



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

9.1 – Schedule of Changes to the draft Development Consent Order

Author: Womble Bond Dickinson (UK) LLP

Version: 9

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MetroWest Phase 1: Draft Development Consent Order (dDCO)

Schedule of drafting changes for dDCO submitted to the Secretary of State for Transport

20 September 2021

1. The following table has been prepared by the Applicant to set out the changes made to the dDCO from that submitted following the close of Examination to the Secretary of State for Transport on 9 August 2021 at Annex 1.
2. It is submitted together with:
 - a. Revised dDCO (DCO Document Reference: 3.1, version 10) (clean), and
 - b. A comparison version of the dDCO showing all changes between new Version 10 and Version 9 (DCO Document Reference: 3.1, version 10).
3. The changes are made principally to reflect the consequential changes due to the removal of Trinity foot and cycle bridge as required by the Secretary of State for Transport in item 3 of the Secretary of State for Transport's letter dated 13 August 2021, and submission of revised protective provisions and agreements between the Applicant, Bristol Port Company, Western Power Distribution and National Grid following further negotiations conducted after the close of examination. The revised dDCO also encapsulates changes made to the Environment Agency's protective provisions in respect of a duplication contained in the previous draft and changes to requirements related to Portbury Ditch as required by item 2 of the Secretary of State for Transport's letter.

Table 1: Summary of changes made to the dDCO (version 10) from the dDCO submitted to the Secretary of State for Transport for development consent:

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Contents	Schedule 8 Part 2 'Crossings: temporary suspension' removed Schedule 8 Part 3 renumbered as Schedule 8 Part 2 Schedule 16, Part 8 'For the Mutual Protection of National Grid and the	Schedule 8 Part 2 no longer required The PPs have been renamed as per the continuing negotiations with National Grid.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
	Railway undertaker' has been renamed.			
Part 1, Article 2, Interpretation.	The Applicant has added the new definition of National Highways.	This definition has been added to reflect Highways England's legal change of name as set out on companies House on 8 September 2021 (https://find-and-update.company-information.service.gov.uk/company/09346363/filing-history).	N/A	Schedule 2, Requirements, Part 1, Paragraph 20 (Works affecting M5 Junction 9) has been amended to remove reference to Highways England in favour of National Highways as a result of the name change.
Part 1, Article 2, Interpretation.	The Applicant has amended "New highways plan" to "new highways plans".	Consistency of title for plan	N/A	Article 16(3), Schedule 6 Part 2 and Schedule 17 updated accordingly
Part 3, Streets, Highways and Level Crossings, Article 16	The reference to 'Authority' and 'highway plan' has been amended to 'authorities' and 'highway plans' in the Order.	Amended to reflect the multiple plans and authorities in the Order.	N/A	N/A
Part 2, Principal Powers, Article 20, closure of level crossings	The Applicant has removed Article 20(4), 20(5) and 20(6) from the dDCO. The reference to 'crossings' and 'are' in Article 20(1) has been amended to 'crossing' and 'is' respectively.	These provisions have been removed from the dDCO to reflect the removal of the Trinity Foot and Cycle Bridge. The Applicant will no longer be proving the temporary crossing over the railway as previously specified	N/A	Article 20(4) has a revised reference to Part 2 of Schedule 8 as a result of removing the proposed temporary crossing. Article 20(5) amended to substitute reference to

