

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
5.	Finola Crowley	11 November 2021
6.	Kevin O’Hanlon Department for Transport	25 January 2022
7.	Kevin O’Hanlon Department for Transport	21 February 2022
8.	Colin Crossman	01 November 2021
9.	Kevin O’Hanlon Department for Transport	29 November 2021
10.	North Somerset Council	14 December 2021
11.	Liam Fox	09 November 2021
12.	Grant Shapps	December 2021
13.	Barry Cash	26 October 2021
14.	Kevin O’Hanlon Department for Transport	29 November 2021

> Dear Sir/Madam,

>

> This is a request for information under the Freedom of Information Act (FOIA) and/or Environmental Information Regulations (EIR).

>

> As a member of Portishead Railway Group (PRG) I, along with many in Portishead, was deeply disappointed at the decision to put back the deadline for the DCO decision to April 2022. I am also aware of the explanation from the DfT to our MP, Dr Liam Fox, which was conveyed to the Chairman of PRG with the claim that the delay was for further consideration of environmental issues to forestall Judicial Review by Extinction Rebellion and other groups.

>

> The explanation is not at all credible, and I do wonder if the Secretary of State for Transport is delaying in order to redirect funds for Portishead rail to other, more marginal Parliamentary constituencies in the "red wall". If that is the case then he's looking to stop Portishead rail, and that is far more likely to bring a Judicial Review from disaffected residents of North Somerset than anything Extinction Rebellion might consider in relation to the DCO.

>

> Turning to the point about Extinction Rebellion and other rabble that might seek Judicial Review. It is simply not credible. Firstly, these groups are not that structured; they are more like a strange brand that indulges in quick tactical acts, not long term legal strategies. I note also that today it was reported the Ministry of Defence was looking to get a member of Extinction Rebellion to speak to senior personnel in the Ministry and Armed Forces; are we seriously expected to believe they would oppose a DfT green initiative like reopening of a rail line when they are prepared to speak to the military?

>

> Secondly, Judicial Review is there to ensure that government decisions are in accordance with the law, and that there have been no procedural defects in arriving at the decision. The DCO for Portishead rail has been a model for following the law and procedure; in fact National Infrastructure Planning had a section and public session specifically on environmental issues. Any objections have been overcome or withdrawn. No Judicial Review has any realistic chance of proceeding beyond application.

>

> Thirdly, government and MPs more generally should be deeply concerned by the DfT stance politically, because it implies that these groups are actually succeeding in their political aims; they are actually causing a Secretary of State to pause or stop legitimate policy and delivery, even when there is no need to such as in the case of Portishead rail. That will be very embarrassing to government when it becomes publicised, as it will if Secretary of State does not approve Portishead Rail after accepting there are no DCO concerns remaining.

>

> Fourthly - and this follows on from the third point - the implication of the DfT stance due to their alleged concerns about Extinction Rebellion etc is that EVERY transport project will be subject to an extra environmental review even after it's all been done, such as shown in the DCO. Is that now DfT policy? I don't believe it is, but we should be told.

>

> I would therefore be grateful for the following information from the Department for Transport, under the FOIA and/or EIR:

>

> 1. Is it now DfT policy that EVERY transport project be subject to extra environmental review, because Secretary of State is worried by these groups?

>



Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site: [REDACTED]

Our Ref: 380628

Your Ref:

25 January 2022

Finola Crowley

Dear Finola Crowley

Portishead Branch Line – Metro West Phase 1 Development Consent Order Application

Thank you for your email of 11 November 2021, about the Portishead Branch Line – Metro West Phase 1 Development Consent Order application by North Somerset District Council.

As you are aware, a Written Ministerial Statement was laid on 19 October By Robert Courts to extend the decision deadline to 19 April 2022 to allow further consideration of environmental matters. A letter was issued to North Somerset District Council on 9 November requesting additional Information. A copy of this letter can viewed here:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR040011/TR040011-001640-211105%20Consultation%204%20letter%20-%20Portishead%20Branch%20Line.pdf>

The comments in your email have been noted but as you will appreciate, this is a live planning application, and it would not be appropriate for me to comment further. I want to assure you that we are progressing this application as quickly as possible.

