

Cabinet

Supplementary Information



Date: Tuesday, 5 April 2022

Time: 4.00 pm

Venue: The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

9. Update on Temple Gate and Station Approach and Compulsory Purchase of the Grosvenor Hotel

Appendices attached

(Pages 2 - 51)

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Date: Tuesday, 29 March 2022



Update on Temple Square and Station Approach and comprehensive Compulsory Purchase Order including the Grosvenor Hotel.

5 April 2022

APPENDIX A: Further essential background / detail on the proposal

Background

1. Temple Square and Station Approach are key regeneration sites within the Temple Quarter (all falling within the Enterprise Zone boundary.) Delivery of these key gateway sites is a Council priority and delivery will be fundamental to contributing towards Enterprise Zone targets and in supporting the overall regeneration of Temple Quarter.
2. The Council has been working towards securing a Joint Development and Land Agreement (JDLA) with Skanska. This would include an option to purchase the land at the entrance to Station Approach (site C on the plan in Appendix M) from Skanska. In return Skanska is to secure an option from the Council to purchase the freehold of the George and Railway Hotel and adjoining car park for the delivery of the refurbishment of the former George and Railway as an office hub (site B), providing 44,000 sf to shell and core finish. The Council will take a 35 year lease of the development, complete fit out and it is then proposed to sub let on the open market.
3. The option to Skanska will also allow them to purchase the land released by the recently completed highway realignment works at Temple Way (site A). 'Temple Square' (a working title) will provide in the order of an additional 250-300,000 sf (gross) of office with ground floor active uses and new public spaces.
4. The details of the above proposals have been set out and authorised over the following Cabinet reports
 - 4.1. 1 March 2016, Cabinet approved that the Council would enter into a joint development and land agreement with Skanska UK Limited relating to their land ownership at Temple Meads, and the Council's land ownership at the George & Railway and Temple Square 2 to achieve comprehensive regeneration and development of the lands.
 - 4.2. Cabinet further approved that the Strategic Director: Place be given delegated authority to approve purchase of the Grosvenor Hotel by negotiation at market value. If this could not be achieved within the timeframe judged necessary by officers to efficiently progress and support the wider regeneration project for the Temple Quarter area, a further report would be brought to Cabinet outlining the alternative options that the Council could consider in relation to acquiring the Grosvenor Hotel Site.
 - 4.3. 6 September 2016, Cabinet approved that the Council would enter into an agreement for lease with Skanska subject to their development and completion of the George and Railway; and a sub-lease to an incubator manager for them to manage and operate Engine Shed 2. Skanska committed significant resources to make strong progress with the project in advance of completing legal agreements, including submitting a full planning application for the George and Railway site (Temple Square 1 on the plans in Appendix M) and outline application for the Temple Square 2 plot.
 - 4.4. 6 November 2018. Cabinet noted progress including Skanska securing planning

approval subject to a planning agreement. Cabinet also agreed capital funding for the project and authorised the making of a Compulsory Purchase Order to assemble the Temple Square site including the purchase of Grosvenor Hotel where no negotiated purchase was achieved.

- 4.5. 28 April 2020. Cabinet renewed authority for the making of the CPO, use of land appropriation powers and applying for a highway Stopping Up Order related to the site assembly of Temple Square.
- 4.6. Since the decision in 2016, the commercial rate for the property has grown significantly and, as a result, it is considered appropriate that the space is leased as a commercial, open-market transaction.

Current Position

5. Planning consent.

- 5.1. Skanska submitted the following planning applications for the former George and Railway building and Temple Square:
 - 5.2. [16/06828/P](#) - *Temple Circus Hybrid Application*
 - 5.3. [16/06842/LA](#) – *Listed Building Application for George and Railway Hotel*
- 5.4. There are already resolutions to grant consent for these applications approved at Planning Committee on 8th November 2017 subject to the completion of a Section 106 Agreement, which is contingent on Skanska, now Railpen (see paragraph 7 below), having an interest in the site following the Council entering into the JDLA. The section 106 agreement has been drafted and is in agreed form.

6. Joint Development Land Agreements Structure

- 6.1. The main terms of the JDLA are set out in detail in the November 2018 report and précised above.
- 6.2. Since that report negotiations continued on the level of land prices to be fixed in the various options. The agreed prices have been validated by external valuations and an update is provided in confidential Appendix I.
- 6.3. In 2019 Skanska marketed the freehold investment of the George and Railway development to secure funding for the development. The intention being that on completion of shell and core of the building the successful bidder would purchase the freehold investment from Skanska, subject to a lease to the Council. Railways Pensions Nominees Ltd (Railpen) was the selected bidder.
- 6.4. In early 2021 Skanska advised that they are withdrawing their development arm from the UK commercial market. They proposed to assign their interests under the JDLA (including the options) to Railpen along with ownership of Station Approach. The principle of assignment is permitted in the draft JDLA documentation. Skanska was prewarning the Council. EDM considered this change in May 2021 and accepted the proposal. Railpen is as financially strong as Skanska and, like Skanska, a low risk company. The proposal did not affect the development and increased the potential for it proceeding. The proposed development remains unchanged. Recent discussions with Railpen have also introduced the opportunity of the Council or a nominee purchasing Station Approach at an earlier stage than originally envisaged.
- 6.5. In further discussions two alternatives were identified for the purchase of Station

Approach:

- 6.5.1. The Council or its nominee can seek to purchase the freehold of Station Approach directly from Skanska. This would achieve one of the main intentions of the combination of agreements. The purchase would be at the price agreed between the Council and Skanska and which is set out in the confidential Appendix I.
- 6.5.2. Railpen could purchase the freehold of Station Approach direct from Skanska and in effect simply step into Skanska's role in the current agreement structure. This would have additional costs that are considered in the exempt Appendix I.
- 6.6. Time constraints meant that the second of the two options is being progressed and Railpen has now contracted to buy Station Approach from Skanska. This has prevented the site being placed on the open market.
- 6.7. The Council is in discussions to enable a public sector partner in Temple Quarter to step in and purchase the site.
- 6.8. In stepping into Skanska's role Railpen would now be responsible for the development of the George and Railway site as developer and investor. Previously they were only the investor. Railpen would also benefit from the option to purchase the Temple Square 2 land.

7. WECA grant funding.

- 7.1. On 30 November 2018 the West of England joint committee conditionally approved a grant of £4m from the West of England Economic Development Fund to specifically support the fit out works beyond shell and core of the George and Railway site. This will support office development and provide accommodation to deliver further business activities in an office hub.

8. George and Railway development

- 8.1. The Council has been in discussion with operators in relation to a sub-lease in the completed building and the Council will let the building on the open market, which mitigates the risk of taking on the head lease. To that end, market research has been commissioned from external advisers that provides confidence the building would attract tenants.

9. Compulsory Purchase Order

- 9.1. Following the November 2018 cabinet report, Cabinet resolved to make a Compulsory Purchase Order (CPO) to secure land assembly of the Temple Square site. Land assembly is a condition of the option for the Temple Square 2 development. Under the JDLA the Council is to assemble the Temple Square site to enable development of the additional 250,000 sf of office space.
- 9.2. In April 2020 a further report on the CPO was brought to cabinet. This was to update the cabinet of a number of third parties registering an interest against the freehold title of the Grosvenor Hotel. These registered interests consisted of Unilateral Notices registered against the freehold title by third parties who had placed deposits against a failed private development proposal for the site. Since the 2018 cabinet report, the proposed development company (Grosvenor Property Developers Limited) had gone into liquidation and its interest for the Grosvenor Hotel had been removed from the title. In addition, there had previously been an intervening interest

on the title belonging to Park Limited, which connected the freehold owners of the Grosvenor Hotel and the proposed development company. This interest had also been removed from the title. The Council sought specialist legal advice on whether the unilateral notices still protected what could be considered to be interests in land for the purposes of the Acquisition of Land Act 1981 and accordingly on who should be listed in any CPO schedule. Counsel advised that the holders of the unilateral notices do not need to be served with notice of any CPO. This advice was confirmed to Cabinet in April 2020, as well as the intention of the Council that on making the CPO, courtesy notices would still be sent where possible to provide notice of the making of the CPO. At the same time the Cabinet resolution to make a CPO was formally renewed, and specific authority sought for a stopping up order for redundant highway included in the regeneration area covered by the CPO.

- 9.3. As previously reported, much of the land required for the redevelopment of Temple Square is in Council ownership. Other areas of land are in unknown ownership. The Grosvenor Hotel is in private ownership. Attempts have been made and continue to be made to purchase the Grosvenor Hotel by agreement. To date discussions with the owners have not been successful in reaching agreement.
- 9.4. Recent further legal advice has indicated that the CPO resolution should be renewed due to the period of time since April 2020 and to reaffirm the Council's intentions in order to mitigate against the risk of challenge. Further details are given below.

10. Stopping Up Order

- 10.1. In November 2018 it was reported that there is also a need for stopping up of some highway to enable the development proposals to proceed. Further information on this was provided in the April 2020 cabinet report. Since the Temple Circus highways works were completed in 2020, a large part of the former carriageway between the former Grosvenor Hotel and 100 Temple Street is no longer required for highway purposes. Skanska's planning application submission indicates that this area will be occupied in part by new buildings but also the new Temple Square plaza area (see Appendix M, drawing reference 16008- GAL- MP- 00- DR- AX- P0003).
- 10.2. The need for the stopping up remains and it is intended to proceed with an application for stopping up as previously proposed.
 - 10.2.1. An application for stopping up of highways under s247 of the Town and Country Planning Act 1990 can be made to the Secretary of State on the basis that the stopping up is necessary to enable development to be carried out in accordance with planning permission.
 - 10.2.2. In addition, as previously reported, there may be a requirement to pursue stopping up of part of the highway to allow the siting of a construction compound on the Temple Square 2. This can be achieved by an application to the Magistrates Court under s116 of the Highways Act 1980.

