken as defining Bristol.

Thank you

Rw sweetnam

Bimcorp ltd





S
h K nt woodland after PCSO Julia James is found murdered 20:19



20:30



19:00

BBC NEWS

Police search Kent woodland after PCSO Julia James is found murdered

20:20

20:20

20:30

From: [REDACTED]
To: [Metrowest1](#)
Cc: [REDACTED]
Subject: Exolum Pipeline System Limited - Update on Protective Provisions Agreement [VWV-LIVE.FID1617615]
Date: 26 May 2021 17:54:48
Attachments: [PINS - Further Update on PPA - I o - 26.05.21 PPE](#)

Dear Sirs

We act for Exolum Pipeline System Limited (formerly CLH Pipeline System (CLH-PS) Limited).

Please see the attached correspondence regarding the Protective Provisions Agreement currently being negotiated between Exolum and the Promoter in relation to the MetroWest Phase 1 scheme.

Please acknowledge receipt of this email to [REDACTED]

Kind regards,

Beth

Bethan Sykes
Solicitor

[REDACTED]

DD:-IM-

Ext:-

Veale Wasbrough Vizards LLP
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**Bristol office**

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DX: 7831 Bristol

The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

By e-mail: Metrowest1@planninginspectorate.gov.uk

Our ref: BS/DB/4CH58/0023

Your ref:

DDI: [REDACTED]

Doc no: 23548574v1

26 May 2021

Dear Sirs

**Portishead Branch Line - MetroWest Phase 1 ("the Scheme")
Ongoing Negotiations of Protective Provisions Agreement
Our Client: Exolum Pipeline System Limited (formerly CLH Pipeline System (CLH-PS)
Limited) ("Exolum")**

We write further to our correspondence dated 14 April 2021 to provide a further update on the negotiation of the Protective Provisions Agreement ("Agreement") between Exolum and North Somerset Council ("the Promoter").

As explained in previous correspondence, we received an undertaking for costs from the Promoter and Network Rail's comments on the Agreement on 23 March 2021. We reviewed these comments and responded with our own draft comments on 12 April 2021, which we confirmed were final on 14 April 2021. We also requested a further undertaking for costs.

To date, we have not received any comments on the Agreement, an undertaking for costs or any other substantive engagement or update from the Promoter's solicitors, Womble Bond Dickinson ("WBD"), despite chasing.

Exolum remains committed to collaborating with the Promoter to reach agreement of the few outstanding points swiftly. We ask that PINS retains the issue of protection of Exolum's pipeline as a live issue pending resolution of the Agreement. If the Agreement does not reach a conclusion, we will need to provide further submissions to PINS or directly to the Secretary of State.

In addition, we note that we have not received an explanation for the absence of paperwork or correspondence from PINS, including any notifications of hearings at which we would have been able to present on the issues as they affect Exolum. Please would you reply to explain why we received no paperwork from you during the examination period and please ensure that we receive any relevant correspondence in future. We reserve our client's position with regard to any prejudice caused by this.

Exolum looks forward to hearing from WBD urgently regarding the Agreement.

We look forward to hearing from you.

Yours faithfully

**Lawyers & Parliamentary Agents**

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Veale Wasbrough Vizards LLP

From: Sue Freestone [REDACTED]
Sent: 16 July 2021 17:13
To: Bartkowiak, Bart <Bart.Bartkowiak@planninginspectorate.gov.uk>
Cc: James Willcock [REDACTED]; Philip Brown
[REDACTED]
Subject: Land in Easton-in-Gordano

Dear Bart,

I hope you are well.

As the lease agreement is now in place with MetroWest, I write to confirm that my brother and I withdraw our objection to the current DCO. However, we reserve the right to object to any future DCO that may arise in relation to the land in question.

Kind regards,

Sue Freestone



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DPC:76616c646f72



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From: [REDACTED]
To: [REDACTED]
Cc: [Metrowest1](#); [REDACTED]
Subject: Portishead Branch Line (MetroWest Phase 1) Development Consent Order application [BDB-BDB1.FID10786491]
Date: 11 April 2022 16:54:14
Attachments: [image001.png](#)
[Letter to SoST withdrawing representation 11.04.22.PDF](#)

Dear Mr O'Hanlon,

Please see the attached correspondence on behalf of our client National Grid Electricity Transmission plc, in relation to the above application for development consent by North Somerset Council.

I would be grateful if you would acknowledge receipt of the attached.

Kind regards,

Ben Godfrey.