Your correspondence will be treated as post-examination correspondence and will be published along with your name on the Planning Inspectorate's website when the decision is made. This is in order to comply with our legal obligations under Section 39 of the Planning Act 2008. The Secretary of State will consider post-examination correspondence when making a final

decision on this matter. Further information on how the Department will process your letter can be found on the Department's [Personal Information Charter](#).

Thank you for taking the time to write in with your concerns.

Yours sincerely

Kevin O'Hanlon

> 2. If it is not general policy, why has Portishead Rail been singled out for it when all Environmental objections have been met or withdrawn in the DCO process?

>

> 3. If it is general policy, what is the cumulative cost to the taxpayer of these additional reviews?

>

> 4. What specifically is the extra cost of the Portishead rail environmental review; who is paying for it; who will be doing it; and what extra delay will it add to an already long-delayed project?

>

> Yours faithfully,

>

> Finola N E Crowley

>

> [REDACTED]

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Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000

Ms Finola NE Crowley
1 Leigh View Road
Portishead
BS20 7ED

Web Site: www.gov.uk/dft

Our Ref: E0020780

21 February 2022

██████████@btinternet.com

Dear Ms Crowley

Environmental Information Regulations Request – E0020780 Portishead Branch Line – MetroWest Phase 1 Development Consent Order application.

Thank you for your information request dated 11 November 2021.

You requested the following:

I would therefore be grateful for the following information from the Department for Transport, under the Freedom of Information Act and/or Environmental Information Regulations:

1. Is it now DfT policy that EVERY transport project be subject to extra environmental review, because Secretary of State is worried by these groups?
2. If it is not general policy, why has Portishead Rail been singled out for it when all Environmental objections have been met or withdrawn in the DCO process?
3. If it is general policy, what is the cumulative cost to the taxpayer of these additional reviews?
4. What specifically is the extra cost of the Portishead rail environmental review; who is paying for it; who will be doing it; and what extra delay will it add to an already long-delayed project?

I can confirm that the Department does hold some of information which falls within the scope of your request.

In relation to question 1, in our view, this is not a request for information under either the Environmental Information Regulations 2004 (EIRs) or the Freedom of Information Act 2000. However, a general response is provided below.

From: SHAPPS, Grant [REDACTED]
Sent: 01 November 2021 16:25
To: POCorrespondence <POCorrespondence@dft.gov.uk>
Subject: FW: Metro West Portishead

From: Colin Crossman [REDACTED] <[REDACTED]@gmail.com>
Sent: 01 November 2021 11:00
To: SHAPPS, Grant [REDACTED]
Subject: Metro West Portishead

Dear Sir

I am writing as a land owner who will be severely affected by the opening of the Portishead rail line.

Metro West are proposing in the DCO to sever our farm, leaving the land one side of the railway and the buildings the other.

We were hoping for a decision one way or the other on October 19th.

We are very frustrated to learn that the project has been deferred as we need to plan ahead because at the moment we are in limbo.

Could you let us know the reasons for the delay as we understood all the environmental questions had been answered by the relevant parties and if you could provide a timetable update that would be much appreciated.

Many thanks

Colin Crossman

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In regard to questions 2, 3 and 4 of your request it is considered that these fall under the EIRs. This is because the information you have sought disclosure of does, in our view, fall within the definition of 'environmental information' as defined in Regulation 2 of the EIRs.


However I can confirm that the Department does hold the information which falls within the scope of your request for the reasons outlined below.

1. This is not the Department's policy. Development Consent Order applications are assessed by the Department on their individual merit.
2. For all applications for a DCO, the Secretary of State can extend the decision deadline where he considers it necessary to do so. The extension to the decision deadline for the application to the Portishead DCO was to 19 April 2022. Since this extension was announced, details of the information requested from the Secretary of State and responses to these requests are published on the project page of the Planning Inspectorates website and can be viewed [here](#).
3. As stated above this is not a Departmental policy.
4. There is no environmental review related to this application.