11. Appropriation

- 11.1. As stated above some of the land within the CPO boundary is already owned by the Council. Although the intention is to include this land in the CPO it may be that the Council decides to appropriate that land to its planning purposes rather than include all the land in a General Vesting Declaration following the confirmation of compulsory purchase powers.

11.2. Appropriation in this way allows the provisions of sections 203-205 of the Housing and Planning Act 2016 to apply to the appropriated land. This allows the Council or its successor to proceed with activities on the relevant land even if existing rights or covenants in land would be breached by those activities, subject to the pre-requisite that the development benefits from planning permission. Those rights or covenants would be converted into compensatable interests. Any such rights would then not be able to prevent development. Compensation would have to be met by the Council.

12. Temple Square 2 Finance Requirements

12.1. **Grosvenor Hotel.** These are the costs of the CPO. They include both costs of making a Compulsory Purchase Order and seeking its confirmation as well as compensation costs. Compensation costs have recently been reassessed by external specialist valuers. The estimates are set out in the exempt Appendix I.

12.2. **Deferred Temple Circus Highway Works.** These costs relate to works that should have been part of the Temple Circus highway works but due to site constraints could not be carried out or would have been damaged during George and Railway development construction so have been deferred. The liability for these works remains with the Council although they may be undertaken by the developer on the Council's behalf. The cost is estimated at £160,000.

12.3. **Public Realm, including Temple Square Plaza.** The delivery of the Temple Square Plaza is expected to be via a planning condition or obligation of the Temple Square 2 development. An allowance for the Council undertaking any additional interim or permanent public realm works has been included as a call on receipt of the land value secured from the future sale of the Temple Square 2 plots.

12.4. **George and Railway Development Fit Out Costs**

It is proposed that the Council will take possession of the building at shell and core stage with fit out and its cost being the responsibility of the Council. The WECA funding has been secured to provide for this cost. The first call on this money will be for the landlord's fit out costs which will be carried out by the Council. These costs will be in the order of £2.5m plus design and project costs. The remainder of the £4m will be available to contribute to the tenants fit out costs. In the event of an open market letting and unavailability of the WECA grant, there are other options for the provision of fit out which is explored in the exempt Appendix I.

13. Station Approach Financial Requirements

13.1. Station Approach remains a key site for the master planning of Temple Meads Station and the wider area surrounding the approach of Temple Meads. The JDLA creates the ability to control development decisions by securing the right for the Council to purchase the site at market value if it considers it appropriate.

13.2. The market value of the site has increased since the November 2018 report. This has been mirrored by increases in the value of the Council's land at Temple Square. Values have been supported by valuations secured from external consultants.

As with the original figures they will be fixed once the JDLA is signed for two years.

13.3. The transfer of Skanska's land and position to Railpen has the added advantage of allowing the Council's option to buy Station Approach to be operated earlier. The Council will be able to purchase Station Approach within the first twelve months of the JDLA being signed rather than deferred for twenty-four months.

13.4. The purchase of Station Approach will be achieved on one of two ways

13.4.1. Direct purchase from Skanska. Skanska wants to sell Station Approach as soon as possible. A position is being agreed whereby if the Council or its partners in Temple Quarter can identify funds before April 2022 a direct purchase can be possible to the public sector. In this case an option to purchase will not be needed. However, timescales have meant this option unachievable.

13.4.2. Indirect purchase from Railpen. Where funding is not identified for a direct purchase then Railpen will purchase the land. The Council or a partner will then purchase within the next 12 months under the Station Approach option. This will incur additional costs which are dealt with in confidential Appendix I. Railpen has now entered contract with Skanska for the purchase of the site.

14. Temple Square and Station Approach Fund

14.1. Values have been agreed for the two sites. These agreed values have been supported by external advisors who have produced development appraisals for both sites. Further details of the figures are provided in Appendix I.

14.2. Costs outlined in section 13 of this paper, associated with fulfilling the Council's obligations under the JDLA with Skanska, and for public realm and meanwhile uses will need to be covered in advance of securing this receipt and will therefore need to be covered by prudential borrowing (except for utilities diversion works that it is proposed should be covered by CIL). The forecast borrowing costs are detailed in Appendix I

14.3. Under the JDLA Skanska/Railpen have the option to call down the land at Temple Square 2 (not the George and railway development site) in separate plots, so the income received from the land sale(s) is not predictable and may be spread over several years.

15. FURTHER DETAILS AND BACKGROUND IN SUPPORT OF THE USE OF CPO POWERS

Proposals for use of CPO powers – Background

15.1. The site is located in the Bristol Temple Quarter Enterprise Zone and is identified in the Spatial Framework as being a key site for generating the economic benefits associated with the Enterprise Zone. The site is also considered important in respect of delivering improvements to pedestrian and cycle links and to the public realm in what is clearly an important gateway to the city.

15.2. As has been explained above, the Cabinet has on several occasions now indicated its potential consideration of positive land assembly powers to bring forward suitable development at this key site for the city.

15.3. Whilst some of the land identified on the plan in Appendix M to be included in compulsory purchase processes is held by the Council, other areas of land are in third

party ownership or ownership is unclear. Land is also subject to occupation by other parties including statutory utilities.

- 15.4. Whilst the Council will continue to seek to acquire all interests required by agreement where possible, it is highly likely that compulsory powers will be acquired to allow for comprehensive land assembly with certainty of title that provides comfort to developers and funders to proceed with development.
- 15.5. The Council has compulsory purchase powers under s226 of the Town and Country Planning Act 1990 to acquire land necessary for the development, redevelopment, or improvement of land in its administrative area. The Council when promoting compulsory purchase must be satisfied that the use of the powers would be for one or more of the purposes of improvement of the area's economic, social, or environmental wellbeing. Section 226(3) of the 1990 Act also allows the Council to acquire land that is required to facilitate or is incidental to the development of other land. Section 227 of the 1990 Act allows acquisition of land by agreement for the Council's planning purposes.
- 15.6. If appropriate, s13 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to acquire new rights over land rather than freehold. At the current time it is anticipated that all acquisitions will be by way of freehold title acquisition.

Description of the Order Land

- 15.7. The Order Land contained within the redline of the plan in Appendix M consists of highway, verge land and the Grosvenor Hotel. The Order land is in the Enterprise Zone. Works to the Temple Circus Gyrotory mean that the carriageways for the highways in this area have been altered, which frees up areas of land for redevelopment, subject to any title issues, utility diversions and stopping up where highway status still exists. This land makes up the north of the Order land.
- 15.8. Historically the area has been subject to positive land assembly in the past, most notably for the proposals by the Council to establish the former inner ring road. Prior to this statutory intervention by the Council much of Temple Street was used for residential and occupational purposes and the title pattern largely reflects this.
- 15.9. Also, as a result of the previous land assembly processes, much of the title is already in the Council's ownership. To ensure that no historic third party interests exists, it is proposed that all of the land shown in the plan in Appendix M will be included in the compulsory purchase processes to allow for an unencumbered title to be provided to the developer.
- 15.10. Immediately to the north of Portwall Lane East is the Grosvenor Hotel. This is the only structure within the Order Lands. Grosvenor Hotel is the well-known and much criticised derelict building, and its current condition does not present an appropriate gateway for those arriving into the city from Temple Meads Station or from the Metrobus route.
- 15.11. The occupation of the Grosvenor Hotel ceased many years ago. The site has been the subject of much discussion and indeed applications for planning permission by the existing owners. The Council is aware of plans being put forward on the market (but not to the Council as planning authority) for the refurbishment of the Grosvenor Hotel. This is considered further below.
- 15.12. There are two small areas of highway land sitting between the George and

Railway Hotel (which itself is outside of the Order Land) and the Grosvenor Hotel (which sits within the Order Land). There is an area of car parking (used as such for at least the last 10 years) next to the George and Railway Hotel which is owned by the Council. The second area is on Portwall Lane East which is adopted highway. This area was illegally used for parking prior to the creation of the Millennium Mile walkway.

The interests in the Order Land to be acquired

- 15.13. As is discussed above, most of the Order Land is held by the Council because of historic highway works. However other areas of the Order Land are in unknown ownership or are subject to occupation by other parties including statutory utilities and street traders.
- 15.14. The land comprising the former Grosvenor Hotel is owned by a private company (Earlcloud Limited). Discussions with Earlcloud have been attempted at numerous points prior to 2003 but agreement for acquisition has not been reached. Discussions will continue with Earlcloud Limited, but for the reasons outlined in this Report, the Council now believes that development of the Grosvenor Hotel site will not proceed within a reasonable time without the promotion of compulsory acquisition powers.
- 15.15. From the title for the Grosvenor Hotel site, it appeared that Earlcloud entered into an agreement for sale with Park Limited in March 2017, which was assigned to Grosvenor Property Developers Limited. Liquidators were subsequently appointed for both Park and Grosvenor Property. The entry on the title referring to the agreement for sale to Park and the assignment to Grosvenor Property has since been removed. Press reports publicised a failed student residential scheme at the Grosvenor Hotel, in which Grosvenor Property claimed to be turning the site into 144 student flats. Grosvenor Property did not complete their purchase of the Grosvenor Hotel, nor did they secure planning permission and construction never began at the site. The reports indicate that a number of deposits were paid by external investors, and the registration of many unilateral notices against the title is further evidence of the peculiar dealings with the Order Land.
- 15.16. A number of unilateral notices in respect of agreements for sale of units for the purported redevelopment of the Grosvenor Hotel for student residential purposes were registered against the title for the Grosvenor Hotel. As is explained above, the Council sought legal advice as to the status of the beneficiaries of these unilateral notices and was advised that they are not 'qualifying persons' for the purposes of Section 12 of the Acquisition of Land Act 1981 and are therefore not entitled to be included within the Order Schedule. This view is confirmed by the written opinion of leading property barrister, Adam Rosenthal (now Queens Counsel) of Falcon Chambers. A copy of Mr Rosenthal's opinion was appended to the April 2020 Cabinet Report.
- 15.17. Notwithstanding this position, on making the CPO, out of courtesy the Council will, where it is possible to provide notice, still send a copy of the notice of making of the CPO to all the unilateral notice holders informing them that a CPO has been made and submitted to the Secretary of State for confirmation. The letter will include a copy of counsel's opinion. A number of the holders have addresses for service outside of the UK jurisdiction and may well have changed addresses since the unilateral notice

was registered on the freehold title. Whilst officers and the Council's appointed consultants will use reasonable endeavours to notify the holders of the unilateral notices that the CPO has been made, it may not be possible to reach all such parties easily. Officers will also instruct the Council's consultants to post site notices and is required under the Acquisition of Land Act 1981 to place a notice in two successive weeks in a local newspaper.

