



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

5.1 – Consultation Report and Appendices

Appendix A1: Statement of Compliance with Consultation Requirements

Planning Act 2008: Sections 37(3)

Author: North Somerset District Council

Date: November 2019





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Appendix A1: Statement of Compliance with Consultation Requirements

Planning Act 2008: Sections 37(3)

Author: North Somerset District Council

Date: November 2019



Portishead Branch Line (MetroWest Phase 1) ("the DCO Scheme")

Statement of compliance with consultation requirements (November 2019)

Ref	Requirement	Compliance
Planning Act 2008		
Section 42	Duty to consult The applicant must consult the following about the proposed application:	
	(a) such persons as may be prescribed;	North Somerset District Council (the Applicant) consulted all persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see Appendix B1 of the Consultation Report for the full list).
	(aa) the Marine Management Organisation (MMO);	The Applicant consulted all persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see Appendix B1 of the Consultation Report for the full list).
	(b) each local authority that is within Section 43;	The Applicant consulted with each local authority identified under Section 43 (see Appendix B1 of the Consultation Report for the full list).
	(c) the Greater London Authority if the land is in Greater London; and	<i>Not applicable.</i>
	(d) each person who is within one or more of the categories set out in Section 44.	The Applicant consulted all persons identified under Section 44, being persons with a relevant interest in land affected by the DCO Scheme (see Appendix B3 of the Consultation Report for the full list).
Section 45	Timetable for consultation under Section 42 (1) The applicant must, when consulting a person under Section 42, notify the person of the deadline for the receipt by the applicant of the person's response to the consultation.	All consultees were informed of the deadline for responses in a cover letter notifying the commencement of each round of consultation (be that Stage 2 Consultation or any of the Additional Stage 2 Consultation periods) (see copies of the template letters for the various consultation stages at Appendix E4 of the Consultation Report). In each case the letter stated the period for the relevant consultation period which is further detailed in Chapter 7 of the Consultation Report.
	(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day	For the Stage 2 Consultation period and each of the Additional Stage 2 Consultation Periods, the consultation ran for a minimum of 28 days. Please

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	after the day on which the person receives the consultation documents.	see Chapter 7 of the Consultation Report for further detail.
	(3) In subsection (2) “the consultation documents” means the documents supplied to the person by the applicant for the purpose of consulting the person.	The consultation documents provided for the Section 42 consultation were made available online at www.travelwest.info/metrowest , and available to view free of charge at the deposit locations listed in the cover letter (see Appendix E4 of the Consultation Report). A paper or electronic copy was also offered by request for a nominal fee. The Section 42 consultation documents are listed at paragraph 7.4.9 of the Consultation Report.
Section 46	<p>Duty to notify Secretary of State of proposed application</p> <p>(1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the applicant would supply to the Secretary of State for the purpose of complying with Section 42 if the applicant were required by that section to consult the Secretary of State about the proposed application.</p>	The Applicant notified the Planning Inspectorate of the proposed application on 18 October 2017 by way of a formal cover letter and package including the Section 42 consultation documents (see Appendix E1 of the Consultation Report).
	(2) The applicant must comply with subsection (1) on or before commencing consultation under Section 42.	The package was hand delivered to the Planning Inspectorate on 18 October 2017, before the date of commencement of the formal Stage 2 Consultation period 23 October 2017.
Section 47	<p>Duty to consult local community</p> <p>(1) The applicant must prepare a statement setting out how the applicant proposes to consult people living in the vicinity of the land about the proposed application.</p>	The Applicant prepared two draft Statements of Community Consultation (SoCC) which set out how the Applicant proposed to consult the community, i.e. the Stage 1 SoCC and the Stage 2 SoCC. Further details on the process for preparing both Stage 1 SoCC and the Stage 2 SoCC can be found in Section 8.3 of the Consultation Report. The Stage 1 SoCC is attached to the Consultation Report at Appendix C1 of the Consultation Report and the Stage 2 SoCC is attached at Appendix D1.
	(2) Before preparing the statement, the applicant must consult each local authority that is within Section 43(1) about what is to be in the statement.	The Applicant consulted with North Somerset District Council (NSDC) and Bristol City Council (BCC), in whose area the DCO Scheme lies. Because both the DCO Scheme and wider MetroWest programme are within the boundaries of Bath and North East Somerset Council (BANES) and South Gloucestershire Council (SGC), and in light of their status as West of England Councils, the Applicant also consulted BANES and SGC on the content of the Stage 1 SoCC and the Stage 2 SoCC.. In

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		<p>addition, following the creation of the West of England Combined Authority (WECA) in February 2017, the Applicant consulted WECA on the content of the final Stage 2 SoCC.</p>
	<p>(3) The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.</p>	<p>Statutory consultation with the relevant local authorities ran from 18 May 2015 until 15 June 2015 for the Stage 1 SoCC and 2 August 2017 until 31 August 2017 for the Stage 2 SoCC.</p> <p>The draft Stage 2 SoCC was sent (by email) to the Local Authorities initially in March 2016 and then again in November 2016, in anticipation of Stage 2 Consultation taking place in June 2016, and then in February 2017. However, as the Stage 2 Consultation did not take place until October 2017, the Stage 2 SoCC was consulted on for a third time in August 2017. The Applicant sent the draft Stage 2 SoCC (by email) to the Local Authorities on 2 August 2017 and a response was initially requested by 31 August 2017. This amounted to a period of 28 days after the day of receipt of the draft Stage 2 SoCC in August 2017 – although noting that the Local Authorities has been provided with multiple opportunities to provide their view on the draft Stage 2 SoCC prior to this. A copy of the emails sent to the Local Authorities is included at Appendix D3 of the Consultation Report (DCO Document Reference 5.1).</p>
	<p>(4) In subsection (3) “the consultation documents” means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).</p>	<p>The consultation documents for the Stage 1 SoCC comprised a draft Stage 1 SoCC and a cover letter. For the Stage 2 SoCC, the consultation documents comprised a cover letter, draft Stage 2 SoCC, the published Stage 1 SoCC and a report setting out the local authorities' comments on the Stage 1 SoCC, complete with the Applicant's response to those comments.</p>
	<p>(5) In preparing the statement, the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3).</p>	<p>The Applicant considered all relevant comments received on the draft Stage 1 SoCC and the draft Stage 2 SoCC. For more information on how comments were addressed, see Chapter 8 of the Consultation Report.</p>
	<p>(6) Once the applicant has prepared the statement, the applicant must—</p>	<p>Notice of the Stage 1 SoCC was published in The Bristol Post and the Western Daily Press on 18 June 2015.</p>

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	<p>(a) make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land,</p> <p>(b) publish, in a newspaper circulating in the vicinity of the land, a notice stating where and when the statement can be inspected, and</p> <p>(c) publish the statement in such manner as may be prescribed.</p>	<p>Notice of the Stage 2 SoCC was published in The Bristol Post and the Western Daily Press on 14 September 2017.</p> <p>Each SoCC was made available for inspection at each of the locations listed in the respective SoCCs (see Appendix C1 and Appendix D1 respectively of the Consultation Report) and each SoCC was also made available on the Applicant's website, www.travelwest.info/metrowest.</p>
	<p>(7) The applicant must carry out consultation in accordance with the proposals set out in the statement.</p>	<p>The Applicant's consultation process was carried out in accordance with both the Stage 1 SoCC and the Stage 2 SoCC, as explained in Chapter 8 of the Consultation Report.</p>
Section 48	<p>Duty to publicise</p> <p>(1) The applicant must publicise the proposed application in the prescribed manner.</p>	<p>The Applicant prepared and published a Section 48 Notice in the manner prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see below for more detail). The notice as published is provided at Appendix H1 of the Consultation Report.</p>
	<p>(2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.</p>	<p>The deadline was included in the Section 48 Notice as 4 December 2017.</p>
Section 49	<p>Duty to take account of responses to consultation and publicity</p> <p>(1) Subsection (2) applies where the applicant—</p> <p>(a) has complied with sections 42, 47 and 48, and</p> <p>(b) proposes to go ahead with making an application for an order granting development consent (whether or not in the same terms as the proposed application).</p>	<p>The Applicant has had regard to all relevant responses to consultation and publicity in accordance with Section 42, Section 47 and Section 48. Please see Chapters 10, 11, 12 and 13 of the Consultation Report.</p>
	<p>(2) The applicant must, when deciding whether the application that the applicant is actually to</p>	<p>The Applicant has had regard to all relevant responses to consultation and publicity.</p>

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	<p>make should be in the same terms as the proposed application, have regard to any relevant responses.</p> <p>(3) In subsection (2) “relevant response” means—</p> <p>(a) a response from a person consulted under Section 42 that is received by the applicant before the deadline imposed by Section 45 in that person’s case,</p> <p>(b) a response to consultation under Section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under Section 47, or</p> <p>(c) a response to publicity under Section 48 that is received by the applicant before the deadline imposed in accordance with Section 48(2) in relation to that publicity.</p>	<p>(a) Section 42 responses are considered in Chapter 10 of the Consultation Report.</p> <p>(b) Section 47 responses are considered in Chapter 11 of the Consultation Report.</p> <p>(c) There were no specific Section 48 responses received, as explained in Chapter 12 of the Consultation Report.</p> <p>In addition to the above, Chapter 13 of the Consultation report sets out how the Applicant has had regard to ongoing consultation with various parties post any formal consultation periods.</p>
Section 50	<p>Guidance about pre-application procedure</p> <p>(1) Guidance may be issued about how to comply with the requirements of this Chapter.</p> <p>(2) Guidance under this section may be issued by the Secretary of State.</p> <p>(3) The applicant must have regard to any guidance under this section.</p>	<p>The Applicant has complied with the guidance set out in Department of Communities and Local Government (DCLG) Guidance on pre-application consultation (see below). The Applicant has also had regard to the Planning Act 2008: Guidance on the pre-application process; and Advice Notes prepared by the Planning Inspectorate.</p>
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009		
Regulation 3	<p>Prescribed consultees</p> <p>The persons prescribed for the purposes of Section 42(a) (duty to consult) are those listed in column 1 of the table in Schedule 1 to these Regulations, who must be consulted in the circumstances specified in relation to each such person in column 2 of that table.</p>	<p>The Applicant consulted all persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 who were deemed to be relevant to this current application by the descriptions set out in column 2 of that table (see Appendix B1 of the Consultation Report for the full list).</p>