BDB PITMANS

Ben Godfrey Associate



For and on behalf of BDB Pitmans LLP
One Bartholomew Close, London EC1A 7BL

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For the attention of Kevin O'Hanlon
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Our Ref
BNG/JLR/005694.0501
Date
11 April 2022

By Email: [REDACTED]

Dear Sir

Application by North Somerset Council for an Order granting Development Consent for the Portishead Branch Line - MetroWest Phase 1 ("the Order")

As you will be aware from previous correspondence, we act for National Grid Electricity Transmission plc ("**NGET**").

NGET and the Applicant have now agreed a form of protective provisions for inclusion in the Order. We understand that the Applicant wrote to you by email on 8th March 2022 to submit to you a revised version of the Order (known as 'Version 12'), which included the revised version of NGET's protective provisions as agreed between NGET and the Applicant.

On the basis that the agreed protective provisions are included on the face of the Order (save for any formatting or cross-referencing changes which may be required), NGET hereby withdraws its relevant representation dated 21 February 2020 for the purposes of section 127(1)(b) of the Planning Act 2008.

We understand that the Applicant will shortly write to you formally to request that it agrees to the Order being made in Version 12 with the inclusion of the agreed protective provisions.

Yours faithfully

[REDACTED]

BDB Pitmans LLP

[REDACTED]
[REDACTED]

Registered Office

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DX 146420 Reading 21

Grosvenor House
Grosvenor Square
Southampton, SO15 2BE
DX 38516 Southampton 3



cc Womble Bond Dickinson, FAO Richard Guyatt
Planning Inspectorate

From: [REDACTED]
To: [Metrowest1](#)
Cc: [REDACTED]
Subject: L to Planning Inspectorate - 8 April(116605555.1) [OC-OC_UK.FID3650392]
Date: 11 April 2022 11:00:24
Attachments: [L to Planning Inspectorate - 11 April\(116605555.1\).pdf](#)

Dear PINS MetroWest team.

Please see attached letter on behalf of Western Power Distribution (South West) PLC.

Regards

Neil Bromwich

Partner

[REDACTED]
[REDACTED]

for Osborne Clarke LLP

2 Temple Back East, Bristol BS1 6EG

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By Email only to: Metrowest1@planninginspectorate.gov.uk

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Our reference NPB/116605555/1108535

Your reference TR040011

11 April 2022

Dear Sir/Madam

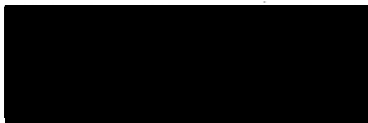
**Application by North Somerset Council for an Order granting Development Consent for the
Portishead Branch Line – MetroWest Phase 1 (the "Application")
Western Power Distribution (South West) PLC - withdrawal of relevant representation**

We act for Western Power Distribution (South West) PLC ("**WPD**"), who made a relevant representation to the Application on 14th January 2021.

WPD and the Applicant have now reached a satisfactory agreement and commercial terms for the protection of WPD's apparatus. WPD confirm its agreement to the Protective Provisions.

Accordingly, in light of the above, WPD withdraws its relevant representation to the above Application.

Yours sincerely



Osborne Clarke LLP




Osborne Clarke LLP

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From: [REDACTED]
To: [REDACTED] k
Cc: Metrowest1; [REDACTED]
Subject: Portishead Branch Line (MetroWest Phase 1) Development Consent Order – Update regarding representations of National Grid Electricity Transmission PLC and Western Power Distribution (South West) PLC [WBUDK-AC.FID26403138]
Date: 12 April 2022 08:57:21
Attachments: [SignatureLogo_63cdb581-13c2-4631-94ea-9b042c8190fd.png](#)
[innovative_lawyers_shortlisted_2021_3_2f18440d-528d-416d-844e-8f4f07ea11f9.png](#)
[WBD_Email_KeyLine_TwitterLogo_2019_e134f302-9015-4bcf-a9cf-1a39dd1d618f.png](#)
[WBD_Email_KeyLine_LinkedInLogo_2019_ed441b28-0746-48f0-a9ec-756646ded617.png](#)
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[WBD_Email_KeyLine_TwitterLogo_2019_e134f302-9015-4bcf-a9cf-1a39dd1d618f.png](#)
[WBD_Email_KeyLine_LinkedInLogo_2019_ed441b28-0746-48f0-a9ec-756646ded617.png](#)
[Letter to the SoSFT to adopt v12 DCO.pdf](#)

Dear Kevin O'Hanlon

Please see attached letter on behalf of North Somerset Council as the Applicant for the Portishead Branch Line – MetroWest Phase 1 Scheme.