- 15.18. In addition to the freehold ownerships, there is a complicated pattern of the use of the land by statutory utilities. Discussions with the utilities will proceed with both the City Council and the developer engaging with the relevant utilities to work on the necessary diversions to allow development to proceed.

The Planning position

- 15.19. The Government's latest National Planning Policy framework was issued in July 2018. In part 11 of that document entitled "Making effective use of the land" the NPPF states:

"119 local planning authorities or... should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on Brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help bring forward land for meeting development needs and/or secure better development outcomes".

- 15.20. It is the Council's view that the use of compulsory land assembly powers to acquire the Order Land will bring forward a better development, facilitated by the planning permission sought by the Developer, to allow for the development needs in this key city centre site to be brought forward now. The history of the site, the complicated ownership position of the Grosvenor Hotel and the number of actual and purported interests in the land, as well as land in unknown ownership, indicates that, without compulsory land assembly powers, it is unlikely that development will occur at all or, if others are able to bring forward development without land assembly powers, that the development would not be as suitable for this site as the proposals brought forward by the Developer and subject to the current resolution to grant planning permission.

The Local Plan position

- 15.21. The Order Land is located within the Temple Quarter Enterprise Zone and as such policy BCAP 35 of the Bristol Central Area action plan applies. This establishes the aims for the Temple Quarter Enterprise Zone as an employment led mixed use regeneration area. The policy allows for considerable flexibility in the development proposals to come forward in the Zone whilst establishing a minimum provision for office floor space and maximum provision for residential accommodation.
- 15.22. Whilst historically the Order Land has been used in part for hotel, leisure use and for highways use there are previous permissions for office development on part of this land and this is fed into the policy designation. The policy also requires the

development to reflect the spatial framework for the Enterprise Zone.

- 15.23. The spatial framework sets out a strategy and framework for meeting the policy aims of BCAP 35. Whilst it does not afford the weight of adoptive planning policy for the purposes of s38(6) of the Planning Compulsory Purchase Act 2004 it is a material consideration for the Council in considering whether or not to exercise its powers under the 1990 Act including compulsory purchase. The Order Land and surrounding area is indicated as being suitable for Business Emphasis Development (B1) use. The proposals put forward by the Developer therefore will be in accordance with that framework. The framework also calls for the provision of an area of public open space together with improvements to pedestrian and cycle routes in the vicinity. The proposals put forward by the Developer would accord with this strategy.
- 15.24. The planning application was considered by members in both November 2017 and March 2018, with a recommendation from officers in the 2017 Committee for refusal based on heritage impacts. This was subsequently reconsidered by members before a resolution to grant planning permission was made in March 2018. It remains appropriate for members to consider, when exercising their compulsory power, the relevance of s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to the impact on the setting of listed buildings resulting from the proposed development. The National Planning Policy Framework also indicates that significant weight should be given to the conservation of assets with harm or loss requiring clear and convincing justifications and that the harm must be weighed against the public benefits that would accrue from the relevant planning decision.
- 15.25. Planning Policy BCS 22 of the core strategy requires development to safeguard and enhance heritage assets including historic buildings. Relevant considerations here are the impacts on the George and Railway Hotel, Bristol Temple Meads Railway Station and the Redcliffe and City Docks conservation areas, including St Mary Redcliffe Church.
- 15.26. Members of the Planning Committee have previously considered these issues and the proposed demolition and redevelopment of the Grosvenor Hotel was considered by offers to be outweighed by the public benefits of the development in achieving the Council's policy aims within the Enterprise Zone, and the significant enhancement of the site that would result from bringing it back into use. As a result, members resolved to grant planning permission subject to the entering into of the s106 Agreement. Members will also wish to consider the viability of the Developer's proposals and the condition of the site as it currently is.
- 15.27. In relation to the Grosvenor Hotel, the existing structure is not provided with protection by way of statutory listing. Whilst the National Planning Policy Framework does indicate that significance of non-designated heritage assets should be taken into account in determining planning decisions, a balanced judgement is required having regard to the scale of harm or loss and the significance of the relevant asset.
- 15.28. Balanced against this are the benefits of the development to achieving the Council's aims within the Enterprise Zone and the enhancement that the proposals for the Order Lands would contribute to this general policy.
- 15.29. In addition, Policy BCS 21 of the core strategy promotes high quality design, requiring development to contribute positively to areas of character, accessibility and permeability together with other environmental and public realm advantages.
- 15.30. Members will need to consider the details provided by the developers in

relation to scheme design and whether or not the development will provide a positive enhancement to the area or unacceptably impact on the amenity of the area.

15.31. Policy BCS 10 of the development plan also requires schemes to reflect transport user priorities outlined in the joint local transport plan. In addition, policy DM23 requires the Department to provide safe and adequate access to new developments.

15.32. It is considered that the proposals represent development in a sustainable location with easy access to the city centre and Bristol Temple Meads Station.

Flood risk

15.33. The Order Lands lie partly in flood zone 2 identified by the Environment Agency. Policy BCS16, in support of the National Planning Policy Framework policies regarding flood risk require a sequential approach to the location of the development, but a site is also allocated for development by virtue of BCAP 35 and that allocation itself has been sequentially tested, it is suggested that the Order Lands are suitable for under the proposed development in sequential flood risk terms.

15.34. Policies BCS13, 14, 15 and 16 of the adopted core strategy provides sustainability standard guidance. A sustainability statement is not yet available as detailed design has not yet been considered. It is anticipated that when detailed design emerges the opportunity for the Council to work with the developer to achieve appropriate sustainability standards will be possible.

Conclusions on policy grounds

15.35. It is the officers' view that the Council can be satisfied that the proposals for compulsory acquisition of the Order Land is appropriate in the context of both national and local planning policy.

The current Planning Application

15.36. The developer has sought planning permission in a "hybrid" application for the wider site, with outline permission sought for the Order Land. The description of the development proposed is:

16/06828/P | Hybrid planning application and Outline application for the redevelopment of the Temple Circus site - part demolition, extension and change of use of the former Grade II Listed George and Railway Hotel, demolition of the Grosvenor, to provide 5,630 sqm (GEA) of creative office space (B1) with ancillary cafe/restaurant uses at ground floor level (A3/A4) and cycle parking. 2) Outline Consent for the refurbishment of the remainder of the site to provide up to 27,200 sqm of new office accommodation (B1), including up to 2,550 sqm of retail uses (A1-A5), public realm and landscaping works as well as site servicing and car parking (Major Application). | Land At Temple Circus Bristol

15.37. Full planning permission was sought for phase 1 which involves the redevelopment and extension of the George and Railway Hotel. This will provide approximately 44,000 square feet of flexible office space (net internal area) over six floors incorporating the façade of the listed building. There is an associated Listed Building Application for works to the George and Railway Hotel which also has a

resolution to grant consent.

- 15.38. Phase 2 of the Scheme will build on the momentum of Phase 1. Phase 2 is on land created by the realignment of the highway as part of the Temple Circus Gyratory works and lies within the Order Land. Phase 2 has outline planning consent for 292,778 square feet of office space (gross external area) to be provided over three interconnected blocks of between 6 and 8 storeys. This second phase will require the demolition of the Grosvenor Hotel. It will also provide a new public space around which all of the proposed buildings (and existing buildings outside of the Order Land) will sit. The parameters of the outline application will allow some flexibility as to the precise details that come forward for phase 2. It is anticipated that up to 27,448 square feet of retail space (gross external area) will be provided throughout the ground floors of the three blocks. The Order Land within Phase 2 is also required as a site compound to deliver the Phase 1 works.
- 15.39. There are already resolutions to grant consent for these applications approved at Planning Committee on 8th November 2017. The grant of these consents is subject to the completion of a Section 106 Agreement, which is contingent on Skanska, now Railpen, having an interest in the site following the Council entering the JDLA. The s106 agreement has been drafted and is in agreed form.
- 15.40. It is not therefore anticipated that there are any planning impediments that would prevent the scheme from proceeding.