Appeals procedure

If you are dissatisfied with the way we have responded to or handled your request, you have the right to ask for an internal review. These should be submitted within two calendar months of the date of this letter and addressed to the FOI Advice Team at FOI-Advice-Team-DFT@dft.gov.uk.

Please remember to quote the reference number above in any future communications.

If you ask for an internal review and are still not content with the outcome, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted via their online form: 

Yours sincerely,

Kevin O'Hanlon



Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site [REDACTED]

Our Ref: 377914

Your Ref:

29 November 2021

Barry Cash
By email

Dear Barry Cash

Thank you for your correspondence of 1 November 2021 regarding the Development Consent Order for Portishead Branch Line - MetroWest Phase 1.

As you are aware, a Written Ministerial Statement was laid on 19 October to extend the decision deadline to 19 April 2022 to allow further consideration of environmental matters. A letter was issued to North Somerset District Council on 9 November requesting additional information. The Secretary of State has invited comments to the Applicant's response to his letter of 9 November 2021. A copy of this can be found at the following link:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portisheadbranch-line-metrowest-phase-1/?ipcsection=docs>

Responses to the matters outlined in this letter should be submitted by email to Metrowest1@planninginspectorate.gov.uk.

Your email will be treated as post-examination correspondence and will be published along with your name on the Planning Inspectorate's website when the decision is made, in order to comply with our legal obligations under Section 39 of the Planning Act 2008. All post-examination correspondence is considered as part of the final decision.

Further information on how the Department will process your correspondence can be found on the Department's Personal Information Charter, available at www.gov.uk/government/organisations/department-for-transport/about/personal-information-charter

Yours sincerely,

Kevin O'Hanlon

Date: 14 December 2021
My ref: MetroWest Phase 1
Your ref:
Contact: James Willcock
Telephone: [REDACTED]
Email: james.willcock@[REDACTED]



Mark Lillie/Eszter Lakos
Babcock International Group
Defence Systems Technology
Ashton House
Bristol
BS3 2HQ

Place Directorate
North Somerset Council
Town Hall
Weston-super-Mare
BS23 1UJ

DX 8411 Weston-super-Mare

By email only

Dear Mark / Eszter

**Development Consent Order application for Portishead Branch Line – MetroWest Phase 1
Application Reference: TR040011**

I write in response to your letter of 8th December 21 to the DfT.

The Ashton Vale Road ramp (formally work No 27) was deleted from the scheme during the DCO examination. The draft Order makes no reference to Ashton Vale Road ramp, consequently neither NSC, WECA nor NR will have powers from the Order for delivery of a ramp at Ashton Vale Road.

The document you have referred to in your letter is the Schedule of Mitigation which states:
"Design of shallow gradient ramps for the Trinity School Bridge, Pill station, and (if used) the Pedestrian and Cycle Ramp between Ashton Vale Road and Ashton Road."

Please take this letter as formal confirmation that the ramp at Ashton Vale Road has been deleted from the draft Order, the scheme is no longer pursuing the delivery of the ramp and no powers for the delivery of the ramp will be included in the Order, (in anticipation of the Order being made by the Secretary of State shortly).

Yours sincerely

A solid black rectangular box redacting the signature of James Willcock.

James Willcock
MetroWest Phase 1 Programme Manager

[REDACTED]
Town Hall, Weston-super-Mare, BS23 1UJ

From: DOUGLAS, Ione [REDACTED]
Sent: 09 November 2021 17:52
To: DFT Ministers [REDACTED]
Subject: Bristol/Portishead Railway Line

Dear Grant

Following the surprise decision to delay the DCO for Portishead railway, I wanted to raise a few points with you in advance of the more detailed letter from North Somerset Council which will follow soon.

