



# MetroWest+

## Portishead Branch Line (MetroWest Phase 1)

Planning Inspectorate Reference: TR040011

Applicant: North Somerset District Council

### 9.3.10 ExA.SoCG-OL.D1.V1 – Statement of Common Ground

Between:

- (1) North Somerset District Council;
- (2) Network Rail Infrastructure Limited; and
- (3) Openreach Limited

**Version: 1**

**Date: November 2020**



<b>Version history</b>			
<b>Date</b>	<b>Version</b>	<b>Status</b>	<b>Description/changes</b>
November 2020	1	FINAL	For submission to examination at Deadline 1

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## 1. **ABBREVIATIONS**

NSDC	North Somerset District Council
SoCG	Statement of Common Ground
WECA	West of England Combined Authority
WoE	West of England

## **2. INTRODUCTION**

### **2.1 Scheme overview**

2.2 The Portishead Branch Line (MetroWest Phase 1) Development Consent Order ("the DCO Scheme") is being led by North Somerset District Council ("NSDC"), on behalf of itself and the four West of England ("WoE") Councils (North Somerset District Council, Bath & North East Somerset Council, Bristol City Council and South Gloucestershire Council).

2.3 MetroWest Phase 1 is part of a wider programme of schemes which currently comprises:

2.3.1 MetroWest Phase 1;

2.3.2 MetroWest Phase 2;

2.3.3 the Portway Park & Ride station scheme;

2.3.4 a range of new station/re-opening schemes, subject to separate business cases; and

2.3.5 smaller scale localised enhancement schemes (together, the MetroWest programme).

2.4 The MetroWest programme is being jointly promoted by NSDC and the West of England Combined Authority (WECA) which has responsibility for strategic and transport planning (together with Bath & North East Somerset, Bristol City and South Gloucestershire Councils). NSDC and WECA working alongside Network Rail Infrastructure Limited (Network Rail), Great Western Railway and the wider rail industry.

2.5 The key construction components for the DCO Scheme which form part of MetroWest Phase 1 include in summary:

2.5.1 5km of new permanent railway and civil engineering works for the disused railway line (Portishead to Pill);

- 2.5.2 Construction of a new station at Portishead including platform, station building, forecourt, car parks and highway alterations;
- 2.5.3 A footbridge linking to Trinity Primary School;
- 2.5.4 Permanent maintenance compounds and various highway access points for the railway;
- 2.5.5 Minor alterations to the bridleway / National Cycle Network route 26 between Portbury and Pill including an extension north of the M5 underbridge to connect with Pill;
- 2.5.6 Replacement of the existing rail bridge over the Avon Road / Lodway Close pedestrian and cycle underpass in Pill with a wider bridge to support a new double track section of railway, and embankment works;
- 2.5.7 Construction of a new station at Pill on the site of the existing disused southern platform, with new access ramp, passenger shelter, forecourt and car park located on Monmouth Road;
- 2.5.8 Double tracking works through Pill with a new railway junction (Pill Junction) east of Pill Viaduct;
- 2.5.9 Temporary diversion of National Cycle Network Route 26 between Marsh Lane and Pill, and Route 41 between Pill and Avonmouth during construction;
- 2.5.10 Minor works within the Avon Gorge to upgrade the Portbury freight line for passenger services including replacement of sections of track, sleepers, and ballast; minor works to bridges and structures; and minor modifications to the vertical and horizontal alignment of the railway;
- 2.5.11 New GSM-R system with new antenna and masts at various locations along the route;

- 2.5.12 Potential replacement of level crossing equipment at Ashton Junction (Ashton Vale Road) highway level crossing and, to reduce the highway impacts of increased use of the crossing, the extension of the left-hand lane on Winterstoke Road, optimisation of traffic signals and construction of a ramp to the north of the level crossing to connect pedestrians and cyclists from Ashton Vale Road to Ashton Road;
- 2.5.13 Permanent closure of Ashton Containers (Barons Close) pedestrian crossing, with the public right of way diverted north using a new path constructed by the MetroBus Project. This will connect to the new pedestrian and cycle ramp parallel to the railway linking Ashton Vale Road to Ashton Road; and
- 2.5.14 Landscaping, fencing and environmental mitigation works.