Appropriation of land to Planning Purposes

- 15.41. Where the land within the Order land is held by the City Council, it is held for its highway purposes. As the carriageways have been altered, using the Council's highway and traffic powers, to divert the carriageways from the Council's land. The former carriageway is no longer required for highway purposes. It may be that the Council decides to appropriate that land to its planning purposes rather than include all of the land in a General Vesting Declaration following confirmation of compulsory purchase powers.
- 15.42. The effect of the recommendation below is that members will be declaring that the land in the Council's ownership that is within the red line is no longer required for the purpose for which it is currently held and instead it is required for the Council's planning purposes. This appropriation then allows the provisions of sections 203-205 of the Housing and Planning Act 2016 to apply to the appropriated land. In essence these statutory provisions allow the Council or its successor to proceed with activities on the relevant land even if existing rights or covenants in land would be breached by those activities, subject to the pre-requisite that the development benefits from planning permission.
- 15.43. The use of section 203-205 of the 2016 Act (which will apply both to land appropriated to planning purposes and land acquired under the Compulsory Purchase Order) means that the developer will be able to develop the land without risk of injunction by the beneficiaries of the historic rights, and the beneficiaries' interests will be converted into a right to compensation.
- 15.44. It is to be noted that the Council will remain liable for the compensation that may arise because of either the appropriation or compulsory purchase, if compensation is not paid for the breach of the rights by the developer.
- 15.45. Officers believe the power of appropriation is necessary to give the developer

and its successors in title comfort that injunction proceedings will not be pursued or, if pursued, will not be successful. The appropriation tool is frequently used by local planning authorities to enable developments such as the developer's proposed scheme. As with the promotion of compulsory purchase powers there is a compelling case for such powers to enable the proposed regeneration to proceed.

15.46. Officers have factored the use of the 2016 Act powers into their consideration of the likely overall costs and compensation due because of the land assembly process. It is considered that sufficient funds are available to cover the anticipated liabilities.

Funding

15.47. The costs associated with the acquisition of the Order Land, including those associated with the progression of a Compulsory Purchase Order will be borne by the Council; details of these are included in in exempt Appendix I.

15.48. Officers believe that sufficient funding for the liabilities resulting from the exercise of compulsory powers, including blight, advance payments of compensation and all liabilities to third parties under the compensation code will be capable of being funded within the allocated funds.

The Compelling case in the public interest.

15.49. For the Council to make the Order, and for the Secretary of State to confirm it, there must be a compelling case in the public interest for compulsory purchase powers to be made available to the Council. All of the topics reported in this report form part of the overall consideration of whether that compelling case exists.

15.50. The Council must be satisfied the exercise of powers to acquire land would be within its legal powers, here being Section 226 (1)(a) of the Town and Country Planning Act 1990.

15.51. For S226 (1) (a) to apply, the Council must:

"think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land"

15.52. Acquisition of the Order land will enable the developer to bring forward development of that land in accordance with the planning permission that is shortly to be issued and which is reported on above.

15.53. Further the Council:

"must not exercise the power under paragraph (a) of subsection (1) unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects–

(a) the promotion or improvement of the economic well-being of their area;

(b) the promotion or improvement of the social well-being of their area;

(c) the promotion or improvement of the environmental well-being of their area"

15.54. This Scheme will lead to, at least, the "promotion or improvement of the economic well-being" of the Council's area given its benefits in reverting to productive economic use the Order Land in accordance with the anticipated planning permission and facilitating the objectives the Council holds for the Enterprise Zone.

15.55. Having satisfied itself that it has the powers to promote compulsory powers

and having considered its Equalities Act and Human Rights Act duties (for which see below) the Council should then consider whether a compelling case exists in respect of the other key considerations that the Secretary of State will wish to consider. Overall, the Secretary of State will need to be satisfied that the public benefit accruing from powers of expropriation outweigh the impacts on the private interests of the persons affected, and that compensation will be available to compensate affected persons for their loss in accordance with the established compensation code.

- 15.56. For the proposed Order, resolution to grant permission exist. The Enterprise Zone Status, supported by existing and emerging policy, indicate the Council has policy backing for the use of land assembly powers. No planning impediments exist that would be reasonably seen to prevent delivery of the proposals within a reasonable timeframe.
- 15.57. Attempts at negotiation have been made with those persons interested in the required land and have proved unsuccessful. Negotiations with the holders of remaining interests will continue but it is not anticipated that as suitable and satisfactory a development could proceed without the use of compulsory powers to assemble the Order Land into the Council's ownership. The developer has a clear understanding of its proposed use of the Order Land and the Council is satisfied that in overall planning terms it is more appropriate that a comprehensive approach to development of the Order Land is made possible by the use of its land assembly powers.
- 15.58. Officers therefore believe that members can be satisfied a compelling case in the public interest exists and that the Secretary of State may be asked to confirm the Order.

Other consents required

- 15.59. The Council or developer will seek to apply to stop up the highway lands no longer subject to carriageway. Since the Temple Gate highways works were completed in 2020, a large part of the former carriageway between the former Grosvenor Hotel and 100 Temple Street is no longer required for highway purposes. Skanska's planning application submission indicates that this area will be occupied by in part new buildings but also the new Temple Square plaza area (see Appendix M, drawing reference 16008- GAL- MP- 00- DR- AX- P0003).
- 15.60. It is therefore proposed to stop up those areas within the development areas to the extent that is required to permit the development of the buildings and the spaces. Some areas will be stopped up completely. Others will be stopped up to vehicular traffic only for example spaces will remain available to pedestrians and for servicing and access.
- 15.61. An application for stopping up of highways under s247 of the Town and Country Planning Act 1990 can be made to the Secretary of State on the basis that the stopping up is necessary to enable development to be carried out in accordance with planning permission. In addition to seeking a Stopping Up Order there may be a requirement to pursue stopping up of part of the highway to allow the siting of a builder's compound and this can be achieved by an application an application to the Magistrates Court under s116 of the Highways Act 1980. The SUO will deal with any land within the CPO boundary that is required for the development scheme as proposed by the planning application made by Skanska. It is expected that any inquiry

arising as a result of the CPO and SUO would be held at the same time.

- 15.62. Final details of the areas to be stopped up are being worked up by officers, the Council's highway team and the developer, but will principally include the former all-purpose carriageway and associated footways between 100 Temple Street and the Grosvenor Hotel. There are also other elements of the highway network within the red line, most notably the pavement areas outside 100 Temple Street and the Millennium Mile foot and cycle path, that will remain unaffected by the developer's proposals. Whilst these highways are also included within the redline plan provided with this Report, officers do not intend to seek stopping up powers to close the whole of the public rights of way. It is therefore proposed in the recommendation that, as with the CPO, the final detail of the SUO and any application under s116 of the Highways Act 1980 be delegated to the Executive Director of Growth and Regeneration in consultation with the Deputy Mayor for Finance Governance and Performance.

Equality Implications

- 15.63. During the determination of the planning application due regard was given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues, and priorities in relation this particular proposed development. Overall, it is considered that the determination of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.
- 15.64. Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –

- tackle prejudice; and

- promote understanding.

15.65. The proposed compulsory purchase and stopping up of highways do not engage any of the protected characteristics raised above. Similarly, no impacts in relation to protected characteristics are envisaged by the use of the Council's compulsory purchase and appropriation powers. Whilst a number of the parties who would previously have appeared in the Schedule in the Compulsory Purchase Order, but who are now regarded as not having an interest in land, are from countries other than the UK or may otherwise potentially have protected characteristics, the decision to exclude those parties from being treated as having an interest in land is taken for purely legal reasons and is not a decision that infringes on the provisions of the Equalities Act.

Human Rights Considerations

15.66. The Human Rights Act 1998 incorporated into UK domestic law the European Convention on Human Rights (the Convention). The HRA 1998 makes it lawful for a public body to act in contravention of the Convention.

15.67. The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of individuals (including companies). In resolving to submit the DCO the Council has to consider the rights of those affected, principally property owners under the Convention. The relevant provisions are:

(A) Article 1 of the First Protocol – this protects the rights of the owner and the peaceful enjoyment of possession – no-one can be deprived of possession except in the public interest and subject to relevant international and national law.

(B) Article 8 – this protects the private and family life, home and correspondence. No public authority can interfere with these works except in accordance with the law or necessary in the interest of public security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime or for the protection of health or morals or the rights or freedom of others;

(C) Article 6 – the right to a fair hearing;

(D) Article 14 – the enjoyment of the rights of freedoms in the convention shall be secured without discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion – nor social origin, associated national minority, property, birth or other status.

15.68. In the case of each of the above Articles (and the convention in general) the Council must be conscious of the need to strike a balance between the rights of the individual and the interests of the public. In the light of the significant public benefit that will arise from the Project being taken forward it is considered appropriate to make the Order and seek compulsory acquisition powers. It is not considered that any unlawful interference with an individual's rights will occur as the interference will be in accordance with the law and, where property interests are affected directly, the

Compulsory Purchase Compensation Code will apply.

- 15.69. Further representations will be possible before the Order can be confirmed. In addition, objections will be heard if necessary, by an inspector appointed to recommend whether or not the Order as made by the Council should be confirmed by the Secretary of State. In additions, the fact that compensation will be available to parties whose interest in land is directly affected through acquisition of land or new rights mean that human rights will not be infringed as the Council and Secretary of State will be following a process prescribed by law and from which a right to compensation arises if land is taken.
- 15.70. In relation to those parties who will no longer be scheduled as parties with an interest in land, referred to above, this decision does not impact on those parties' human rights. Each of the persons that had registered a unilateral notice over the freehold interest at the Grosvenor Hotel are still able to object to the compulsory purchase of land and have the ability to apply to the Courts challenge this resolution of Council by way of judicial review and can challenge the Secretary of State's decision if that decision is to confirm the Order.