First, the [project's external legal advisers](#) are surprised at the level of the perceived threat of a JR from environmental groups which seems to have motivated the decision. Can someone explain why the Department reached that view and at what level legal advice was given?

Second, if the DCO is delayed beyond mid-January, it will set back the whole project by a year due to the seasonal constraints on [ecological enabling works](#). While [the main construction work](#) would have started in [October 2022](#), a delay beyond mid-January will almost certainly mean that the project will not be completed before the next general election.

Third, delay beyond mid-January will result in disproportionate extra costs which the Council will have no alternative but to ask the Department of Transport to bear. In the current financial climate the project would otherwise be put at existential risk.

I hope that there will be urgent follow up between your civil servants and North Somerset Council as public opinion has not been sympathetic to the arguments put forward so far.

Yours sincerely

LIAM FOX
Parliamentary Office of the Rt Hon Dr Liam Fox MP
[REDACTED]
House of Commons, London SW1A 0AA
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Department
for Transport

Rt Hon Dr Liam Fox MP
House of Commons
London
SW1A 0AA

From the Secretary of State
The Rt Hon Grant Shapps

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: [REDACTED]@dft.gov.uk

Web site [REDACTED]

Our Ref: MC/380079

December 2021

Dear Liam,

Thank you for your email of 9 November, about the Portishead Branch Line – Metro West Phase 1 development consent order application by North Somerset District Council.

As you are aware, a Written Ministerial Statement was laid on 19 October by Robert Courts to extend the decision deadline to 19 April 2022 to allow further consideration of environmental matters. A letter was issued to North Somerset District Council on 9 November requesting additional information. A copy of this letter can viewed at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR040011/TR040011-001684-211105%20-%20consultation%20letter%20-%20Portishead.pdf>

The comments in your letter have been noted but as you will appreciate, this is a live planning application, and it would not be appropriate for me to comment further. I want to assure you that we are progressing this application as quickly as possible and that we are keen, where possible, to issue a decision sooner than the deadline of April 2022.

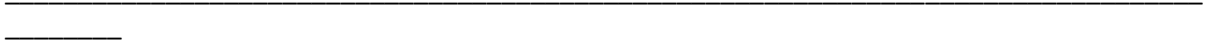
Your letter will be treated as post-examination correspondence and will be published along with your name on the Planning Inspectorate's website when the decision is made, in order to comply with our legal obligations under Section 39 of the Planning Act 2008. I will consider post-examination correspondence when making my final decision on this matter.

Yours ever,

Rt Hon Grant Shapps MP

SECRETARY OF STATE FOR TRANSPORT

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From: DfT webmanager <webmasterdft@dft.gov.uk>

Sent: 26 October 2021 10:31

To: Contactdft <Contactdft@dft.gov.uk>

Subject: General enquiry to Department for Transport

An enquiry has been received from Barry Cash with the email of [REDACTED]@uwclub.net and postal address of:

[REDACTED]

The enquiry is about:

Portishead Railway line

The details are:

The decision on the DCO has been deferred for 6 months for an assessment into environmental matters. Please can you tell me how I can submit evidence to this enquiry?

This email has originated from external sources and has been scanned by DfT's email scanning service.



Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site: [REDACTED]

Our Ref: 379214

Your Ref:

29 November 2021

Colin Crossman
By email

Dear Colin Crossman,

Thank you for your correspondence of 1 November 2021 regarding the Development Consent Order for Portishead Branch Line - MetroWest Phase 1.

As you are aware, a Written Ministerial Statement was laid on 19 October 2021 to extend the decision deadline to 19 April 2022 to allow further consideration of environmental matters. A letter was issued to North Somerset District Council on 9 November 2021 requesting additional information. The Secretary of State has invited comments to the Applicant's response to his letter. A copy of this can be found at the following link: <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portisheadbranch-line-metrowest-phase-1/?ipcsection=docs>

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Yours sincerely,

Kevin O'Hanlon