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Regulation 4	<p>(2) The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application—</p> <p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p> <p>(b) once in a national newspaper;</p> <p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>(d) where the proposed application relates to offshore development—</p> <p>(i) once in Lloyd's List; and</p> <p>(ii) once in an appropriate fishing trade journal.</p>	<p>The Applicant published the Section 48 Notice as follows:</p> <p>(a) For two successive weeks in the following local newspapers during the weeks commencing 23 October 2017 and 30 October 2017:</p> <p>(i) Bristol Post; and</p> <p>(ii) Western Daily Press;</p> <p>(b) Once in a national newspaper (The Guardian) on 23 October 2017; and</p> <p>(c) Once in London Gazette on 23 October 2017</p> <p>The copies of the newspaper notices are provided at Appendix H2 of the Consultation Report.</p>
	(3) The matters which the notice must include are:	The Section 48 Notice included all of the elements listed under Regulation 4(3).
	(a) the name and address of the applicant;	<p>The name and address of the Applicant were included as per the below:</p> <p><i>"Notice is hereby given that North Somerset District Council (the Applicant) of Town Hall, Walliscote Grove Road, Weston-super-Mare, North Somerset, BS23 1UJ, proposes to apply to the Secretary of State under section 37 of the Planning Act 2008 for the above-mentioned Development Consent Order (the Application)"</i></p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;	<p>The Section 48 Notice stated that the developer proposed to apply to the Secretary of State under Section 37 of the Planning Act 2008 for the DCO. As noted above, the following wording was included on the notice:</p> <p><i>"Notice is hereby given that North Somerset District Council (the Applicant) of Town Hall, Walliscote Grove Road, Weston-super-Mare, North Somerset, BS23 1UJ, proposes to apply to the Secretary of State under section 37 of the Planning Act 2008 for</i></p>

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		<p><i>the above-mentioned Development Consent Order (the Application)"</i></p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	<p>(c) a statement as to whether the application is EIA development;</p>	<p>The Section 48 Notice stated that the DCO Scheme is a development requiring environmental impact assessment. The notice included the following wording:</p> <p><i>"The Project is an Environmental Impact Assessment (EIA) development, and an Environmental Statement will be submitted as part of the Application."</i></p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	<p>(d) a summary of the main proposals, specifying the location or route of the proposed development;</p>	<p>The Section 48 Notice stated that the proposed DCO would, amongst other things, authorise:</p> <ol style="list-style-type: none"> 1. Construction of a 5.4km railway line from Portishead to Pill; 2. A new railway station at Portishead, including a car park, pedestrian and cycle access, and associated highways works; 3. A pedestrian bridge over the Portishead branch line near Trinity Anglican Methodist Primary School, Portishead; 4. A permanent compound and rail access point at Sheepway, on the northern side of the Portishead branch line and western side of Sheepway; 5. A temporary compound and haul road south of the Portishead branch line and north of the Portbury Hundred highway; 6. Works to the existing bridleway forming part of National Cycle Network Route 26 between Portishead and Pill; 7. Temporary compounds and haul roads north of the Portishead branch line on the north side of and beneath the M5 Motorway; 8. A temporary compound and haul road between the Portishead branch line and Lodway Close, Pill; 9. Re-opening the railway station at Pill, including a car park, pedestrian and cycle access, and associated highways works; 10. Works to the existing Portbury Freight Line between Royal Portbury Dock and Ashton Junction, Bristol, including repairs and/or modifications to bridges, tunnels, culverts and

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		<p>retaining walls, as well as replacement of track, sleepers and ballast;</p> <ol style="list-style-type: none"> 11. A permanent compound at Chapel Pill Lane, Ham Green, Pill; 12. A new compound and permanent railway access at Clanage Road, Bower Ashton; 13. A new pedestrian ramp next to the existing railway in the vicinity of the existing Ashton Vale Road level crossing; 14. Closure of the footpath crossing over the existing railway at Barons Close in Bristol; 15. The permanent and/or temporary compulsory acquisition of land and/or rights for the Project; 16. Powers for temporary and permanent traffic regulation orders on highways and streets; 17. Overriding of easements and other rights over or affecting land for the Project; 18. Extinguishment of accommodation crossings; 19. The application and/or disapplication of legislation relevant to the Project including legislation relating to compulsory purchase; 20. Such ancillary, incidental and consequential provisions, permits or consents as are necessary and/or convenient.
	<p>(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;</p>	<p>The Section 48 Notice stated that copies of the details of the proposals, environmental reports, plans, maps and other documents could be inspected free of charge from Monday 23 October 2017 until Monday 4 December 2017 at the following locations and times:</p> <ol style="list-style-type: none"> (a) Castlewood North Somerset Council Office, Tickenham Road, Clevedon BS21 6FW. 08-30 to 17-00, Monday to Friday. (b) Long Ashton Library, Lovelinch Gardens, Long Ashton BS41 9AH. 09-30* to 12-30 and 13-30 to 17-00 on Tuesday and Thursday; 09-30 to 13-00 on Saturday (*10-00 on the 3rd Tuesday of the month). (c) Pill Library, Crockerne House, Underbanks, Pill BS20 0AT. 09-30 to 12-30 and 13-30 to 17-00 on Tuesday and Friday; 09-30 to 13-00 on Saturday. (d) Portishead Library, Horatio House, 24 Harbour Road, Portishead BS20 7AL. 09-30* to 17-00 on Tuesday to Friday; 09-30 to 13-00 on Saturday, and 10-30 to 14-30 on Sunday (*10-00 on the 2nd Tuesday of the month). (e) Weston-super-Mare Library, Town Hall, Walliscote Grove Road, Weston- super-Mare

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		<p>BS23 1UJ. 08-30 to 20-00 Monday to Friday; 08-30 to 19-00 on Saturday.</p> <p>(f) Bedminster Library, 4 St Peter's Court, Bedminster Parade, Bristol BS3 4AQ. 10-00 to 19-00 Monday and Wednesday; 10-00 to 17-00 Thursday to Saturday.</p> <p>(g) Bristol Central Library, College Green, Bristol BS1 5TL. 10-00 to 19-00 Monday, Tuesday and Thursday; 10-00 to 17-00 Friday and Saturday, 13-00 to 17-00 on Sunday.</p> <p>(h) Marksbury Road Library, Marksbury Road, Bedminster, Bristol BS3 5LG. 10-00 to 17-00 Tuesday and Thursday; 11-00 to 17-00 on Saturday.</p> <p>(i) Citizen Service Point, Bristol City Council, 100 Temple Street, BS1 6AG. 09-00 to 17-00 Monday to Friday.</p> <p>Copies of the documents were also stated to be available online through the Applicant's website at www.travelwest.info/metrowest, and it was confirmed that they can be provided on request.</p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	<p>(f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i));</p>	<p>The Section 48 Notice stated that copies of the details of the proposals, environmental reports, plans, maps and other documents could be inspected free of charge from 23 October 2017 until at least 4 December 2017.</p> <p>The notice stated:</p> <p><i>"The following consultation documents will be available free of charge from Monday 23 October 2017 to Monday 4 December 2017 at the location and during the hours set out below..."</i></p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	<p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p>	<p>The Section 48 Notice stated that a reasonable copying charge may apply, up to a maximum of £500 for the full suite of documents and £5 for an electronic copy on USB flash drive.</p> <p>The notice stated:</p> <p><i>"The PEIR and other consultation documents will be available online from 23 October 2017 at www.travelwest.info/metrowest. Paper copies of the consultation documents can be obtained by contacting the Applicant by email at metrowest@westofengland.org, by telephone on 0117 922 4513, or by writing to James Willcock, MetroWest Phase 1 Project Manager, West of England Councils MetroWest, 3 Rivergate, Temple Way, Bristol, BS1 6ER. A reasonable copying charge may apply, up to a maximum of £500 for the</i></p>

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		<p><i>full suite of documents and £5 for an electronic copy on a USB flash drive.</i>"</p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	<p>(h) details of how to respond to the publicity; and</p>	<p>The Section 48 Notice stated that any representations on the proposals should be made:</p> <ul style="list-style-type: none"> • in writing to James Willcock, MetroWest Phase 1 Project Manager, West of England Councils MetroWest, 3 Rivergate, Temple Way, Bristol, BS1 6ER; • by e-mail to metrowest@westofengland.org; • by completing the online feedback form at www.travelwest.info/metrowest; or • by completing the paper feedback forms that were available at the locations and public information events during the consultation period. <p>The notice stated:</p> <p><i>"Any responses to or other representations in respect of the Project MUST:</i></p> <p><i>(i) be received by the Applicant on or before 4 December 2017;</i></p> <p><i>(ii) be made in writing;</i></p> <p><i>(iii) state the grounds of the response or representation; and</i></p> <p><i>(iv) give an address to which correspondence relating to the response or representation may be sent."</i></p> <p>The full notice can be viewed in Appendix H1 of the Consultation Report.</p>
	<p>(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published.</p>	<p>The deadline for receipt of responses by the developer was given as 4 December 2017. The notice was last published on 30 October 2017, which therefore gave consultees a period of 35 days to respond.</p>
The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009		
<p>Regulation 6</p>	<p>Procedure for establishing whether environmental impact assessment is required</p> <p>(1) A person who proposes to make an application for an order granting development consent must, before carrying out consultation under Section 42 (duty to consult) either—</p>	<p>The Applicant applied to the Planning Inspectorate on 23 June 2015 for a scoping opinion for the proposed development.</p> <p>The scoping opinion is provided in Appendix J1 of the Consultation Report.</p> <p>A copy of the scoping opinion is also available on the Planning Inspectorate website:</p>