DETAILED RECOMMENDATIONS FOR THE PROGRESSION OF THE COMPULSORY PURCHASE ORDER(S)

- 15.71. Authorises the Executive Director Growth and Regeneration, in consultation with the Deputy Mayor for Finance Governance & Performance to proceed with the Making of a Compulsory Purchase Order under S226(1) (a) of the Town and Country Planning Act 1990 as set out in the Cabinet decision of 6 November 2018 and 28 April 2020 for any or all of the interests in the land included within the red line on the attached plan entitled "Compulsory Purchase Order Boundary Plan", and numbered PROP-ARC-0067f, for the regeneration, development or improvement of that land.
- 15.72. Authorises the Executive Director Growth and Regeneration, in consultation with the Deputy Mayor for Finance Governance and Performance to take all necessary steps to prepare, and to make (a) an application to the Secretary of State for a Stopping Up Order pursuant to S247 of the Town and Country Planning Act 1990 , and (b) an application to the Magistrates Court under s116 of the Highways Act !980 to stop or divert some of the highway for those areas of highway required to be stopped up within the area shown on plan PROP-ARC-0067f attached to the report to enable development to proceed, and to make the case for the proposed order at a public inquiry, if one is called.
- 15.73. Authorises the Executive Director Growth and Regeneration, in consultation with the Deputy Mayor for Finance Governance & Performance to appropriate to the Council's planning purposes any or all of the land included within the red line on the attached plan entitled "Compulsory Purchase Order Boundary Plan", and numbered PROP-ARC-0067f, that is held by the Council to enable the regeneration, development or improvement of that land;
- 15.74. To authorise the Executive Director Growth and Regeneration, in consultation with the Deputy Mayor for Finance Governance & Performance, to and undertake all relevant and necessary steps to secure confirmation and delivery of the Order, including but not limited to:

- 15.75. Undertake diligent inquiry, including title due diligence, service of requisitions for information on owners, occupiers and other holders of interests in the Order land, posting site notices and making all other reasonable inquiry to ascertain the nature of interests in land and identity of the persons holding those interests.
- 15.76. take all steps to seek to acquire the necessary interests in land by agreement including negotiation of headline terms, agreements, undertakings, transfers and any new rights required, with interested parties or by utilising compulsory acquisition powers;
- 15.77. make any subsequent technical amendments to the CPO boundary, as may be required, of the land outlined in the draft Compulsory Purchase Order Boundary Plan or any necessary amendments to the boundary of the land outlined in the draft Compulsory Purchase Order Boundary and to finalise the Draft Order Schedule prior to the Order being made;
- 15.78. agree with relevant landowners if appropriate the removal of land from the Order once made;
- 15.79. publish and advertise the Order(s), serve all appropriate notices in relation to the making of the Order and submission of the Order and all relevant accompanying documents to the Secretary of State for confirmation;
- 15.80. give authority under Section 6(4) of the Acquisition of Land Act 1981 to dispense with individual service of notices in respect of areas of land where the Council is satisfied that it has not been possible following proper enquiry to establish the ownership of the land in question and for the service of notices in the manner set out in Section 6(4) of the Acquisition of Land Act 1981;
- 15.81. if the Secretary of State authorises the Council to do so, to confirm any Compulsory Purchase Order made if there are no remaining objections;
- 15.82. instruct counsel, experts, and the Council's own officers to prepare evidence for, and to present the Council's case for compulsory acquisition at any inquiry or hearing or in any written representations processes required to inform the Secretary of State whether or not to confirm the Order;
- 15.83. following confirmation of the Order, the publication and service of all appropriate notices in relation to the confirmation of the Order;
- 15.84. utilise, where appropriate, the General Vesting Declaration procedure under the Compulsory Purchase (Vesting Declarations) Act 1981 or the notice to treat procedure under Section 5 of the Compulsory Purchase Act 1965 or section 20 of the Compulsory Purchase Act 1965 in respect of the Order Land;
- 15.85. removal of all occupants from the Order land subsequent to the Order if required;
- 15.86. appoint (in conjunction with the Monitoring Officer and S151 Officer) relevant external professional advisors and consultants to assist in facilitating confirmation of the Order and addressing any wider claims/ disputes related to the process and make appropriate arrangements for presenting Council's case at inquiry and in the determination of the appropriate compensation due to affected parties; and
- 15.87. take all steps in relation to any legal proceedings relating to the Order, including defending or settling claims referred to the Upper Tribunal (Lands Chamber) and/or applications made to the Courts and any appeals.
- 15.88. To authorise the Executive Director Growth and Regeneration to acquire additional interests in the Order Land which may arise if so advised and if satisfied it

is necessary to do so and that the human rights and equalities duties for the Council are not infringed;

15.89. Authorise the acquisition by agreement of all existing interests in and over the Order Land under Section 227 of the 1990 Act before and after confirmation of the Order and in respect of any new rights required for the development or use of the Order Land;

15.90. To note that the equalities and human rights implications have been assessed arising from the potential impacts of the proposed Order and that the Council is content to proceed with making of the Order.



Title: Update on Temple Square and Station Approach and comprehensive Compulsory Purchase Order including the Grosvenor Hotel	
<input type="checkbox"/> Policy <input type="checkbox"/> Strategy <input type="checkbox"/> Function <input type="checkbox"/> Service <input checked="" type="checkbox"/> Other [Landlord]	<input type="checkbox"/> New <input checked="" type="checkbox"/> Already exists / review <input type="checkbox"/> Changing
Directorate: Growth and Regeneration	Lead Officer name: Jan Reichel
Service Area: Property Services, Workforce and Change	Lead Officer role: Senior Development Surveyor

Step 1: What do we want to do?

The purpose of an Equality Impact Assessment is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#).

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the [Equality and Inclusion Team](#) early for advice and feedback.

1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use plain English, avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

The redevelopment of the George and Railway Hotel will offer expanded facilities and resources to continue the mission of driving inclusive and sustainable economic development for the region.

The George and Railway site, Victoria Street, BS1 6DU is next to Temple Meads Station. It will provide 44,348 sqft of Net Internal Area (NIA) floorspace, providing offices for businesses to grow on and grow into, meetings and collaboration, with ancillary café/restaurant uses at ground floor level and other associated amenities. The George and Railway project has overall priorities of supporting economic and business rates growth for the City, as part of the regeneration of a high profile area of dereliction at the centre of one of the City's main gateways.

It is intended that Skanska UK Ltd (Skanska)/Railway Pensions Nominees Ltd (Railpen) will act as the Developer for the new George and Railway building as part of a joint development and land agreement relating to their land ownership at Station Approach, Temple Meads, and the Council's land ownership of the George & Railway and Temple Square. The Council will not lead the design or construction of the building, which will be taken forward by Skanska/Railpen. The Council will enter a 35 year term lease on the building, which will enable the Council to direct the use of the property in the long term, whilst not having to find the capital to own it freehold. The Council will complete landlords fit out works to the building, which it will ensure is designed to take account of the equality considerations in the assessment.

1.2 Who will the proposal have the potential to affect?

<input type="checkbox"/> Bristol City Council workforce	<input type="checkbox"/> Service users	<input checked="" type="checkbox"/> The wider community
<input type="checkbox"/> Commissioned services	<input checked="" type="checkbox"/> City partners / Stakeholder organisations	
Additional comments:		

1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g. quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by Equality and Inclusion Team.

If 'Yes' complete the rest of this assessment, or if you plan to complete the assessment at a later stage please state this clearly here and request review by the Equality and Inclusion Team.

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	[please select]
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<p>The council will provide the landlords fit out and the tenant will carry out their own final fit out.</p> <p>Both will be reviewed at a later stage of the project.</p>
--

Step 2: What information do we have?

2.1 What data or evidence is there which tells us who is, or could be affected?

Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with particular reference to protected and other relevant characteristics: <https://www.bristol.gov.uk/people-communities/measuring-equalities-success>.

Use one row for each evidence source and say which characteristic(s) it relates to. You can include a mix of qualitative and quantitative data e.g. from national or local research, available data or previous consultations and engagement activities.

Outline whether there is any over or under representation of equality groups within relevant services - don't forget to benchmark to the local population where appropriate. Links to available data and reports are here [Data, statistics and intelligence \(sharepoint.com\)](#). See also: [Bristol Open Data \(Quality of Life, Census etc.\)](#); [Joint Strategic Needs Assessment \(JSNA\)](#); [Ward Statistical Profiles](#).

For workforce / management of change proposals you will need to look at the diversity of the affected teams using available evidence such as [HR Analytics: Power BI Reports \(sharepoint.com\)](#) which shows the diversity profile of council teams and service areas. Identify any over or under-representation compared with Bristol economically active citizens for different characteristics. Additional sources of useful workforce evidence include the [Employee Staff Survey Report](#) and [Stress Risk Assessment Form](#)

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
Bristol Census 2011 Equalities Statistics http://www.bristol.gov.uk/page/community-and-safety/equalities-data-and-research	<ul style="list-style-type: none"> 16.7% of the Bristol population have a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities (Census 2011) 26.3% of people living in Central Ward say they have an illness or health condition which limits day-to-day activities (Bristol Quality of Life Survey 2019-20) Taking into consideration that not everyone discloses their disability, the actual number could potentially be higher.

	<ul style="list-style-type: none"> It is expected that a significant number of building users or visitors will have some kind of disability, including sensory impairment and long-term health conditions.
Joint Strategic Needs assessment https://www.bristol.gov.uk/policies-plans-strategies/joint-strategic-needs-assessment	<ul style="list-style-type: none"> Data about disadvantage in Bristol is also available from the Joint Strategic Needs Assessment (JSNA). We know that people who experience discrimination (because they have one or more protected characteristics) are more likely to experience other factors contributing to disadvantage, thus compounding their experience. JSNA evidence also shows that there is a spatial dimension to disadvantage in the city and that people experience more disadvantage in the South (particularly the outer areas) and in the north and west outer areas of the city as well as in the inner eastern areas To achieve the objective of inclusive growth it is important that these groups have access to and benefit from the George and Railway office space.
Additional comments:	

2.2 Do you currently monitor relevant activity by the following protected characteristics?

<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender Reassignment
<input type="checkbox"/> Marriage and Civil Partnership	<input type="checkbox"/> Pregnancy/Maternity	<input checked="" type="checkbox"/> Race
<input type="checkbox"/> Religion or Belief	<input checked="" type="checkbox"/> Sex	<input type="checkbox"/> Sexual Orientation

2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps, then state this clearly with a justification.