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
		between T1 and T2 in sheet 1 of the Crossings to be Extinguished Plans.		<p>paragraph (6) with paragraph (4) due to the reordering of the article. Paragraphs (6), (7), (8) and (9) in Article 20 have been revised to paragraphs (4), (5), (6) and (7) as a result of the reordering from the removal of article 20 paragraphs (4), (5) and (6).</p> <p>Schedule 8 amended to remove the previous Part 2, with Part 3 becoming Part 2</p>
Schedule 1, Authorised Development	Work No. 7 has been removed from the list of authorised works in the dDCO.	Trinity Foot and Cycle Bridge removed from the draft dDCO.	N/A	Works No. 7A and 7B have removed reference to Work No. 7 and 7C from their descriptions, which formerly outlined their proposed connectivity to the Trinity Foot and Cycle Bridge (now removed from the dDCO).
Schedule 1, Authorised Development	Work No. 7C has been removed from the dDCO.	This Work has been removed from the dDCO as it was designed to supplement the development of Work No.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
		7 which is now not required as a result of Work No. 7 being removed from the dDCO.		
Schedule 1, Authorised Development	Work No. 7E has been removed from the dDCO.	This Work has been removed from the dDCO as it was designed to provide electrical supply to Work No. 7, which is now being removed from the dDCO.	N/A	N/A
Schedule 2, Requirements, Part 1, Paragraph 3 - Stages of Authorised Development	The Applicant has removed reference to the 'Trinity Primary School bridge' from paragraph 3(1)(a) and reference to 'Works No. 7' and '7E'.	This is as a result of removing the Trinity Primary School bridge from the proposed Development Consent dDCO.	N/A	N/A
Schedule 2, Requirements, Part 1, Paragraph 3 - Stages of Authorised Development	The Applicant has added Work No. 16 in paragraph 3(1)(b) of Schedule 2.	This Work is due to be completed at Stage 1A and was omitted from the list of works in error.	N/A	N/A
Schedule 2, Requirements, Part 1, Paragraph 4(5) - Submission and approval of detail design	<p>The Applicant has included reference to Work No. 7B in the first row of the first column and removed reference to Work No. 7 from row three across all of the columns.</p> <p>The references to 'Rev H', 'Rev B', 'Rev E' and 'Rev F' in the table for multiple drawing numbers to</p>	These amendments are to account for the removal of Work No. 7 from the dDCO.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
	correspond to the Schedule of Certified Documents.			
Schedule 2, Requirements, Part 1, Former Paragraph 19, Temporary Path South of Trinity Primary School, Portishead	The Applicant has entirely removed the former requirement 19 from version 10 of the dDCO.	This is the result of removing Work No. 7 from the dDCO. The Applicant will no longer be providing the temporary crossing over the railway pending completion of Work No. 7 and subsequently there is no need for a paragraph to provide for the submission of details for the temporary crossing.	N/A	The remainder of the paragraphs in Schedule 2 have been renumbered to account for the removal of paragraph 19 in Schedule 2. They are all revised downwards.
Schedule 2, Requirements, Part 1, Paragraph 24 - Permanent fencing outside of Avon Gorge Woodlands SAC	Reference to requirement 31(4) amended to requirement 30(4)	This is the result of removing the previous requirement 19 from the dDCO.	N/A	N/A
Schedule 2, Requirements, Part 1, Paragraph 26 - Portishead Station and Portbury Ditch	The Applicant has amended the title for the requirement from 'Portishead Station' to 'Portishead Station and Portbury Ditch'.	The title has been amended to more accurately reflect the content of the requirement.	N/A	N/A
Schedule 2, Requirements, Part 1, Paragraph 26 - Portishead Station and Portbury Ditch	<p>The Applicant has been the following substantive changes to the paragraph:</p> <ul style="list-style-type: none"> Sub-paragraph 26(4) has been moved from its prior position at sub-para (5) to 4) in the provision. 	These amendments have been made to account for revised requirement to enter into a flood risk assessment with the Environment Agency and	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
	<ul style="list-style-type: none"> Sub-paragraph (5) has included revised wording on 'Work No. 3 (a foot and cycle track east of Portbury Ditch)' at the opening of the sub-para and removed reference to the specific Works (Works 3 and 5) later in the requirement 	to improve the drafting of the requirement.		
Schedule 2, Requirements, Part 1, Paragraph 28, Operational Lighting – highways, bridges, paths and car parks	The reference to Work No.7 in paragraph 28(1)(c) has been removed from the dDCO and paragraph 28(1)(d) has been renumbered as 28(1)(c) as a result.	This paragraph has been amended as a result of removing Work No. 7 from the dDCO.	N/A	N/A
Schedule 2, Requirements, Part 1, Paragraph 29 – Works affecting M5 Junction 19	Replacement of Highways England by National Highways throughout. Sub-paragraph (6) has been altered to include " sub-paragraph" before (5) in the penultimate line.	Requirement updated to reflect renaming of Highways England to National Highways	N/A	See change to Interpretation, Article 2 above.
Schedule 2, Requirements, Part 1, Former Paragraph 34 -Trinity Primary School Bridge	The Applicant has removed the former requirement 34 from Schedule 2 of the dDCO.	This requirement has been removed from the dDCO due to the removal of Work No. 7.	N/A	N/A
Schedule 2, Requirements, Part 2, Paragraph 38, Applications made under requirements	The Applicant has revised reference to paragraph 41 to 39 in para 38(1)(b).	This has been revised as the removal of preceding paragraphs renumbered the reference to paragraph 39.	N/A	N/A