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	<ul style="list-style-type: none"> (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates; or (b) notify the Secretary of State in writing that the person proposes to provide an environmental statement in respect of that development. 	<p>https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR040011/TR040011-000031-150803_SCOPING%20OPINION.pdf</p>
	<ul style="list-style-type: none"> (3) A request or notification under paragraph (1) must be accompanied by— <ul style="list-style-type: none"> (a) a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; (c) such other information or representations as the person making the request may wish to provide or make. 	<p>The Applicant supplied the Planning Inspectorate with the relevant information, including:</p> <ul style="list-style-type: none"> (a) a plan identifying the land; (b) a brief description of the nature and purpose of the DCO Scheme and of its possible effects on the environment; and (c) the following other information: <ul style="list-style-type: none"> (i) a covering letter; (ii) two paper copies of the Environmental Impact Baseline and Scoping Reports and a CD with the Baseline Report; and (iii) a shape file showing the red line boundary.
<p>Regulation 8 (EIA Regulations 2017)</p>	<p>On 23 June 2015, the Applicant submitted a notification under Regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations 2009) confirming that an Environmental Statement for the DCO Scheme would be provided. The notification was submitted with a scoping report and an accompanying request for a Scoping Opinion, which was duly provided by the Secretary of State on 3 August 2015. Since this time, the Applicant has undertaken informal and statutory consultation and refined the design of the DCO Scheme.</p> <p>The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations 2017) came into force on 16 May 2017 and transitional arrangements, which the DCO Scheme benefits from, apply under Regulation 37. Notwithstanding this, the Applicant has decided to prepare the Environmental Statement that will accompany the Application in accordance with the requirements of the EIA Regulations 2017. The Preliminary Environmental Information Report which was made available during pre-application statutory consultation, and which was sent to the Planning Inspectorate in accordance with Section 46 of the 2008 Act, confirmed to consultees the Applicant's intention to seek to apply the EIA Regulations 2017 within the submitted Environmental Statement.</p>	
<p>Regulation 12 (EIA Regulations 2017)¹</p>	<p>Consultation statement requirements</p> <p>The consultation statement prepared under Section 47 (duty to consult local community) must set out —</p>	<p>The Applicant set out the following in the consultation statement prepared under Section 47:</p> <ul style="list-style-type: none"> (a) The Applicant stated in the Stage 1 and Stage 2 SoCCs (see Appendices C1 and D1 of the Consultation Report) that the

¹ Previously, Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations 2009).

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	<p>(a) whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and</p> <p>(b) if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.</p>	<p>project for which the applicant proposed to make an application for an order granting development consent was EIA development;</p> <p>(b) The Stage 1 and Stage 2 SoCCs detailed how the Applicant intended to publicise and consult on the preliminary environmental information:</p> <p>(i) The Stage 1 SoCC stated: “<i>The Scoping Report comprises the PEI for the first stage of community consultation. The Scoping Report is available on the Project website: www.travelwest.info/metrowest The Scoping Report will be available at exhibitions and can be downloaded from the Project website</i>”</p> <p>(ii) The Stage 2 SoCC stated: “<i>Stage 2 Community Consultation will include an updated PEI Report (which will be in the form of a draft ES). The updated PEI will provide a description of the proposals and baseline information to date. It will also set out the potential impacts of the DCO Scheme, as identified by the ongoing assessment work since the Stage 1 Community Consultation that was held in 2015, together with possible measures to reduce, prevent or offset the anticipated impacts where these have been settled. The updated PEI will be available for inspection at www.travelwest.info/metrowest, at public exhibitions and at document deposit locations</i>”</p>
<p>Regulation 13 (EIA Regulations 2017)²</p>	<p>Pre-application publicity under Section 48 (duty to publicise)</p> <p>Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under Section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the applicant in accordance with regulation 9(1)(c).</p>	<p>The Applicant sent a copy of the Section 48 Notice to all consultation bodies and persons as required under Regulation 9(1)(c) of the EIA Regulations 2009 (now 11(1)(c) of the EIA Regulations 2017), with a formal request for comments (pursuant to Section 42 of the 2008 Act) on the proposed application for development consent as detailed in Chapter 9 of the Consultation Report.</p>
<p>DCLG: Guidance on the pre-application process (March 2015)</p>		

² Previously, Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations 2009).

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17	<p>When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for purposes of consultation.</p>	<p>Consultation documents were all identified as such either within the title of the document (e.g. "Consultation on re-opening the Portishead branch line as part of MetroWest Phase 1"), or within the body of the text contained with the document.</p>
18	<p>Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties, by:</p> <ul style="list-style-type: none"> • helping the applicant identify and resolve issues at the earliest stage, which can reduce the overall risk to the project further down the line as it becomes more difficult to make changes once an application has been submitted; • enabling members of the public to influence proposed projects, feedback on potential options, and encouraging the community to help shape the proposal to maximise local benefits and minimise any downsides; • helping local people understand the potential nature and local impact of the proposed project, with the potential to dispel misapprehensions at an early stage; • enabling applicants to obtain important information about the economic, social and environmental impacts of a scheme from consultees, which can help rule out unsuitable options; • enabling potential mitigating measures to be considered and, if appropriate, built into the project before an application is submitted; and • identifying ways in which the project could, without significant costs to promoters, support wider strategic or local objectives. 	<p>The Applicant undertook significant informal consultation beginning in June 2014, prior to statutory consultation in October/December 2017.</p> <p>The Applicant has also continued to consult with affected parties through its Additional Stage 2 Consultation Periods and on an informal basis with some consultees (see Chapter 13 of the Consultation Report for further information).</p>
20	<p>Experience suggests that, to be of most value, consultation should be:</p> <ul style="list-style-type: none"> • based on accurate information that gives consultees a clear view of what is proposed including any options; 	<p>The Applicant has sought to provide and consult upon clear information at key points throughout the development of the DCO Scheme. The Applicant decided to undertake various rounds of informal consultation prior to the formal Stage 2 Consultation period to ensure that consultees had adequate</p>

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	<ul style="list-style-type: none"> shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and engaging and accessible in style, encouraging consultees to react and offer their views. 	<p>opportunities to obtain a clear view of what was proposed.</p> <p>Consultation documents such as the "Consultation on re-opening the Portishead branch line as part of MetroWest Phase 1" were produced to supplement the technical documents during the consultation process. All consultation materials were designed to provide accessible information to encourage participation in the process.</p>
24	<p>Government recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably. A 'one-size-fits-all' approach is not, therefore, appropriate. Instead, applicants, who are best placed to understand the detail of their specific project, and the relevant local authorities, who have a unique knowledge of their local communities, should as far as possible work together to develop plans for consultation. The aim should be to ensure that consultation is appropriate to the scale and nature of the project and where its impacts will be experienced.</p>	<p>The Applicant has worked closely with relevant local authorities throughout the process, including during the development of the Stage 1 SoCC and the Stage 2 SoCC, which were developed following discussion and feedback from the local authorities.</p>
25	<p>Consultation should be thorough, effective and proportionate. Some applicants may have their own distinct approaches to consultation, perhaps drawing on their own or relevant sector experience, for example if there are industry protocols that can be adapted. Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible.</p>	<p>The formal Stage 2 Consultation period was 35 days, which is longer than the statutory minimum requirement.</p> <p>As set out in the Consultation Report, the Applicant has undertaken two rounds of formal Section 47 consultation and various rounds of informal consultation, together with formal Section 42 and 48 consultation. Table 1-1 of the Consultation Report gives a chronological overview of the Applicant's formal and informal consultations.</p> <p>The Applicant has also undertaken targeted Section 42 consultation where this was required and carried out additional Section 42 consultation where the Applicant's ongoing consideration and evolution of the DCO Scheme gave rise to further consultees.</p> <p>The Applicant has also been open to receiving responses to all stages of the consultation, even those received outside of the formal consultation period.</p> <p>Where possible the Applicant has sought to take these responses into account. The responses are captured in Chapter 10 of the Consultation Report, together with the regard had to these responses by</p>

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		the Applicant. In addition, Chapter 13 sets out ongoing consultation that has occurred.
26	In addition, applicants may also wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project.	Additional consultees were invited to participate in the statutory consultation. These were included in the Section 42 consultees as set out in Table 7-3 of Chapter 7 of the Consultation Report.
27	Where an applicant proposes to include non-planning consents within their Development Consent Order, the bodies that would normally be responsible for granting these consents should make every effort to facilitate this. They should only object to the inclusion of such non-planning consents with good reason, and after careful consideration of reasonable alternatives. It is therefore important that such bodies are consulted at an early stage. In addition, there will be a range of national and other interest groups who could make an important contribution during consultation. Applicants are therefore encouraged to consult widely on project proposals.	The Applicant has engaged widely with different stakeholders and consultees, as set out in Chapters 7, 10 and 13 of the Consultation Report.
28	From time to time a body may cease to exist but, for legislative timetabling reasons, may still be listed as a statutory consultee. In such situations the Secretary of State will not expect strict compliance with the statutory requirements. Applicants should identify any successor body and consult with them in the same manner as they would have with the original body. Where there is no obvious successor, applicants should seek the advice of the Inspectorate, who may be able to identify an appropriate alternative consultee. Whether or not an alternative is identified, the consultation report should briefly note any cases where compliance with statutory requirements was impossible and the reasons why.	<p>The Applicant reviewed the consultee list on a regular basis to ensure that contact details were up to date. For example, following the creation of the WECA in February 2017, the Applicant consulted WECA on the Stage 2 SoCC.</p> <p>A further example is that because LNG Portable Pipeline Services Ltd no longer had a gas licence and were dissolved as a company on 14 March 2017 they were not consulted. The Treasury Solicitor was written to because the property and rights formerly vested in the Company may, following its dissolution, have been deemed bona vacantia.</p>
29	Applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts of projects, and other important matters. Technical expert input will often be needed in	The Applicant has undertaken extensive engagement with expert bodies and technical consultees throughout the pre-application process. Please see Chapters 10 and 13 of the Consultation Report for a summary of the responses and the Applicant's regard had to those comments to date.