For workforce related proposals all relevant characteristics may not be included in HR diversity reporting (e.g. pregnancy/maternity). For smaller teams diversity data may be redacted. A high proportion of not known/not disclosed may require an action to address under-reporting.

The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.

2.4 How have you involved communities and groups that could be affected?

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this had been of Bristol's diverse communities. See <https://www.bristol.gov.uk/people-communities/equalities-groups>.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure please refer to [Managing change or restructure \(sharepoint.com\)](#) for advice on consulting with employees etc. Relevant stakeholders for engagement about workforce changes may include e.g. staff-led groups and trades unions as well as affected staff.

The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.

2.5 How will engagement with stakeholders continue?

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Equality and Inclusion Team for help in targeting particular groups.

The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.

Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal. See detailed guidance documents for advice on identifying potential impacts etc. [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#)

3.1 Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics?

Consider sub-categories (different kinds of disability, ethnic background etc.) and how people with combined characteristics (e.g. young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the 'Action Plan' Section 4.2 below.

GENERAL COMMENTS (highlight any potential issues that might impact all or many groups)	
At this stage we have not identified any potentially adverse impacts from the proposal on the basis of: <ul style="list-style-type: none"> • Age • Marriage and civil partnership • Pregnancy and maternity • Gender reassignment • Sexual orientation • Race • Religion or belief • Sex (Gender) 	
PROTECTED CHARACTERISTICS	
Age: Young People	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Age: Older People	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Due to the location, parking will be extremely limited at the centre which could cause access issues for visitors and employees of the centre.
Mitigations:	The planning decision to approve the scheme (subject to a planning agreement) requires that appropriate mobility impaired access will be provided in the form of offsite spaces and/or a drop-off area, linked to the development by an appropriate route.

Disability	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	We know that a high proportion of disabled people (22.3%) and carers (21.4%) in Bristol are prevented from leaving their home when they want to because of parking issues ¹ . There is no planned provision of car parking as part of the redeveloped George and Railway building, reflecting the extensive public transport network and site constraints. It has not been feasible to provide access to private vehicles from the surrounding highway network given the constraints imposed by public transport and highway changes as proposed.
Mitigations:	The planning decision to approve the George and Railway scheme (subject to a planning agreement) requires that appropriate mobility impaired access will be provided in the form of offsite spaces and/or a drop-off area, linked to the development by an appropriate route. The location is extremely well served by public transport, a 2 minute walk from Station Approach at Bristol Temple Meads and a 1 minute walk from major bus routes through the city including the Metrobus route.
Sex	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Sexual orientation	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Pregnancy / Maternity	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Gender reassignment	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Race	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Religion or Belief	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Marriage & civil partnership	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
OTHER RELEVANT CHARACTERISTICS	
Socio-Economic (deprivation)	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.

Carers	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.
Other groups [Please add additional rows below to detail the impact for other relevant groups as appropriate e.g. Asylums and Refugees; Looked after Children / Care Leavers; Homelessness]	
Potential impacts:	The day to day usage of the facilities have not been accurately monitored in detail, as the future use of the space has not been finalised.
Mitigations:	These considerations will be taken into account when the future usage is clear.

3.2 Does the proposal create any benefits for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our Public Sector Equality Duty to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

The redevelopment of the George and Railway Hotel will offer expanded facilities and resources to continue the mission of driving inclusive and sustainable economic development for the region.

A local travel plan for the facility will be developed and measures within it promoted, to emphasise the excellent accessibility the site will offer, being based in the heart of the Temple Quarter and near to Temple Meads Station. This will include travel options from deprived communities within Bristol.

Step 4: Impact

4.1 How has the equality impact assessment informed or changed the proposal?

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This summary can be included in decision pathway reports etc.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary, and appropriate despite this.

Summary of significant negative impacts and how they can be mitigated or justified:

Car parking for people with physical disabilities is not possible. Parking will be provided temporarily and permanently offsite on the proposed nearby Temple Square development site. Details will be worked up through the town planning process.

Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:

The project will aim to ensure inclusive job creation opportunities for diverse communities across Bristol.

4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group please specify this.

Improvement / action required	Responsible Officer	Timescale
In addition to the actions above it is intended to engage with disabled users, through representative organisations to develop the brief for the fit out design of the building and to review consequential proposals. This work will commence following the main construction start on site.	Project Manager (to be appointed)	9-18 months

Improvement / action required	Responsible Officer	Timescale

4.3 How will the impact of your proposal and actions be measured?

How will you know if you have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective your approach is still appropriate.

Monitoring and reporting arrangements will be agreed with the operator and detailed within the equality and diversity strategy for the site.

Step 5: Review

The Equality and Inclusion Team need at least five working days to comment and feedback on your EqIA. EqIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek feedback and review from the Equality and Inclusion Team before requesting sign off from your Director².

<p>Equality and Inclusion Team Review:</p> <p>Reviewed by the Equalities and Inclusion Team</p>	<p>Director Sign-Off:</p> 
<p>Date: 23.03.22</p>	<p>Date: 23.03.22</p>

² Review by the Equality and Inclusion Team confirms there is sufficient analysis for decision makers to consider the likely equality impacts at this stage. This is not an endorsement or approval of the proposal.

Eco Impact Checklist

Title of report: Update on Temple Square and Station Approach and comprehensive Compulsory Purchase Order including the Grosvenor Hotel.				
Report author: Jan Reichel				
Anticipated date of key decision 5 April 2022				
Summary of proposals: Update on entering a Joint Development and Land Agreement (JDLA) with Skanska UK Limited/Railway Pensions Nominees Ltd (Railpen), including renewing the proposed acquisition of the Grosvenor Hotel by compulsory purchase order in the absence of an agreed purchase. The paper provides details of finance and funding matters associated with the regeneration proposals and developments plots covered within the JDLA with Skanska/Railpen, including Local Growth Fund Round 2 (LGF2) funding sought for the project.				
Will the proposal impact on...	Yes/No	+ive or -ive	If Yes...	
			Briefly describe impact	Briefly describe Mitigation measures
Emission of Climate Changing Gases?	Yes	-ive	<p>During redevelopment of the George and Railway building and adjoining land there will be direct emissions from construction vehicles and indirect emissions through energy consumption and staff travel.</p> <p>During operation of the building: indirect emissions from energy consumption and staff travel, visitor travel, generation of waste to landfill.</p> <p>Construction and Operation of consequential developments of Temple Square and Station Approach will create direct and indirect emissions</p>	<p>The Council is not the developer for the building and is entering an agreement for lease to rent the building following completion. The Developer (Skanska/Railpen) will comply with all planning requirements, including producing construction phase plans detailing how they will minimise the environmental impacts of the construction.</p> <p>Skanska/Railpen have committed to securing a BREEAM rating of Excellent for the building and to delivering in excess of a 20% reduction in carbon emissions, which they propose will achieve a 32.5% reduction in regulated CO2 emission beyond the requirements of the Building Regulations Part L2A 2013 through a combination of passive design and energy efficiency measures, an ASHP chiller and an on-site PV array.</p> <p>It is intended that the requirement for flexible office space will be incorporated into the Agreement for Lease to ensure that the operational requirements of the</p>

				<p>building are accounted for in the design and the designed performance is realised through the management and maintenance of the building.</p> <p>The development sites are well connected to the existing public transport network, located next to Temple Meads train station and on multiple bus routes.</p> <p>A Travel Plan for the building will be developed prior to occupation to support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.</p> <p>The building is to be connected to Bristol heat network and supplied by an energy centre within the Council's 100 Temple Street offices. It also intended to connect a private wire to the energy centre to supply the buildings electricity.</p> <p>The operation of the building will be managed by a third party operator, ensure that utility usage is covered in the lease agreement, so BCC do not pay this. An EPC will need to be provided to the operator.</p> <p>A Waste Management Scheme will be developed for the building and submitted to the planning authority for approval.</p> <p>The proposals for Temple Square and Station Approach are at early stages of development, when taken forward they will need to comply with all Planning requirements.</p>
Bristol's	Y	-ive	The is within flood zone	A full flood risk assessment was

<p>resilience to the effects of climate change?</p>			<p>2. The proposal will increase mains water and energy consumption.</p>	<p>undertaken for the project. Existing site ground levels are above the 1:200 year level, but below the 1:1000, year extreme river level, so have been raised to provide improved resilience.</p> <p>The site is located in the city centre, within cycling and walking distance of many residential areas of Bristol. The site is well connected to the existing public transport network, located next to Temple Meads train station and on multiple bus routes.</p> <p>The building will be connected to the Bristol heat network. The Temple Square development outline planning conditions similarly require connection to the Heat Network, which it is expected will also be required of any future development of the Station Approach site.</p> <p>The design will be developed to maximise water efficiency and minimise energy and resource consumption, this is reflected in the in the BREEAM excellent target.</p>
<p>Consumption of non-renewable resources?</p>	<p>Y</p>	<p>-ive</p>	<p>In the short-term, there is potential for the consumption of fossil fuels and other non-renewable materials arising through the use of energy and materials during the construction works.</p> <p>In the long-term, there will be reduced consumption of fossil fuels for heating and power, and also for travel to and from the site.</p>	<p>For the former George and Railway building the sustainability of building materials has been considered in the design and reflected in the BREEAM assessment. There will be the same requirements for future Temple Square and Station Approach developments.</p> <p>A Travel Plan will be developed for the building.</p> <p>The sites will be connected to the Bristol heat network.</p> <p>Reduction in consumption of non-</p>