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
Schedule 2, Requirements, Part 2, Paragraph 39, Further information	The Applicant has revised reference to paragraph 40 to 38 in paragraph 38(1)(b).	This has been revised as the removal of preceding paragraphs renumbered the reference to paragraph 38.	N/A	N/A
Schedule 2, Requirements, Part 2, Paragraph 40, Appeals	The Applicant has revised reference to paragraph 40 to 38 in para 40(1)(b) and paragraph 41 to 39 in paragraph 40(1)(c).	This has been revised as the removal of preceding paragraphs renumbered the reference to paragraphs 38 and 39 respectively.	N/A	N/A
Schedule 6, Bridleways Cycle tracks and footpaths, Part 2	In the table in Part 2 the applicant has removed reference to the cycle track that would have been created over Work No. 7 and the reference to plan in the table for 'New public rights of way to be created' has amended the reference from 'plan' to 'plans'.	This is the result of removing Work No. 7 from the dDCO.	N/A	N/A
Schedule 8, Closure of Crossings, Part 1	In the table in Part 4 at row 3 the Applicant has removed reference to Work No. 7.	This is the result of removing Work No. 7 from the dDCO.	N/A	N/A
Schedule 8, Part 2, Crossings: temporary suspension	The Applicant has entirely removed Part 2 and its table from the dDCO.	The table was included to provide for the temporary crossing at Galingale Way which is no longer being delivered under the dDCO and has therefore been removed.	N/A	Schedule 8, Part 3 has as a result been renumbered to Part 2 in the dDCO.

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
The new Schedule 8, Part 2, Crossings: No Works required	The Applicant has included a new row in the first line of the table relating to the crossing between S5 and S6.	This amendment has been made to provide for the stopping up of the route between S5 and S6 as a result of the change requested by the SoS.	N/A	N/A
Schedule 10, Land of which only new rights, etc. may be acquired	Plots 01/230, 01/231 and 01/232 have been removed from the Order.	New rights are no longer required in these plots	N/A	N/A
Schedule 12, Land of which temporary possession may be taken	Works No. 7, 7C and 7E have been removed from the table in Schedule 12.	This is as a result of the change requested by the SoS (removal of Trinity Primary School Bridge).	N/A	N/A
Schedule 12, Land of which temporary possession may be taken	Plots 01/230, 01/231 and 01/232 added.	The relevant plots will form part of the temporary compound proposed at Tansy Lane, Portishead	N/A	N/A
Schedule 16, Protective Provisions, Part 4, Environment Agency.	The applicant has removed subparagraph 38(3) from Schedule 16.	The applicant has removed the sub-paragraph to prevent duplication of provisions in the protective provisions.	N/A	N/A
Schedule 16, Protective Provisions, Part 5, Protection for First Corporate Shipping Limited	Revised protective provisions included in this Part of the Order.	Agreement on the form of protective provisions has been reached with First Corporate Shipping Limited	N/A	N/A
Schedule 16, Protective Provisions, Part 8, For the protection of	Revised protective provisions included in this Part of the Order.	The revised protective provisions reflect the progress being made on agreement with National	N/A	Numbering of paragraphs in subsequent parts of

Article/Schedule	Change	Reason for change	Precedent used	Consequential changes
National Grid as electricity undertaker		Grid Electricity Transmission PLC. The revised protective provisions are the Applicant's preferred version and are not yet agreed.		Schedule 16 amended. Cross referencing of paragraphs in subsequent parts of Schedule 16 amended.
Schedule 17 – Documents to be certified	The schedule has been updated to reflect changes to the plans etc to be certified.	Some plans have been updated as a result of the removal of Work No. 7.	N/A	N/A

Womble Bond Dickinson

20 September 2021