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	<p>advance of formal compliance with the pre-application requirements. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process. It is equally important that statutory consultees respond to a request for technical input in a timely manner. Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.</p>	
36	<p>Even where it is intended that a development would take place within a single local authority area, it is possible that its impacts could be significantly wider than just that local authority's area - for example if the development was located close to a neighbouring authority. Where an applicant decides to consult people living in a wider area who could be affected by the project (e.g. through visual or environmental impacts, or through increased traffic flow), that intention should be reflected in the Statement of Community Consultation.</p>	<p>The Applicant prepared two draft SoCCs which set out how the Applicant proposed to consult the community. Further details on the process of preparing each SoCC can be found in Section 8.3 of the Consultation Report. The Stage 1 SoCC is attached to the Consultation Report at Appendix C1 and the Stage 2 SoCC at Appendix C2.</p> <p>The Applicant consulted with NSDC and BCC, in whose area the DCO Scheme lies. Because both the DCO Scheme and wider MetroWest programme are within the boundaries BANES and SGC, and in light of their status as West of England Councils, the Applicant also consulted BANES and SGC on the content of the Stage 1 SoCC and the Stage 2 SoCC.. In addition, following the creation of WECA in February 2017, the Applicant consulted WECA on the content of the final Stage 2 SoCC.</p>
37	<p>The Planning Act requires local authorities to respond to the applicant's consultation on their proposed Statement of Community Consultation within 28 days of receipt of the request. However, prior to submitting their draft Statement of Community Consultation applicants may wish to seek to resolve any disagreements or clarifications about the public consultation design. An applicant is therefore likely to need to engage in discussions with local authorities over a longer period than the minimum requirements set out in the Act.</p>	<p>Chapter 8 of the Consultation Report sets out the Applicant's approach to the preparation of the Stage 1 SoCC and the Stage 2 SoCC.</p> <p>In relation to the Stage 1 SoCC, the Applicant sent BANES, SGC, NSDC and BCC emails on 18 May 2015 enclosing a draft copy of the Stage 1 SoCC, requesting comments on the best way to consult the local community. The Applicant requested comments from the relevant local authorities by 15 June 2015, in accordance with Section 47(3) of the Planning Act.</p> <p>In relation to the Stage 2 SoCC, the Applicant consulted the above local authorities in March 2016, June 2016 and August 2017 on the best way to consult the local community. Following its creation in February 2017, WECA was also consulted on the contents of the Stage 2 SoCC.</p> <p>Informally, the Applicant also consulted with the West of England Councils' joint communications team about the content of the SoCCs.</p>

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39	<p>Topics for consideration at such pre-consultation discussions might include:</p> <ul style="list-style-type: none"> • the size and coverage of the proposed consultation exercise (including, where appropriate, consultation which goes wider than one local authority area); • the appropriateness of various consultation techniques, including electronic-based ones; • the design and format of consultation materials; • issues which could be covered in consultation materials; • suggestions for places/timings of public events as part of the consultation; • local bodies and representative groups who should be consulted; and • timescales for consultation. 	<p>Chapter 8 of the Consultation Report sets out how the Applicant consulted with relevant local authorities on the consultation approach and development of the SoCC.</p>
41	<p>Where a local authority raises an issue or concern on the Statement of Community Consultation which the applicant feels unable to address, the applicant is advised to explain in their consultation report their course of action to the Secretary of State when they submit their application.</p>	<p>Chapter 8 of the Consultation Report sets out how the Applicant consulted with the relevant local authorities on the consultation approach and development of the Stage 1 SoCC and the Stage 2 SoCC. Tables 8-2 to 8-3 set out the responses that the Applicant received in relation to each of the SoCCs and the regard had to those comments. Table 8-4 sets out when changes were not made and provides a justification for that approach.</p>
42	<p>Where a local authority decides that it does not wish to respond to a consultation request on the Statement of Community Consultation, the applicant should make reasonable efforts to ensure that all affected communities are consulted. If the applicant is unsure how to proceed, they are encouraged to seek advice from the Inspectorate. However, it is for the applicant to satisfy themselves that their consultation plan allows for as full public involvement as is appropriate for their project and, once satisfied, to proceed with the consultation. Provided that applicants can satisfy themselves that they have made reasonable endeavours to consult with all those who might have a legitimate interest or might be affected by a proposed development, it</p>	<p>The Applicant is satisfied that it has made reasonable efforts to consult with all those who may have a legitimate interest or might be affected by the proposed development.</p>

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	would be unlikely that their application would be rejected on grounds of inadequate public consultation.	
43	Local authorities are also themselves statutory consultees for any proposed major infrastructure project which is in or adjacent to their area. Applicants should engage with them as early as possible to ensure that the impacts of the development on the local area are understood and considered prior to the application being submitted to the Secretary of State.	The Applicant is promoting the DCO Scheme jointly with WECA. WECA is made up of the three West of England Councils, being: BCC, BANES and SGC. The DCO Scheme is being promoted as part of the wider MetroWest project for the benefit of the wider region. As, such the local authorities have been consulted as part of the informal and non-statutory consultations, as well as through the informal Stage 1 Consultation period and the formal Stage 2 Consultation period , and any relevant Additional Stage 2 Consultation periods.
49	Applicants will also need to identify and consult people who own, occupy or have another interest in the land in question, or who could be affected by a project in such a way that they may be able to make a claim for compensation. This will give such parties early notice of projects, and an opportunity to express their views regarding them	The Applicant consulted both informally and formally under section 42 (and, by extension, section 44) of the 2008 Act with individuals who own, occupy or have another interest in the land in question. By engaging with land interests early in the process, the Applicant has been able to take on board a significant amount of the comments received.
50	It is the applicant's responsibility to demonstrate at submission of the application that due diligence has been undertaken in identifying all land interests and applicants should make every reasonable effort to ensure that the Book of Reference (which records and categorises those land interests) is up to date at the time of submission.	<p>The Applicant has undertaken significant research and is satisfied that it has carried out extensive due diligence in order to ensure that all land interests have been identified.</p> <p>The Applicant will engage with any new interests to help them understand how they can engage with the DCO process.</p>
51	However, it is understood that land interests change over time and that new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their	<p>Any newly identified landowner was afforded adequate opportunity to consider and respond to the DCO Scheme proposals throughout the pre-application process.</p> <p>The Applicant carried out further consultation as a result of new interests in land coming to light through Land Registry title refresh exercises and through further information provided to the Applicant from affected parties.</p> <p>A full description of all additional consultation with landowners is included within Chapter 7 of the Consultation Report.</p>

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	application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.	
52	Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.	<p>Any newly identified landowner was afforded adequate opportunity to consider and respond to the project proposals throughout the pre-application process.</p> <p>The Applicant carried out further consultation as a result of new interest in land coming to light through land registry refresh exercises and through further information provided to the Applicant from affected parties.</p> <p>A full description of all additional engagement with landowners is included within Chapter 7 of the Consultation Report.</p>
53	Local people have a vital role to play at the pre application stage. People should have as much influence as is realistic and possible over decisions which shape their lives and communities. It is therefore critical that they are engaged with project proposals at an early stage. Because they live, work and socialise in the affected area, local people are particularly well placed to comment on what the impact of proposals on their local community might be; or what mitigating measures might be appropriate; or what other opportunities might exist for meeting the project's objectives.	<p>The Applicant is committed to early and meaningful engagement with local communities in the areas affected by the DCO Scheme. Chapters 8 and 11 of the Consultation Report set out how the Applicant has consulted with the local community.</p>
54	In consulting on project proposals, an inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Applicants should use a range of methods and techniques to ensure that they access all sections of the community in question. Local authorities will be able to provide advice on what works best in terms of consulting their local communities given their experience of carrying out consultations in their area.	<p>The Applicant undertook 'Hard to Hear' engagement and consulted a range of groups identified through the Equalities Impact Assessment (EqIA) process.</p> <p>Additional Stage 2 Consultation was carried out with those groups identified through the EqIA process. Table 7-6 of the Consultation Report sets out the 'Hard to Hear' groups that were consulted.</p>

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55	<p>Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. This can describe core elements of the project and explain what the potential benefits and impacts may be. Such documents should be written in clear, accessible, and non-technical language. Applicants should consider making it available in formats appropriate to the needs of people with disabilities if requested. There may be cases where documents may need to be bilingual (for example, Welsh and English in some areas), but it is not the policy of the Government to encourage documents to be translated into non-native languages.</p>	<p>The Applicant set out the scope of consultation during the statutory consultation period in the SoCC.</p> <p>A consultation leaflet was produced and provided to the consultees as part of the formal Stage 2 Consultation. The aim of the consultation leaflet was to provide an accessible summary of the proposals for the local community. This document contained direct information on the DCO Scheme and on the matters on which the views of the local communities are being sought. A copy of the leaflet is included at Appendix F2 of the Consultation Report.</p> <p>The consultation leaflet was made available in other formats on request either by email or in person at one of the manned exhibition events.</p>
56	<p>Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the vicinity of the land. They are encouraged to consider consulting beyond this where they think doing so may provide more information on the impacts of their proposals (e.g. through visual impacts or increased traffic flow).</p>	<p>The Applicant set out how it proposed to consult with local communities and those living within the vicinity of the land in the Stage 1 SoCC and the Stage 2 SoCC. This is detailed in Chapter 8 of the Consultation Report. The Stage 1 SoCC is included in Appendix C1 and the Stage 2 SoCC is included in Appendix D1 of the Consultation Report.</p>
57	<p>The Statement of Community Consultation should act as a framework for the community consultation generally, for example, setting out where details and dates of any events will be published. The Statement of Community Consultation should be made available online, at any exhibitions or other events held by applicants. It should be placed at appropriate local deposit points (e.g. libraries, council offices) and sent to local community groups as appropriate.</p>	<p>Each SoCC set out the details of the statutory consultation and was made available online, and at exhibitions during the statutory consultation period for Stage 1 and Stage 2.</p> <p>It was also made available in the locations as set out in each SoCC. See above for more details.</p>
58	<p>Applicants are required to publicise their proposed application under</p>	<p>The Section 48 notification was published:</p>

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	<p>Section 48 of the Planning Act and the Regulations¹⁵ and set out the detail of what this publicity must entail. This publicity is an integral part of the public consultation process. Where possible, the first of the two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities. However, given the detailed information required for the publicity in the Regulations, aligning publicity with consultation may not always be possible, especially where a multi-stage consultation is intended.</p>	<p>(a) For two successive weeks in the following local newspapers during the weeks commencing 23 October 2017 and 30 October 2017:</p> <ul style="list-style-type: none"> (i) Bristol Post; and (ii) Western Daily Press; <p>(b) Once in a national newspaper (The Guardian) on 23 October 2017; and</p> <p>(c) Once in the London Gazette on 23 October 2017.</p> <p>The copies of the newspaper notices are provided at Appendix D2 of the Consultation Report.</p> <p>The beginning of the advertised consultation was on the day following the second Section 48 notification in the local paper. However, all consultation documentation and required information was made available from 23 October 2017.</p> <p>Section 42 letters were sent to consultees on 20 October 2017 (or by email on 19 October 2017) and these letters included copies of the Section 48 notice.</p>
61	<p>Applicants have a statutory duty to consult any local authority in whose land a project is sited. So, where an offshore project also features landbased development, the applicant should treat the local authority where the land-based development is located as the main consultee for the Statement of Community Consultation. The applicant is also advised to consider seeking views on the Statement of Community Consultation from local authorities whose communities may be affected by the project, for example visually or through construction traffic, even if the project is in fact some distance from the area in question. In addition, applicants may find it beneficial to discuss their Statement of Community Consultation with any local authorities in the vicinity where there could be an effect on harbour facilities.</p>	<p>The Applicant has consulted with all relevant and potentially impacted local authorities throughout the process. Chapter 8 of the Consultation Report sets out the approach the Applicant took to engaging with the relevant local authorities with regard to both SoCCs. Chapter 8 also sets out how the Applicant engaged with the relevant local authorities under Section 42.</p>
63	<p>Applicants should ensure they consider all the potential impacts on communities which are in the vicinity of the proposed project. These are unlikely to affect all communities to the same degree but might include potential visual, environmental, economic and social impacts.</p>	<p>The Applicant has undertaken significant informal consultation (as set out in Chapter 5 of the Consultation Report, paragraph 5.3) in order to help inform the statutory consultation period and ensure that all potential impacts on communities are considered.</p>