			<p>generate mud, dust and noise.</p> <p>Once operational, the site will be connected to the sewage network.</p> <p>An increase in traffic will potentially impact on air quality within the city.</p>	<p>Control of Substances Hazardous to Health (COSHH); and for minimising and mitigating the resulting effects of construction activity, such as the generation of mud, dust and noise.</p> <p>It is expected that during the construction phase the site(s) will be registered to the Considerate Constructors Scheme. Measures for engagement with local community and stakeholders will ensure that any arising issues are quickly identified and dealt with.</p> <p>The site is well connected to the existing public transport network, located next to Temple Meads train station and on multiple bus routes. A Travel Plan for the George and Railway building will be developed to maximise use of these forms of travel over car use.</p>
Wildlife and habitats?	Y	-ive	<p>The sites are largely derelict and very sparsely vegetated. Where the new development sites go over existing highway land they may result in the loss of existing street trees.</p> <p>Potential for disturbance of protected species, such as wild birds' nests or bats if nesting or roosting within derelict buildings or trees when works commence.</p>	<p>An ecological survey has been completed of the George and Railway site, where the building will be constructed and the development will follow the recommendations of this report.</p> <p>Landscape design of new and improved public realm and new street tree planting will help mitigate any loss of existing trees.</p> <p>Works to structures or vegetation which may have nesting birds or roosting bats will be subject to an ecological survey / watch brief prior to works being conducted.</p>
Consulted with: [Giles Liddell/Nicola Hares]				
Checklist completed by:				
Name:		Jan Reichel		
Dept.:		Growth and Regeneration		

Extension:	23042
Date:	09/03/2022
Verified by Environmental Performance Team	Daniel Shelton – Environmental Performance Project Manager

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

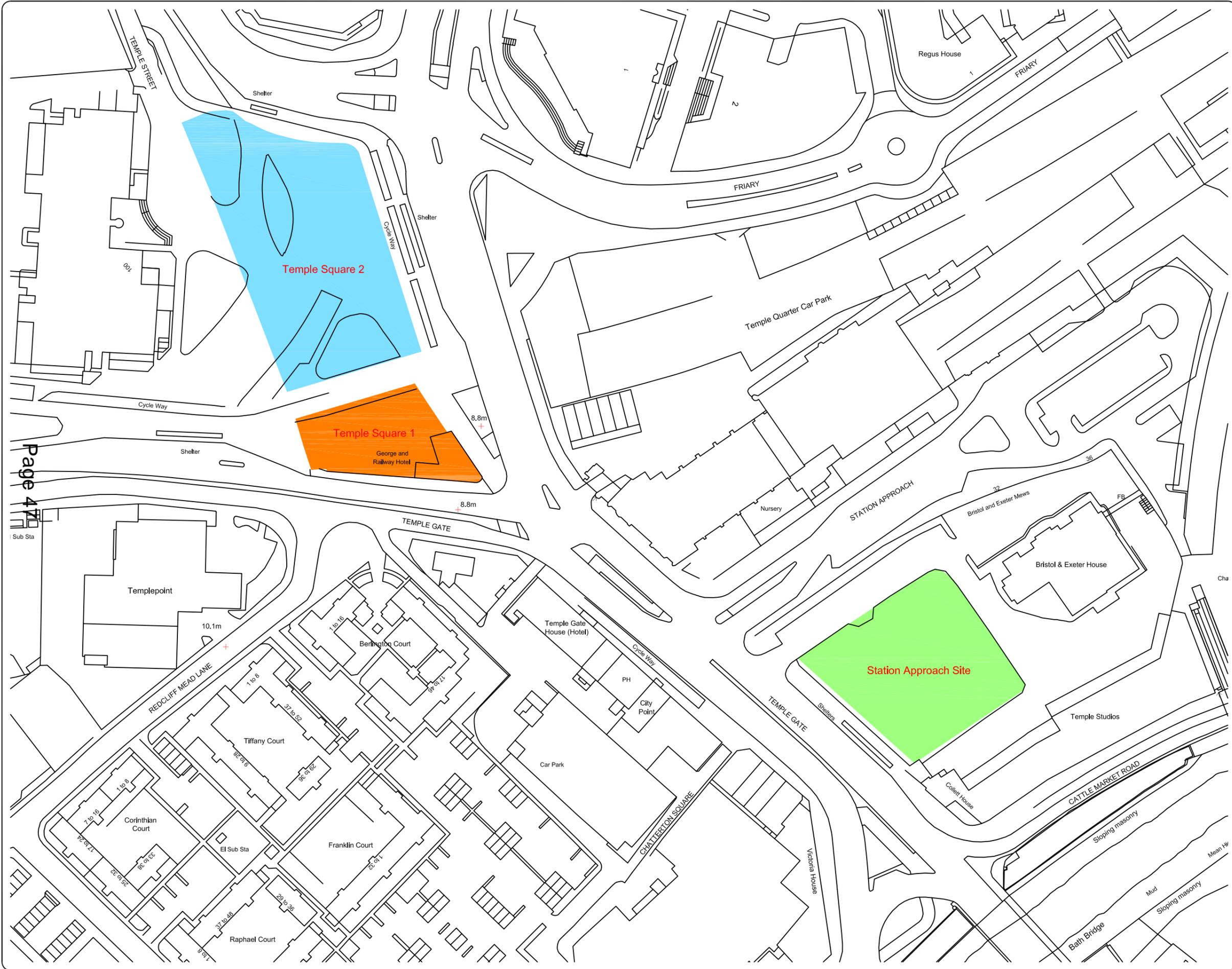
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Appendix M

Site Plans

The Appendix contains the following plans:

1. N7248c – General Plan of Sites
2. PROP-ARC-0067f – Draft Order Map – showing the boundary of the proposed Compulsory Purchase Order(s).
3. N6910a – Boundary for Grosvenor Hotel
4. PROP-ARC-0067g – Highway Land Compulsory Purchase Order Boundary Plan
5. Masterplan submitted by Skanska as part of their hybrid planning application for Temple Square.



Page 4 of 4

Temple Square & Station Approach - General Plan of Sites.

- Temple Square 1.
- Temple Square 2.
- Station Approach Site.

SITE PLAN : To ensure boundary accuracy, please refer to deeds.
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PROPERTY	
Plan No	: N7248c
Prop ID Ref	: N\A
Polygon Ref	: N\A
Scale	: 1:1,250 @A3
Date	: 09/03/2022



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**Compulsory Purchase
Order Boundary Plan
referred to in Bristol City
Council Cabinet Report
5 April 2022 entitled
Joint Development and
Land Agreement for
Temple Square and
Station Approach**

 CPO Boundary

 Grosvenor Hotel

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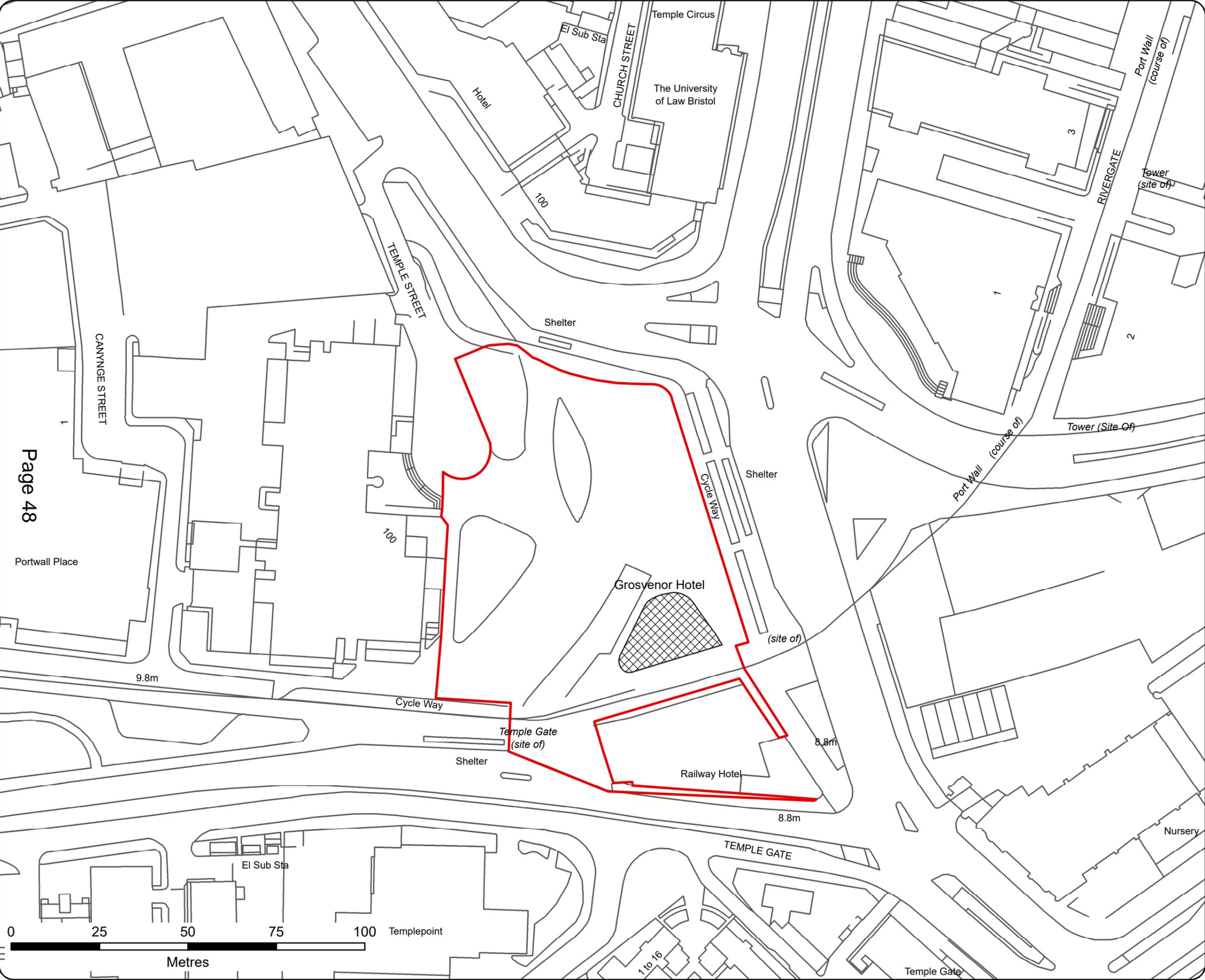
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Prop ID Ref : N/A
Polygon Ref : N/A
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Date : 18/01/2022