## **2.6 Purpose of this Statement of Common Ground**

- 2.7 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed DCO Scheme. It has been informed by guidance on the purpose and content of SoCG's, including paragraphs 58 – 65 of the Department for Communities and Local Government's "Planning Act 2008: Guidance for the examination of applications for development consent" (March 2015). Details of the Scheme are provided in Chapter 1 and Chapter 2 of the Environmental Statement (Volume 2) that accompanied the DCO application.

## **2.8 Parties to this Statement of Common Ground**

- 2.9 This SoCG has been prepared in respect of the DCO Scheme by:
  - 2.9.1 North Somerset District Council, as the applicant,
  - 2.9.2 Network Rail who will construct, own and manage the railway; and
  - 2.9.3 Openreach Limited ("Openreach").

### **3. OVERVIEW OF ENGAGEMENT**

#### **3.1 Introduction**

3.2 NSDC has undertaken statutory and non-statutory consultation in the development of the DCO Scheme, in compliance with the provisions of the 2008 Act and associated legislation in relation to pre-application consultation. This has helped shape the DCO Scheme, influenced the environmental assessments carried out and sought to resolve specific concerns raised by consultees.

3.3 Members of the MetroWest team have met with Openreach on the occasions listed below to discuss the interactions of the DCO Scheme with Openreach's apparatus:

3.3.1 7 February 2018;

3.3.2 22 February 2018;

3.3.3 13 July 2018;

3.3.4 25 September 2018;

3.3.5 18 January 2019;

3.3.6 29 March 2019; and

3.3.7 21 April 2020.

3.4 Each interface with Openreach has been discussed via a combination of face to face meetings organised by NSDC's surveyor (Ardent,) site visits, emails, exchanges of technical information led by NSDC's external engineer (Jacobs) and where applicable through the C3 process (process for a developer to obtain a budget estimate under the New Roads and Street Works Act 1991 when diversionary works may be required to apparatus owned by an Undertaker).

## **4. INTERACTIONS WITH OPENREACH APPARATUS**

### **4.1 Royal Portbury Dock Road to M5**

4.2 An agreement dated 12 March 2003 and made between (1) Network Rail Infrastructure Limited and (2) British Telecommunications Limited Plc, ("the Agreement") deals with interfaces between Network Rail and Openreach on a national level.

4.3 Openreach has fibre cables ("the Apparatus") that run along the railway trackbed from Royal Portbury Dock Road to the east of the M5 Bridge, in land owned by Network Rail. New track for MetroWest Phase 1 is to be laid slightly the south of current track alignment and closer to / over the alignment of Openreach's fibre cables, within Network Rail's land.

4.4 Following several meetings and sites visits it has been agreed that the preferred solution is to install a new section of fibre slightly to the south of the existing cables, within Network Rail land but outside of the ballasted area. See schematic plan at Appendix 1 and the below referenced plans and sketches:

4.4.1 MW1 BT Openreach Cable sketches and elevations (2019-09-30)

4.4.2 W1097B-ARP-DRG-ECV-000226 - BT route proposal - AS (2019-09-30)

4.4.3 W1097B-ARP-DRG-ECV-000227 - BT route proposal - AS (2019-09-30)

4.5 It has been agreed that the civils for the new section of fibre cables will be installed by NSDC at its cost and the fibre cables and installation will be undertaken by Openreach at their cost.

4.6 The timescales for undertaking these works will be agreed through the C4 process. Network Rail will issue notice to Openreach after the submission of the DCO and the works will be completed within the agreed period following the notice period, to ensure they are undertaken ahead of the main MetroWest Phase 1 works, which the parties agree will constitute the Diversion Notice for the purposes of the Agreement.

4.7 **Other interactions**

4.8 Table 1 below sets out all the other interactions with Openreach apparatus and the proposed solution.

4.9 Openreach confirms that the contribution and works carried out by NSDC pursuant to paragraph 3.1.4 above will be done outside the scope of the Agreement and shall not set a precedent under the Agreement or be construed as a variation of the Agreement.