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65	<p>Where there are no obvious impacts on local communities, applicants should consult the local communities closest to the proposed project. It may be that there are impacts which are not immediately obvious but which a consultation can identify. Equally, local communities may have concerns, for example, about environmental impacts, and open engagement with the applicant will allow them the chance to express their concerns and to understand how these concerns are being addressed. The level of interest shown by local authorities and communities will dictate the degree and depth of consultation required. It may be that for certain offshore projects, the consultation process with local communities can be undertaken in a focused and proportionate way, and therefore completed within the minimum statutory timescales required by the Planning Act.</p>	<p>The Applicant ensured that all communities within the vicinity of any proposed development were invited to participate in the consultation process. The Applicant identified those communities as stated in the Stage 1 SoCC and Stage 2 SoCC as either Tier 1 or Tier 2, based on their geographical proximity to the DCO Scheme land, and/or their potential to be directly or indirectly affected by the DCO Scheme. The Tier 1 consultees were identified individually and notified personally of the formal consultation. The Tier 2 consultees were identified but notified by general means, such as newspaper notices or site notices. The formal consultation was not just restricted to Tier 1 and Tier 2 communities but was open for all to comment on the proposals.</p>
	<p>In addition to relevant local authorities and their communities, prospective applicants for development consent for certain types of projects are required to consult and engage with the MMO. They will also be able to advise on what, and with whom, additional consultation might be appropriate. Additional guidance is available from the Inspectorate on transboundary consultations.</p>	<p>The Applicant consulted all persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see Appendix B1 of the Consultation Report for the full list). Comments received from the MMO, and the regard had for these by the Applicant, are shown in Table 10-7 of the Consultation Report.</p>
68	<p>To realise the benefits of consultation on a project, it must take place at a sufficiently early stage to allow consultees a real opportunity to influence the proposals. At the same time, consultees will need sufficient information on a project to be able to recognise and understand the impacts.</p>	<p>The Applicant has involved consultees and the local community in the development of its proposals from the earliest stages. Initial informal consultation took place in June 2014 with formal consultation in 2015, 2017, 2018 and 2019. Further informal consultation took place in 2015 and alongside the formal consultation. Further details of the informal consultation and formal consultation can be seen at Chapters 5 and 7 respectively of the Consultation Report.</p>
69	<p>Applicants will often also require detailed technical advice from consultees and it is likely that their input will be of the greatest value if they are consulted when project proposals are fluid, followed up by confirmation of the approach as proposals become firmer. In principle,</p>	<p>The Applicant has involved consultees and the local community in the development of its proposals from the earliest stages. Initial informal consultation took place in June 2014 with formal consultation in 2015, 2017, 2018 and 2019. Further informal consultation took place in 2015 and alongside the formal consultation.</p>

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	therefore, applicants should undertake initial consultation as soon as there is sufficient detail to allow consultees to understand the nature of the project properly.	<p>The Applicant undertook a multiphase approach to consultation for the DCO Scheme, timing different phases of consultation to reflect key milestones in the DCO Scheme's project timetable. This allowed the Applicant to seek consultee responses at times when these could best inform the DCO Scheme's assessments, evolving proposals and design, allowing the consultees responses to input meaningfully into project evolution. Further information on the Applicant's approach to consultation is in Chapter 1 of the Consultation Report.</p> <p>Key milestones in the development and design of the DCO Scheme were all consulted upon, ensuring that the proposals were still fluid during each stage of consultation.</p>
70	To manage the tension between consulting early, but also having project proposals that are firm enough to enable consultees to comment, applicants are encouraged to consider an iterative, phased consultation consisting of two (or more) stages, especially for large projects with long development periods. For example, applicants might wish to consider undertaking non-statutory early consultation at a stage where options are still being considered. This will be helpful in informing proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation.	<p>The Applicant carried out significant levels of informal and additional formal consultation throughout the process for developing the DCO Scheme. Formal consultation was carried out in two key stages: Stage 1 (pursuant to Section 47 only) and Stage 2, as set out in the Stage 1 SoCC and Stage 2 SoCC. This was followed by additional Stage 2 formal consultation on specific issues. Further details of the stages of formal consultation is set out in Chapters 6 – 9 of the Consultation Report.</p> <p>Informal engagement and consultation took place throughout the process to ensure that consultees have had adequate information at an appropriate time to influence the proposals.</p> <p>The Applicant produced reports following the Stage 1 and Stage 2 consultations, copies of which can be seen at Appendices I7 and I8 of the Consultation Report.</p>
71	Where an iterative consultation is intended, it may be advisable for applicants to carry out the final stage of consultation with persons who have an interest in the land once they have worked up their project proposals in sufficient detail to identify affected land interests.	<p>The Applicant involved landowners in the consultation process from the earliest points at which it was identified that their land would fall within the red line boundary for the DCO Scheme.</p> <p>At the point of undertaking the formal Stage 2 Consultation from October to December 2017, all landowners were notified of the proposals under Section 42. Further information on this can be found in Chapter 7 of the Consultation Report.</p> <p>Further consultation has been undertaken directly with newly identified landowners to ensure they have had an opportunity to consider the proposals and provide their feedback. Further information on this can be found in Chapter 7 of the Consultation Report.</p>
72	The timing and duration of consultation will be likely to vary from project to	The formal Stage 1 consultation period ran for 43 days and the formal Stage 2 consultation period for

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	<p>project, depending on size and complexity, and the range and scale of the impacts. The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt of the consultation documents. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.</p>	<p>35 days, both of which are longer than the statutory minimum requirement.</p>
73	<p>Applicants are not expected to repeat consultation rounds set out in their Statement of Community Consultation unless the project proposals have changed very substantially. However, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may well be needed. This may be necessary if, for example, new information arises which renders all previous options unworkable or invalid for some reason. When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors.</p>	<p>Ongoing engagement and preparation for the statutory consultation periods was undertaken to prepare consultees for the process as far as possible. Informal consultation also allowed consultees an opportunity to be involved and understand the DCO Scheme prior to both statutory consultation periods.</p>
74	<p>Where a proposed application changes to such a large degree that the proposals could be considered a new application, the legitimacy of the consultation already carried out could be questioned. In such cases, applicants should undertake further re-consultation on the new proposals, and should supply consultees with sufficient information to enable them to understand the nature of the change and any likely significant impacts (but</p>	<p>The Applicant has consulted on the proposals as set out in the Stage 1 SoCC and the Stage 2 SoCC.</p> <p>The Applicant further consulted on specific issues, and where any red line boundary changes for the DCO Scheme have arisen since the Stage 2 Consultation period.</p>

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	not necessarily the full suite of consultation documents), and allow at least 28 days for consultees to respond.	
75	If the application only changes to a small degree, or if the change only affects part of the development, then it is not necessary for an applicant to undertake a full re-consultation. Where a proposed application is amended in light of consultation responses then, unless those amendments materially change the application or materially changes its impacts, the amendments themselves should not trigger a need for further consultation. Instead, the applicant should ensure that all affected statutory consultees and local communities are informed of the changes.	<p>The Applicant consulted on the proposals set out in the Stage 1 SoCC and Stage 2 SoCC, and at each stage of informal and formal consultation before and after these consultations. Refinements have been made to the DCO Scheme and Chapters 11, 12 and 13 of the Consultation Report note where such refinements resulted from the specific consultation..</p> <p>The Applicant also carried out additional targeted formal consultations on specific issues as part of the DCO Scheme. Details of the additional statutory consultations that were carried out can be seen at Chapter 7 of the Consultation Report.</p>
76	In circumstances where a particular issue has arisen during the preapplication consultation, or where it is localised in nature, it may be appropriate to hold a non-statutory, targeted consultation. A developer's Statement of Community Consultation should be drafted so that it does not preclude this approach. A more bespoke approach can be adopted, which may allow developers to respond with more agility to the issue at hand. If adopting this approach, the emphasis should be on ensuring that relevant individuals and organisations are included.	<p>The Applicant has undertaken targeted consultation outside of the statutory consultation period. Following Stage 2 Consultation and the additional Stage 2 Consultation periods, the Applicant engaged with consultees up to 1 October 2019, and will continue to do so. A summary of the post-formal consultation engagement is detailed at Tables 13-1, 13-2 and 13-3 of the Consultation Report.</p>
77	Consultation should also be fair and reasonable for applicants as well as communities. To ensure that consultation is fair to all parties, applicants should be able to demonstrate that the consultation process is proportionate to the impacts of the project in the area that it affects, takes account of the anticipated level of local interest, and takes account of the views of the relevant local authorities.	<p>The Applicant has refined its approach to consultation throughout the informal consultation process.</p> <p>The SoCC was also developed in line with advice from local authorities, and the formal consultation process was adapted to suit expectations.</p>
80	Therefore, the consultation report should:	<p>The Applicant's Consultation Report has been drafted to ensure that these elements are addressed and reflected . To summarise, the table below shows</p>