Regards

Tim

Timothy Neergaard-Tedder

Paralegal

Womble Bond Dickinson (UK) LLP



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Timothy Neergaard-Tedder

Paralegal

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11 April 2022

Kevin O'Hanlon
Department for Transport
Great Minster House
33 Horseferry Road
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SW1P 4DR

By email only

Womble Bond Dickinson (UK) LLP

3 Temple Quay
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Bristol
BS1 6DZ

Tel: 0345 415 0000
Fax: 0345 415 6900
DX: 200561 Bristol Temple Meads

Our ref:
TN2/TN2/PUBLIC.TN2
Your ref:
TR040011

Dear Mr O'Hanlon

Portishead Branch Line (MetroWest Phase 1) Development Consent Order – Update regarding representations of National Grid Electricity Transmission PLC and Western Power Distribution (South West) PLC

I write to provide a final submission on the S127 representations of National Grid Electricity Transmission Plc (NGET) and Western Power Distribution (South West) Plc (WPD).

Agreements have now been concluded with NGET and WPD in respect of their relevant representations which were made on 21 February 2020 and 14 January 2021 respectively. Accordingly, North Somerset Council as the Applicant now asks that the order should now include the protective provisions for both parties based on version 12 of the draft Development Consent Order that we supplied to you on 8 March 2022. This version contains the agreed protective provisions for the parties.

You should shortly receive submissions from these parties to confirm the withdrawal of their relevant representations in relation to the Application.

Yours sincerely

Timothy Neergaard-Tedder
Paralegal
Womble Bond Dickinson (UK) LLP

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Grant Shapps MP
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

12 November 2021

Dear Grant

Re: MetroWest Phase 1 – Portishead Line

On the 20 October 2021, the decision was issued from your office to extend the statutory deadline to determine the application for the proposed rail Portishead Branch Line – MetroWest Phase 1 Development Consent Order (DCO) by up to a further six months (19 April 2022). This extension has significant financial, reputational and programme implications for North Somerset Council and West of England Combined Authority, as joint promoters.

Only after 3-weeks, on the 10 November 2021, we received initial feedback, requesting further information on carbon budgets. We urgently need to understand whether provision of this information will address these “environmental matters”, which prevented the DCO decision being granted in a timely manner. This remains a key concern for us, with little ability to manage or mitigate further impacts. Each day that goes by we are incurring costs associated with a delay that has not been justified. This is not a sustainable position for the delivery of significant infrastructure at a regional level, and we expect your help to:

- Understanding the issues and resolve the challenge as quickly as possible
- Managing delays and costs

Understanding the issues

The scheme is at a critical stage in its delivery and its primary purpose to deliver modal switch from road to rail. The issues that may have arisen with other DCO schemes are issues that are not present with MetroWest Phase 1 and there are no major environmental campaign groups against our scheme. It was a very detailed DCO examination of the environmental and wider considerations of the merits of the scheme including examination of the Environmental Statement and Habitats Regulation Assessment. It also included a Report into the implications for European Sites (RIES). The information requested on carbon budgets is easily resolved, we will provide the information requested. We need to understand, as soon as possible, any remaining or related issues.

Managing delays and costs

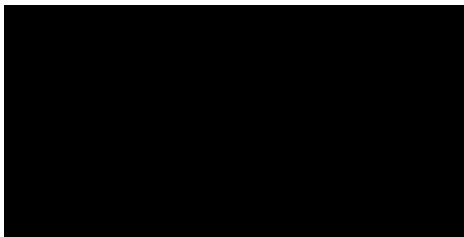
Following an initial review with our delivery partners Network Rail, the scheme may accommodate up to a maximum three-month delay, albeit importing additional cost and risk to the programme. Delays beyond 14 January result in key ecology windows being missed, with a net programme impact of at least 12 months. Whilst North Somerset Council and the Combined Authority are aligned on contingency to cover some unavoidable cost increase on the scheme, the impact on costs beyond 14 January 2022 will be in the order of an additional minimum £13m, an unacceptable figure for the project to bear. **We must receive a positive**

DCO decision by 14 January 2022 to facilitate continuation of the project. Without the DCO decision, we are already incurring additional costs now, into the hundreds of thousands in relation to, as examples:

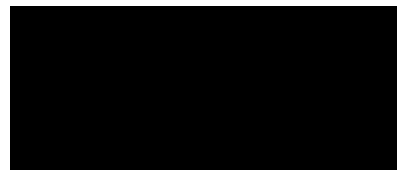
- Further legal and consultancy support
- More expensive interventions – for example, vegetation clearance over the winter will have to be done manually rather than by machine.

Considering these implications, North Somerset Council and the Combined Authority are requesting the Secretary of State to work with us to ensure the deliverability and affordability of the scheme, and an urgent discussion on additional costs. We are sure you want regions across the nation to deliver value for money public transport networks to support growth and decarbonise. We do not want unjustified delays to put that at risk for our region.

Yours sincerely



Patricia Greer
CEO West of England Combined Authority



Jo Walker
CEO North Somerset Council