
STATUTORY INSTRUMENTS

2022 No. 1194

INFRASTRUCTURE PLANNING

The Portishead Branch Line (MetroWest Phase 1) Order 2022

Made - - - - *14th November 2022*

Coming into force - - *5th December 2022*

An application has been made to the Secretary of State under section 37 of the Planning Act 2008⁽¹⁾ (“the 2008 Act”) in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009⁽²⁾ for an order granting development consent.

The application was examined in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010⁽³⁾ by a Panel of two members (“the Panel”) appointed by the Secretary of State in accordance with Chapter 2 of Part 6 of the 2008 Act.

The Panel, having considered the representations made and not withdrawn and the application with the accompanying documents, has, in accordance with section 74(2) of the 2008 Act, made a report and recommendation to the Secretary of State.

The Secretary of State, having considered the representations made and not withdrawn and the report of the Panel, has decided to make an Order granting development consent for the development described in the application with modifications which in the opinion of the Secretary of State do not make any substantial change to the proposals comprised in the application.

In accordance with section 131(5) of the 2008 Act the Secretary of State is satisfied that where this Order authorises the compulsory acquisition of land forming part of an open space being the cycle track special category land (as defined in article 54 of this Order) that land is less than 200 square metres in extent and the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public.

In accordance with section 132(3) of the 2008 Act the Secretary of State is satisfied that where this Order authorises the compulsory acquisition of a right over other land forming part of an open space that land, when burdened with the order right, will be no less advantageous than it was before to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights in the land, and the public.

The Secretary of State, in exercise of the powers conferred by sections 114, 115, 117, 120 and 122 of, and paragraphs 1 to 3, 10 to 17, 20, 23, 24, 26, 33, 34, 36 and 37 of Part 1 of Schedule 5 to, the 2008 Act, makes the following Order—

(1) 2008 c. 29. Parts 1 to 7 were amended by Chapter 6 of Part 6 of the Localism Act 2011 (c. 20).
(2) S.I. 2009/2264, amended by S.I. 2010/439, S.I. 2010/602, S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2014/469, S.I. 2014/2381, S.I. 2015/377, S.I. 2015/1682, S.I. 2017/524, S.I. 2017/572, S.I. 2018/378 and S.I. 2019/734.
(3) S.I. 2010/103, amended by S.I. 2012/635.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