Ref	Requirement	Compliance														
	<ul style="list-style-type: none"> • provide a general description of the consultation process undertaken, which can helpfully include a timeline; • set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate; • set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation; • set out a summary of relevant responses to consultation (but not a complete list of responses); • provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed; • provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts; • where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and • be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters. 	<p>where this can be found within the Consultation Report:</p> <table border="1" data-bbox="799 371 1361 2040"> <thead> <tr> <th data-bbox="799 371 1142 465">Consultation Report requirement</th> <th data-bbox="1142 371 1361 465">Chapter reference</th> </tr> </thead> <tbody> <tr> <td data-bbox="799 465 1142 629">provide a general description of the consultation process undertaken, which can helpfully include a timeline;</td> <td data-bbox="1142 465 1361 629">Chapter 1</td> </tr> <tr> <td data-bbox="799 629 1142 981">set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate;</td> <td data-bbox="1142 629 1361 981">Section 42 – Chapter 7 Section 47 – Chapter 8 Section 48 – Chapter 9</td> </tr> <tr> <td data-bbox="799 981 1142 1234">set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation;</td> <td data-bbox="1142 981 1361 1234">Chapter 8</td> </tr> <tr> <td data-bbox="799 1234 1142 1487">set out a summary of relevant responses to consultation (but not a complete list of responses);</td> <td data-bbox="1142 1234 1361 1487">Section 42 - Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12</td> </tr> <tr> <td data-bbox="799 1487 1142 1794">provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;</td> <td data-bbox="1142 1487 1361 1794">Chapter 1 Section 42 – Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12</td> </tr> <tr> <td data-bbox="799 1794 1142 2040">provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts;</td> <td data-bbox="1142 1794 1361 2040">Section 42 – Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12</td> </tr> </tbody> </table>	Consultation Report requirement	Chapter reference	provide a general description of the consultation process undertaken, which can helpfully include a timeline;	Chapter 1	set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate;	Section 42 – Chapter 7 Section 47 – Chapter 8 Section 48 – Chapter 9	set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation;	Chapter 8	set out a summary of relevant responses to consultation (but not a complete list of responses);	Section 42 - Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12	provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;	Chapter 1 Section 42 – Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12	provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts;	Section 42 – Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12
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Ref	Requirement	Compliance	
		<p>where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and</p>	<p>Section 42 – Chapter 10 Section 47 – Chapter 11 Section 48 – Chapter 12</p>
		<p>be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters.</p>	<p>Chapter 1 Section 42 – Chapter 7 Section 47 – Chapter 8 Section 48 – Chapter 9</p>
81	<p>It is good practice that those who have contributed to the consultation are informed of the results of the consultation exercise; how the information received by applicants has been used to shape and influence the project; and how any outstanding issues will be addressed before an application is submitted to the Inspectorate.</p>	<p>The Applicant has sought to provide consultees, local communities and anyone with an interest in the proposals with information throughout the process.</p> <p>After each of the Stage 1 (Section 47) and Stage 2 formal consultations, the Applicant produced an interim consultation report. These reports summarised the feedback received at each stage of consultation and both have been published on the MetroWest project website. Copies of the interim reports are included at Appendices 17 and 18 of the Consultation Report.</p> <p>A regular newsletter was published, advertising these reports and updating the communities.</p> <p>The MetroWest project website and TravelWest websites have regularly been updated with information following each stage of consultation and act as a repository for consultation materials.</p> <p>Social media has also been utilised to update communities following each stage of consultation.</p>	
83	<p>The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested. If helpful, this could be supplemented by events in the local area.</p>	<p>The Applicant has produced a number of documents (for example, newsletters) setting out how the proposals have changed as a result of feedback since the close of the statutory consultation, and will provide further information on headline issues and how these have been addressed at the point of application submission.</p>	

Ref	Requirement	Compliance
84	<p>A response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant impacts, or whether a targeted response would be more appropriate. Applicants are also likely to have identified a number of key additional bodies for consultation and may need to continue engagement with these bodies on an individual basis.</p>	<p>Technical responses have been dealt with in detail in the Environmental Statement (ES) and, where appropriate, have been cross referenced to the Consultation Report.</p> <p>Technical consultees have been engaged with on a regular basis throughout the process. Engagement with these bodies will continue through the development of the project as appropriate.</p>
93	<p>For the pre-application consultation process, applicants are advised to include sufficient preliminary environmental information to enable consultees to develop an informed view of the project. The information required may be different for different types and sizes of projects. It may also vary depending on the audience of a particular consultation. The preliminary environmental information is not expected to replicate or be a draft of the environmental statement. However, if the applicant considers this to be appropriate (and more cost-effective), it can be presented in this way. The key issue is that the information presented must provide clarity to all consultees. Applicants should be careful not to assume that non-specialist consultees would not be interested in any technical environmental information. It is therefore advisable to ensure access to such information is provided during all consultations. The applicant's Statement of Community Consultation must include a statement about how the applicant intends to consult on preliminary environmental information.</p>	<p>The Applicant produced a Preliminary Environmental Information Report (PEIR). This was provided in paper copy at all public events and was available for download from the MetroWest project website.</p> <p>A Non-Technical Summary (NTS) of the PEIR was produced and made available at all locations the PEIR was available.</p> <p>Both the Stage 1 SoCC and Stage 2 SoCC set out how to access the PEIR, either online, in paper copy, or upon request.</p> <p>Both the Stage 1 SoCC and the Stage 2 SoCC can be viewed at Appendices C1 and C2 of the Consultation Report.</p>
95	<p>When considering whether a project has the potential to significantly affect the integrity of certain European protected wildlife sites, the applicant must provide a report which should include the site(s) that may be affected, together with sufficient information to enable the Secretary of State, as decision maker, to conclude</p>	<p>The Applicant has undertaken consultation in line with this recommendation and has engaged with a wide range of expert topic groups with statutory and non-statutory consultees. Further information on this point can be found in Chapter 14 of the Consultation Report.</p>

Ref	Requirement	Compliance
	whether an appropriate assessment is required, and, if so, to undertake such an assessment.	
96	It is the applicant's responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for such a report (to support a Habitats Regulations Assessment). This consultation should take place as early as possible in the pre-application process. One way of doing this is for an applicant to agree an evidence plan. The Planning Inspectorate can also comment on the applicant's draft report in advance of formal submission of the application if it is provided in good time. Further advice on Habitats Regulations Assessments for major infrastructure projects is available from the Inspectorate's Advice Note 10.	As noted above, the Applicant undertook early consultation with relevant bodies. This is set out in Chapter 14 of the Consultation Report.



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

5.1 – Consultation Report and Appendices
Appendix A2: Section 55 Checklist

Planning Act 2008: Sections 37(3)

Author: North Somerset District Council

Date: November 2019



Schedule
Draft Section 55 Acceptance of Application Checklist

The Planning Act 2008

Section 55 Acceptance of Applications*

(Appendix 3 of advice note six: Preparation and submission of application documents)

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.
- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.
- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
 - (a) that it is an application for an order granting development consent,
 - (b) deleted
 - (c) that development consent is required for any of the development to which the application relates,
 - (d) deleted
 - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
 - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.
- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
 - (a) the consultation report received under section 37(3)(c),
 - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
 - (c) the extent to which the applicant has had regard to any guidance issued under section 50.
- (5) In subsection (4) -

“local authority consultee” means -

 - (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or

- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

- (5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –
 - (a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5); and
 - (b) any applicable guidance given under section 37(4) has been followed in relation to the application.
- (6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.
- (7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -
 - (a) notify that view to the applicant, and
 - (b) notify the applicant of the Secretary of State’s reasons for that view.
- (8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure) to complete. Completion or self-assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.

Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here:

<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, **all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Housing, Communities and Local Government.**

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
		[●]	[●]	[●]
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which	Paragraph 1.2 of the of the Cover Letter to the Planning Inspectorate (DCO Document Reference 1.1) states: "Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(k) and 25 of the 2008 Act. The Application relates to the construction of a new railway. The development to be authorised will be wholly in England. The railway will form part of the national rail network owned and maintained by Network Rail Infrastructure Limited (Network Rail). Network Rail is an approved operator for the purposes of the 2008		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>Act. The NSIP consists of a stretch of track that is a continuous length of more than two kilometres, is not on land that was operational land of a railway undertaker immediately before construction work would begin and is not permitted development. Therefore the DCO Scheme is an NSIP for the purposes of the 2008 Act and falls within the remit of the Secretary of State."</p> <p>It is for this reason that Portishead Branch Line - MetroWest Phase 1 DCO Scheme (DCO Scheme) is categorized as an NSIP for which a DCO is required pursuant to the PA2008.</p>
3	Summary: Section 55(3)(a) and s55(3)(c)	As set out in the Cover Letter (DCO Document Reference 1.1) and the Application Form (DCO Document Reference 1.2) the application for the DCO Scheme (Application) as submitted states on the face of it that it is an application for development consent because of its nature, scale and location.
Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ³ , did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?	North Somerset District Council (Applicant) issued a Scoping Report to the Secretary of State on 23 June 2015 and requested a Scoping Opinion in accordance with Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. A Scoping Opinion for the DCO Scheme was published by the Secretary of State on 4 August 2015 (see DCO Document Reference 6.1 for the Scoping Opinion).
5	Have any Adequacy of Consultation Representations ⁴ been received from 'A', 'B', 'C' and 'D' local	The Applicant understands that the Planning Inspectorate will invite the relevant 'A', 'B', 'C' and 'D' local authorities to submit their adequacy of consultation representations

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

	authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?	once the application for development consent has been received, in accordance with the process set out in the Planning Inspectorate's Advice Note 2 (paragraph 16), published in February 2015.
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	Yes The Applicant consulted all relevant persons prescribed under the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. See Table 7-2 and Appendix B1 of the Consultation Report (DCO Document Reference 5.1) for the full list.
7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	Yes The Applicant consulted with the Marine Management Organisation. See Table 7-2 and Appendix B1 of the Consultation Report (DCO Document Reference 5.1).
8	Section 42(1)(b) each local authority within s43 ⁷ ?	Yes The Applicant consulted with each local authority identified under Section 43 of the PA2008. See Table 7-4 and Appendix B1 and of the Consultation Report (DCO Document Reference 5.1).
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	No

⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

⁷ Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		The duty to consult the Greater London Authority only arises if the land to which the development relates is in Greater London. The land for the DCO Scheme is within the administrative boundaries of North Somerset District Council and Bristol City Council.
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	Yes The Applicant consulted all persons identified under Section 44, being persons with a relevant interest in land affected by the DCO Scheme. See Appendix B3 of the Consultation Report (DCO Document Reference 5.1) for the full list.