**Table 1 – Openreach interactions and proposed solution**

Location	Activity	Proposed Solution	Issues	Estimated lead in times	Estimated length of work	C3 Progress
Quays Avenue	Diversion required. C3 provided by Openreach.	Diversion of cable into new road alignment.		3 months	6-12 months	C3 submitted and complete.
Sheepway	<p>NR will be crossing the Openreach cable frequently due to the entrance to the compound. National Grid will also be using this entrance and will be looking for the contractor to carry out lowering or diversion when the access is being constructed.</p> <p>NG confirmed that no agreement is in place with Openreach. NG looking for works contractor to carry out the lowering/ diversion when access is constructed.</p>	Liaise with National Grid contractors.	Potential issue on programme should NR have to carry out works.	n/a	n/a	n/a
Portbury Hundred (Wessex Water pumping station)	<p>Openreach cable connects to pumping station. The vegetation in this area will be cleared of vegetation and additional gravel laid to create a parking area for multiple van sized vehicles.</p> <p>An Openreach cable crosses the railway at this location - but was not shown on the plans provided to us by Openreach.</p>	<p>The underground cable will be left in situ. A method statement will be prepared which will set out measures to protect the cable during works if necessary</p> <p>A new design for the parking area will avoid cars parked near the cable by using 45 degree parking.</p> <p>The overhead cable will be checked for its height to ensure no conflict with works to disused line.</p>		n/a	n/a	n/a
Marsh Lane	Openreach confirmed no overheads present (28/03/18).	No action required.		n/a	n/a	n/a

Rownham Hill	Openreach cables in the live track.	Openreach have confirmed no action required. NR have confirmed they are comfortable with this approach as minimal works are happening at this location (as per meeting on 13 July 2018).		n/a	n/a	n/a
Station Road	Diversion required. C3 estimate provided by Openreach.	Diversion is required.		TBC	TBC	C3 submitted - Incomplete information on programme.
Chapel Pill Lane	Existing overhead cable not affected by low loader movements.	No action required.		n/a	n/a	n/a
Winterstoke Road	Diversion to footway required. Costs and construction methodology provided by Openreach	Divert the cable into the footway.		2 months	12 months	C3 complete.
Ashton Vale (A370) to Ashton Vale Road	Ramp being constructed next to Babcock land is designed on top of Openreach cable which serves another landowner at the back of Babcock.	Openreach provided diversion of cable sitting in Babcock land to run in existing ducts along Ashton Vale Road. Land included in the red line to provide Openreach with an easement for access etc.		1 month	1 month	C3 complete.
Ashton Vale Road	Openreach cabinet at the back of the footway needs to be relocated as in the way of the proposed ramp.			6 Weeks	2 months	C3 complete.
Ashton Vale	NR REB cabinet to be moved. C3 provided.	Move NR cabinet and cables and relocate to new cabinet.		1 month	1 month	C3 complete.

**5. AGREEMENT ON THIS STATEMENT OF COMMON GROUND**

5.1. This Statement of Common Ground has been jointly prepared and agreed by:

<b>Openreach</b>
<i>Name: Dean Collins</i>
<i>Signature:</i> 
<i>Position: Network Rearrangement Complex Engineer</i>
<i>On behalf of: Openreach</i>
<i>Date: 19/05/20</i>

<b>The Applicant</b>
<i>Name:</i>
<i>Signature:</i>
<i>Position:</i>
<i>On behalf of:</i>
<i>Date:</i>

<b>Network Rail Infrastructure Limited</b>
<i>Name:</i>
<i>Signature:</i>
<i>Position:</i>
<i>On behalf of:</i>
<i>Date:</i>

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Plans :

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- MW1 BT Openreach Cable sketches and elevations (2019-09-30)
- W1097B-ARP-DRG-ECV-000226 - BT route proposal - AS (2019-09-30)
- W1097B-ARP-DRG-ECV-000227 - BT route proposal - AS (2019-09-30)

## 6. APPENDIX 1 – SCHEMATIC LAYOUT OF PROPOSED MODIFICATION TO OPENREACH CABLE ROUTE