Section 45: Timetable for s42 consultation

11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	Yes All section 42 consultees were informed of the deadline for receipt of consultation responses in a cover letter notifying the commencement of consultation (see a copy of the template letter at Appendix E4 of the Consultation Report (DCO Document Reference 5.1). The letter stated that the Section 42 consultation period would run from 23 October 2017 until 4 December 2017, providing a period of 43 days for responses (Stage 2 Consultation). In addition to the Stage 2 Consultation period, the applicant also carried out additional rounds of consultation in respect of specific areas of or changes to the DCO Scheme (Additional Stage 2 Consultation). Detail of the Additional Stage 2 Consultation periods is included at sections 7.4.12 to 7.4.62 of the Consultation Report (DCO Document Reference 5.1) and in each case at least 28 days were provided to the consultees to respond as required by Section 45 of the PA2008. For all stages of formal section 42 consultation carried out by the Applicant, all consultees were invited in writing to provide comments on the proposed application under section 42 of the PA2008. The consultation documents were provided for the section 42 consultation online (at www.travelwest.info/metrowest) and in hard copy on local deposit (as set out in the cover letter). The consultation letter also provided that the section 42 consultees could request their own hard copy consultation documents,
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⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

		or electronic copies on a USB drive for a minimal fee. A copy of the section 48 notice was also made available.
Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	The Applicant notified the Planning Inspectorate of the proposed application on 18 October 2017 by way of a formal cover letter and package including the consultation documents (as outlined above). The package was hand delivered to the Planning Inspectorate on 18 October 2017, before the date of the start of the formal consultation on 23 October 2017 (i.e. the Stage 2 Consultation period). A copy of the letter that was hand delivered to the Planning Inspectorate on 18 October 2017 is included at Appendix E1 of the Consultation Report (DCO Document Reference 5.1).
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes The Applicant prepared two SoCCs, dealing with the different stages of consultation that it undertook. A copy of the final Stage 1 SoCC is provided at Appendix C1 and a copy of the final Stage 2 SoCC is provided at Appendix D1 of the Consultation Report (DCO Document Reference 5.1).
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	Yes Chapter 8 of the Consultation Report (DCO Document Reference 5.1) confirms that the relevant local authorities within whose area the land for the DCO Scheme were consulted on the content of both the Stage 1 SoCC and the Stage 2 SoCC. The local authorities consulted were: <ul style="list-style-type: none"> • North Somerset District Council; • Bristol City Council. The Applicant also consulted the following Local Authorities: <ul style="list-style-type: none"> • Bath and North East Somerset Council (BANES); and

		<ul style="list-style-type: none"> • South Gloucestershire Council (SGC), <p>in respect of the content of the Stage1 SoCC and the Stage 2 SoCC. The West of England Combined Authority (WECA) was consulted on the Stage 2 SoCC following its creation in February 2017.</p> <p>The draft Stage1 SoCC was sent (by email) to the Local Authorities on 18 May 2015 and a response was initially requested by 15 June 2015. This amounted to a period of 28 days after the day of receipt of the Stage 1 SoCC. A copy of the emails sent to the Local Authorities is included at Appendix C3 of the Consultation Report (DCO Document Reference 5.1)).</p> <p>The draft Stage 2 SoCC was sent (by email) to the Local Authorities initially in March 2016 and then again in November 2016, in anticipation of Stage 2 Consultation taking place in June 2016, and then in February 2017. However, as the Stage 2 Consultation did not take place until October 2017, the Stage 2 SoCC was consulted on for a third time in August 2017. The Applicant sent the draft Stage 2 SoCC (by email) to the Local Authorities on 2 August 2017 and a response was initially requested by 31 August 2017. This amounted to a period of 28 days after the day of receipt of the draft Stage 2 SoCC in August 2017 – although noting that the Local Authorities has been provided with multiple opportunities to provide their view on the draft Stage 2 SoCC prior to this. A copy of the emails sent to the Local Authorities is included at Appendix D3 of the Consultation Report (DCO Document Reference 5.1).</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p>The Applicant considered all relevant comments received on the draft Stage 1 SoCC and on the draft Stage 2 SoCC. For more information on how comments were addressed, please see Tables 8-2, 8-3 and 8-4 of the Consultation Report (DCO Document Reference 5.1) for details showing the changes made to both the Stage 1 SoCC and the Stage 2 SoCC following consultation.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of	<p>Yes</p> <p>As outlined in Table 8-5 of the Consultation Report (DCO Document Reference 5.1): <u>Stage 1 SoCC</u></p>

	<p>the land which states where and when the SoCC can be inspected?</p>	<ul style="list-style-type: none"> • Notice of the Stage 1 SoCC was published in the Bristol Post and the Western Daily Press, both on 18 June 2015; • The SoCC was also made available on the Applicant's website: https://travelwest.info/project/portishead-branch-line-consultation • Hard copies of the SoCC were made available at local deposit locations listed in Table 8-6 of the Consultation Report (DCO Document Reference 5.1). <p><u>Stage 2 SoCC</u></p> <ul style="list-style-type: none"> • Notice of the Stage 2 SoCC was published in the Bristol Post and the Western Daily Press, both on 14 September 2017; • The SoCC was also made available on the Applicant's website: https://metrowestphase1.org/stage-2-consultation/ <p>Hard copies of the SoCC were made available at local deposit locations listed in Table 8-7 of the Consultation Report (DCO Document Reference 5.1).</p>
17	<p>Does the SoCC set out whether the development is EIA development⁹; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?</p>	<p>Yes</p> <p>The Stage 1 SoCC reproduced at Appendix C1 of the Consultation Report (DCO Document Reference 5.1) confirms at page 8:</p> <p><i>"Under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations), we are required to undertake an Environmental Impact Assessment (EIA) to identify likely significant environmental effects of the Project. The results of the EIA will be published in an Environmental Statement (ES) that will accompany the DCO application for the Project. A Non-Technical Summary (NTS) of the ES will also be provided.</i></p> <p><i>The EIA Regulations also require us to set out in the SoCC how we intend to publicise and consult on the Preliminary Environmental Information (PEI)."</i></p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<p>The Stage 2 SoCC reproduced at Appendix D1 of the Consultation Report (DCO Document Reference 5.1) confirms at page 11:</p> <p><i>"Under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (EIA Regulations), NSDC as promoter of the DCO Scheme is required to undertake an Environmental Impact Assessment (EIA) to identify likely significant environmental effects of the DCO Scheme. The results of the EIA will be published in an Environmental Statement (ES) that will accompany the DCO application for the DCO Scheme. A Non-Technical Summary (NTS) of the ES will also be provided.</i></p> <p><i>The EIA Regulations also require us to set out in the SoCC how we intend to publicise and consult on the Preliminary Environmental Information (PEI)."</i></p>								
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes</p> <p>The Applicant's consultation process was carried out in accordance with the Stage 1 SoCC and the Stage 2 SoCC – as explained further in Chapter 8 of the Consultation Report (DCO Document Reference 5.1).</p>								
Section 48: Duty to publicise the proposed application										
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	Yes, please see below.								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 40%;"></th> <th style="width: 35%; text-align: center;">Newspaper(s)</th> <th style="width: 20%; text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;</td> <td> <p>Yes</p> <p>The Applicant confirms that the Section 48 Notice was published for two successive weeks in the following local newspapers. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in:</p> <ul style="list-style-type: none"> • Bristol Post; and • Western Daily Press </td> <td>23 October 2017 and 30 October 2017 (for both papers)</td> </tr> </tbody> </table>					Newspaper(s)	Date	a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<p>Yes</p> <p>The Applicant confirms that the Section 48 Notice was published for two successive weeks in the following local newspapers. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in:</p> <ul style="list-style-type: none"> • Bristol Post; and • Western Daily Press 	23 October 2017 and 30 October 2017 (for both papers)
		Newspaper(s)	Date							
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<p>Yes</p> <p>The Applicant confirms that the Section 48 Notice was published for two successive weeks in the following local newspapers. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in:</p> <ul style="list-style-type: none"> • Bristol Post; and • Western Daily Press 	23 October 2017 and 30 October 2017 (for both papers)							

b)	once in a national newspaper;	Yes The Applicant confirms that the Section 48 Notice was published once in a national newspaper. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in: <ul style="list-style-type: none">• The Guardian	23 October 2017
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	Yes The Applicant confirms that the Section 48 Notice was published once in the London Gazette. The Consultation Report at Appendix H2 (DCO Document Reference 5.1) provides a dated copy of the section 48 notice published in: <ul style="list-style-type: none">• The London Gazette	23 October 2017
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	The Applicant confirms that the Application does not include any offshore development.	N/A
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	See the full Section 48 Notice (at Appendix H1 of the Consultation Report (Document DCO Document Reference 5.1), which demonstrates that all the required details ((a) to (h) below were included within the Section 48 Notice	

Information		Paragraph	Information		Paragraph
a)	the name and address of the Applicant.	Yes - 1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	Yes - 1
c)	a statement as to whether the application is EIA development	Yes - 4	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Yes - 2 and 3

e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	Yes - 5	f)	the latest date on which those documents, plans and maps will be available for inspection	Yes - 5
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes - 6	h)	details of how to respond to the publicity	Yes - 8
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	Yes - 9			
21	Are there any observations in respect of the s48 notice provided above?				
	The Applicant considers that the Section 48 Notice is fully in compliance with the APFP Regulations				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations ¹⁰ ?	<p>Yes</p> <p>In accordance with Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (previously Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009), a copy of the Section 48 Notice was sent to all section 42 consultees alongside the consultation documents on 18 October 2017 for the Stage 2 Consultation Period as set out in the Consultation Report (DCO Document Reference 5.1).</p> <p>The Section 48 Notice has also been sent to all consultees consulted during the Additional Stage 2 Consultation periods as set out in Chapter 7 of the Consultation Report (DCO Document Reference 5.1).</p>			

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes</p> <p>The Applicant has had regard to all relevant responses to consultation in accordance with section 42, section 47 and section 48. Please see Chapters 10 to 13 (inclusive) of the Consultation Report (DCO Document Reference 5.1).</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>The Applicant has had regard to the DCLG guidance both in terms of the consultation process undertaken and preparation of the Consultation Report (DCO Document Reference 5.1).</p> <p>Appendix A1 of the Consultation Report is the Statement of Compliance with Consultation Requirements which lists actions taken against applicable guidance and regulation.</p>
25	Summary: Section 55(3)(e)	Review and conclude based on evidence provided above.
s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes</p> <p>See Cover Letter to the Planning Inspectorate (DCO Document Reference 1.1) and Box 4 of the Application Form (DCO Document Reference 1.2) which explains why the project falls within the remit of the Secretary of State; and Box 6 of the Application Form (DCO Document Reference 1.2) which provides a brief non-technical description of the location of the site.</p>

¹¹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

27	Is it accompanied by a Consultation Report?	Yes A Consultation Report (DCO Document Reference 5.1) is included with the Application, with numerous Appendices, as listed in the contents of the Consultation Report.
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes A master plan and key plans showing the relationship between different sheets are provided either on a separate sheet or in the top right hand corner of the plans.
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:
Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations ¹³ and any scoping or screening opinions or directions	DCO Document References: Part 6 – Environmental Impact Assessment
	Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	DCO Document References: 3.2 Explanatory Memorandum 3.3 Validation Report
Information		Document
b)	The draft Development Consent Order (DCO)	DCO Document Reference: 3.1 Draft proposed Development Consent Order
	Is this of a satisfactory standard?	Yes
d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	DCO Document References: 4.3 Book of Reference

¹² Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹³ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
e)	A copy of any Flood Risk Assessment	DCO Document References: 5.6 Flood Risk Assessment	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	DCO Document References: 5.2 Environmental Protection Statement of Engagement
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	DCO Document References: 4.1 Statement of Reasons 4.2 Funding Statement	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements,	DCO Document References: 2.2 Land Plan 2.5 Special Category Land Plan

				servitudes and other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	DCO Document References: 2.3 Works Plans	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	DCO Document References: 2.29 Compounds, Haul Roads and Access to Works Plan 2.30 Permanent and Temporary Stopping up and Diversion Plan 2.35 New Highways Plan
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
i)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature	DCO Document References: 2.55 Plan of Statutory or Non-Statutory Sites and Features of Nature Conservation Designations	m)	Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg	DCO Document References: 2.54 Plan(s) of Statutory and Non-Statutory Sites and Features of the Historic Environment

	<p>conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>			<p>scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	DCO Document References: 2.6 Crown Land Plan		o) Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	DCO Document References: 2.1 Location Plan 2.4 General Arrangement Plans 2.7 Disused Railway Engineering Plans/GRIP 4 Minor Civils 2.8 Engineering Sections 2.8.1 Portishead Station Sections 2.8.2 Portishead Station Proposed Platform Sections (Sheets 1 and 2)

				<p>2.8.3 S051 Trinity Footbridge Proposed General Arrangement (Sections)</p> <p>2.8.4 S022 Quarry Underbridge 2 Proposed Sections</p> <p>2.8.5 Mount Pleasant Embankment – Typical Cross Sections</p> <p>2.8.6 Hardwick Road Cutting Typical Cross Sections</p> <p>2.8.7 Avon Road Embankment Typical Cross Sections</p> <p>2.8.8 S050 Pill Station Proposed Station Sections (Sheets 1, 2 and 3)</p> <p>2.8.9 Pill Station Proposed Station Typical Sections</p> <p>2.8.10 S022 Quarry Underbridge 2 Proposed General Arrangement</p> <p>2.10 Railway Landscape Plans (Disused Line)</p> <p>2.11 Portishead Station Building Design: Proposed Station Buildings</p> <p>2.12 Portishead Station Co-ordination Plan</p> <p>2.13 Portishead Station 3D Views</p> <p>2.14 Portishead Station Platform Lighting & Lighting Control Layout (Sheets 1 and 2)</p> <p>2.15 S051 Trinity Footbridge Proposed General Arrangement Plan</p> <p>2.16 S051 Trinity Footbridge Proposed Landscaping General Arrangement</p>
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					<p>2.17 S051 Trinity Footbridge Proposed Electrical Layout General Arrangement</p> <p>2.18 Pill Station Design Plan: Proposed Overview</p> <p>2.19 S050 Pill Station Proposed Station Layout</p> <p>2.20 S050 Pill Station: Proposed Electrical Layout</p> <p>2.21 Cattle Creep: Proposed General Arrangement (Sheets 1 and 2)</p> <p>2.22 Avon Road Underbridge General Arrangement Proposed Sheets 1 and 2 and Avon Road Underbridge Embankment Regrades</p> <p>2.23 Mount Pleasant Embankment General Arrangement</p> <p>2.24 Mount Pleasant Embankment Typical Details</p> <p>2.25 Hardwick Road Cutting General Arrangement</p> <p>2.26 Hardwick Road Cutting Typical Details</p> <p>2.27 Avon Road Embankment General Arrangement</p> <p>2.28 Avon Road Embankment Typical Details</p> <p>2.31 Permanent Traffic Regulation Order Plans</p> <p>2.32 Crossings to be Extinguished Plans</p>
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				<p>2.33 Public Rights of Way Plans</p> <p>2.34 Diversion Routes for Pedestrians and Cyclists</p> <p>2.36 Cross Section Plans</p> <p>2.37 National Cycle Network (NCN) Temporary and Permanent Work Plans</p> <p>2.37a Bridleway Extension Under Elevated M5 Plan</p> <p>2.38 Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan</p> <p>2.39 Wessex Water Compound Network Rail Road Rail Access Point</p> <p>2.40 Portbury Hundred Construction Compound and Permanent Access</p> <p>2.41 Easton in Gordano Flood Mitigation Plan</p> <p>2.42 Pill Station Car Park and PSP Layout, Landscaping Lighting and Access Plan</p> <p>2.43 Pill Memorial Club Bus Stops and Car Park Plan</p> <p>2.44 Pill Memorial Club Bus Stops and Car Park: Construction Compound</p> <p>2.45 Ham Green Highway Works Plans</p> <p>2.46 Pill Tunnel Eastern Portal Compound, Landscaping and Access Plan</p> <p>2.47 Ashton Vale Road and Winterstoke Road Highway Works Plan</p>
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				<p>2.48 Ashton Vale Road Pedestrian Ramp Design</p> <p>2.49 Sheepway Bridge Maintenance Compound and Landscaping Plan</p> <p>2.50 Sheepway Bridge Compound Interim Access Arrangements</p> <p>2.51 Sheepway Bridge Southern Interim Access Arrangements</p> <p>2.52 Clanage Road Compound, Landscaping and Access Plan</p> <p>2.53 Environmental Master Plan</p> <p>2.56 Important Hedgerow Plan</p> <p>2.57 Portbury Hundred Location of Additional Tree Planting</p> <p>2.58 Habitat Impacted by Construction Works within the Avon Gorge Woodlands SAC plan</p> <p>2.59 Great Crested Newts Indicative Pond Design</p>	
	Is this of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	DCO Document References: 2.9 Longitudinal Profile of Railway Alignment (Section Plans)	q)	Any other documents considered necessary to support the application	DCO Document References: 1.3 Copies of Newspaper Notices 1.4 Navigation Document 1.5 Electronic Index

					<p>1.6 Letter of support from Tim Bowles, West of England Mayor dated 24 October 2019</p> <p>5.3 Consents and Licences required under Other Legislation</p> <p>5.4 Construction Strategy</p> <p>6.31 Schedule of Mitigation</p> <p>7.1 Report to The Council 25th June 2019 MetroWest Phase 1 Submission of Development Consent Order Application & Associated Approvals</p> <p>7.2 Minutes of the meeting of The Council Tuesday 25th June 2019</p> <p>8.1 Design and Access Statement</p> <p>8.2 Legal Opinion from Stephen Tromans QC regarding the Report to Inform the Habitats Regulations Assessment</p> <p>8.3 Preliminary Business Case 2014</p> <p>8.4 Outline Business Case 2017</p> <p>8.5 Major Accidents and Disasters</p> <p>8.6 Letter from Colin Medus, North Somerset Council re: Offsite planting on the A369 Portbury Hundred dated 12 September 2019</p> <p>8.7 Level Crossing Risk Assessment Report – Ashton Junction</p> <p>8.8 Level Crossings Narrative Risk Assessment - Ashton Containers Footpath Level Crossing</p>
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				8.10 Draft European Protected Species Licences (to be submitted post acceptance of the application) 8.11 Planning Statement (including Green Belt statement) 8.12 Avon Gorge Vegetation Management Plan 8.13 CTMP – Construction Traffic Management Plan 8.14 Master Construction Environmental Management Plan (CEMP) 8.15 Code of Construction Practice
	Are they of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	Yes Report to Inform Habitats Regulations Assessment is provided in DCO Document Reference 5.5.		

¹⁴ Regulation 5(2)(g) of the APFP Regulations

32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	<p>NA</p> <p>As requested by the Planning Inspectorate, 6 soft copies on USB sticks of all documents listed in the Navigation Document (DCO Document Reference 1.4) have been submitted to the Planning Inspectorate.</p>
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	<p>Yes, the Applicant has had full regard to the DCLG guidance. In particular:</p> <ul style="list-style-type: none"> • The Application is made in the prescribed form and is accompanied by a Consultation Report, a draft DCO and Explanatory Memorandum, land plans, book of reference, funding statement, statement of reasons, works plans, environmental statement, habitats regulations assessment and other relevant documents and information prescribed in The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended); • The Application documentation is sufficiently detailed to enable the Secretary of State and other interested parties to consider the Scheme and is supported by copies of written statements and other correspondence to identify relevant matters that have been agreed with interested parties as well as other information to enable the Examining authority to undertake its duties in an efficient manner; • The Application documents have been appropriately referenced to enable them to be easily identified by the Secretary of State and other interested parties. The documents are submitted in electronic form rather than paper copies as agreed with the Planning Inspectorate; • The application fee of £7,106 has been paid prior to submitting the Application; and • The application form has been completed as far as possible without using technical or complex language and terminology to ensure that the information it contains is understandable to any interested person. <p>The Applicant has also had full regard to the advice provided by the Planning Inspectorate under s51 of the PA2008 and as published on the Planning Inspectorate's website. In particular, the Applicant has modified the presentation of some plans to improve the clarity of information being submitted and has extended the scope of some</p>

¹⁵ Regulation 5(2)(r) of the APFP Regulations

		application documents to ensure that information is provided is to a sufficient level of detail to enable the Secretary of State and other parties to appropriately consider the Scheme.
34	Summary - s55(3)(f) and s55(5A)	Review and conclude based on evidence provided above. State whether the application has been prepared to a standard that the Secretary of State considers satisfactory.
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	Yes Application Fee amounting to £7,106.00 was submitted for payment on 6 November 2019 (reference TR040011) ahead of receipt of the Application.

Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		

¹⁶ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