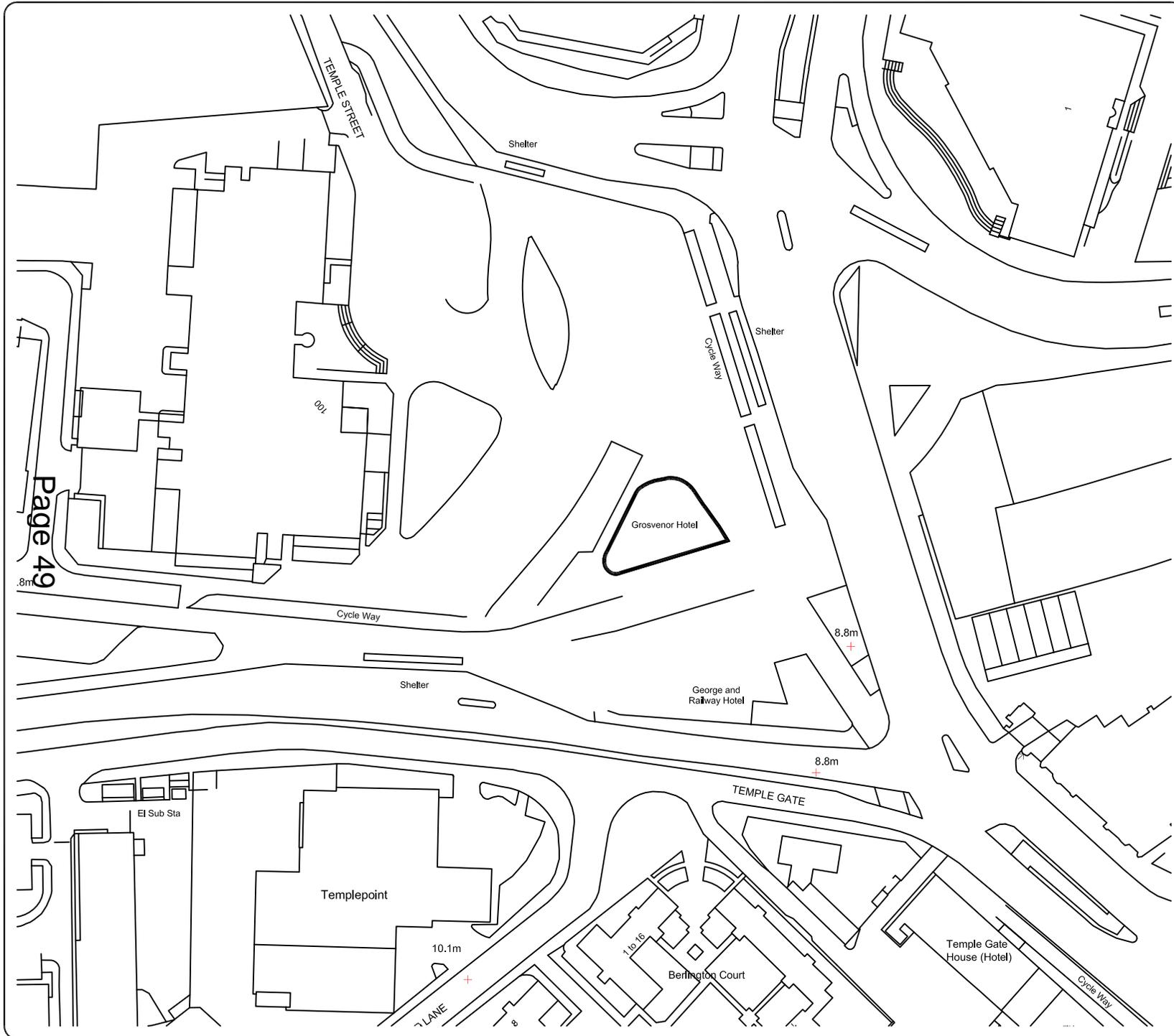


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Page 49

Grosvenor Hotel

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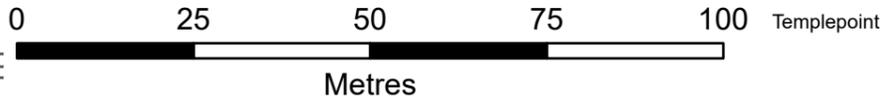
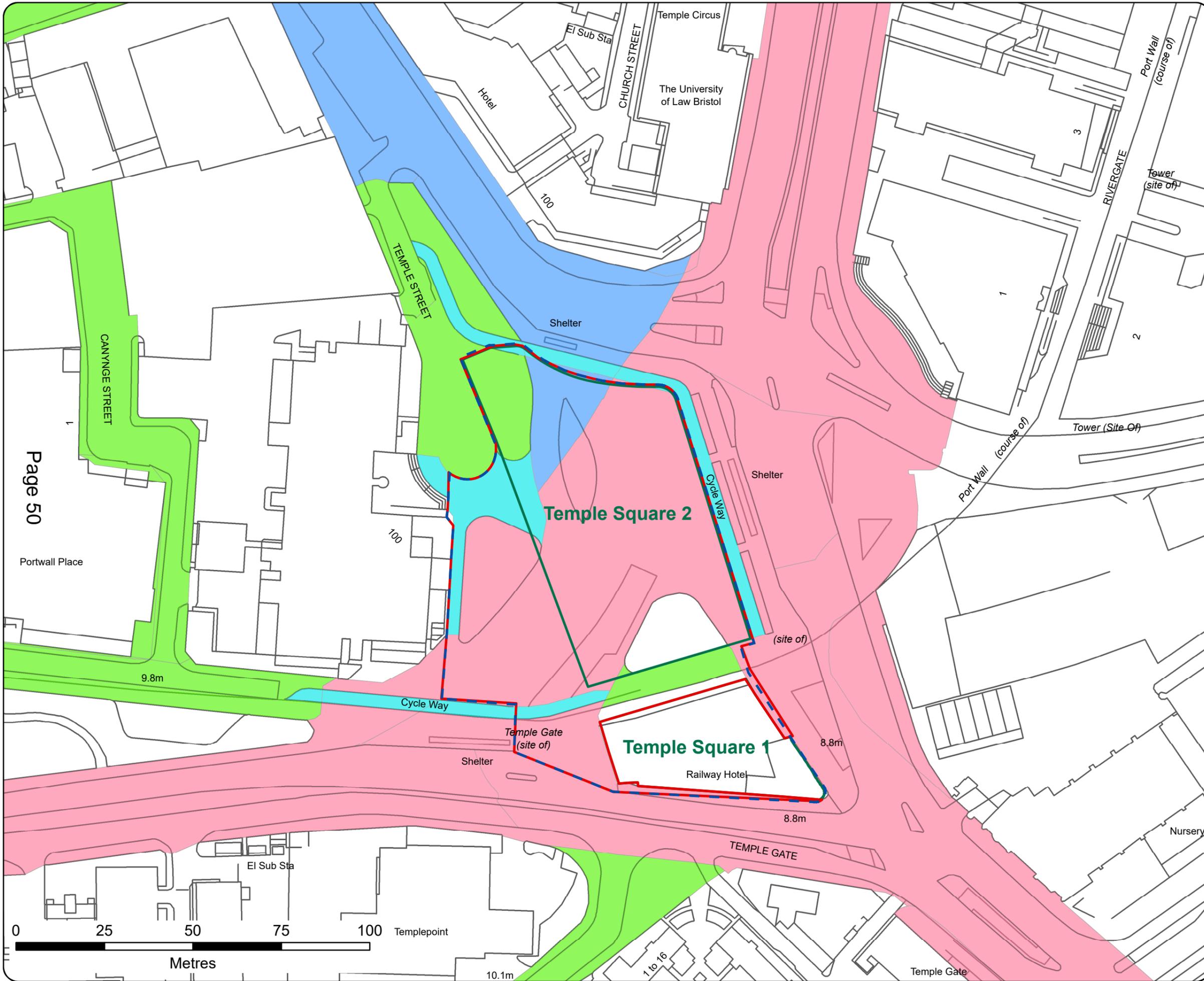
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Plan No	: N6910c
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Polygon Ref	: N\A
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Date	: 18/01/2022



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Highway Land
Compulsory Purchase Order
Boundary Plan referred to in
Bristol City Council
Cabinet Report 5 April 2022 on
the Temple Square Development

- CPO Boundary
- Planning Application Boundary
- Temple Square 1 & 2 areas

Adopted Highways

- Footpath
- A Road
- B Road
- Unclassified

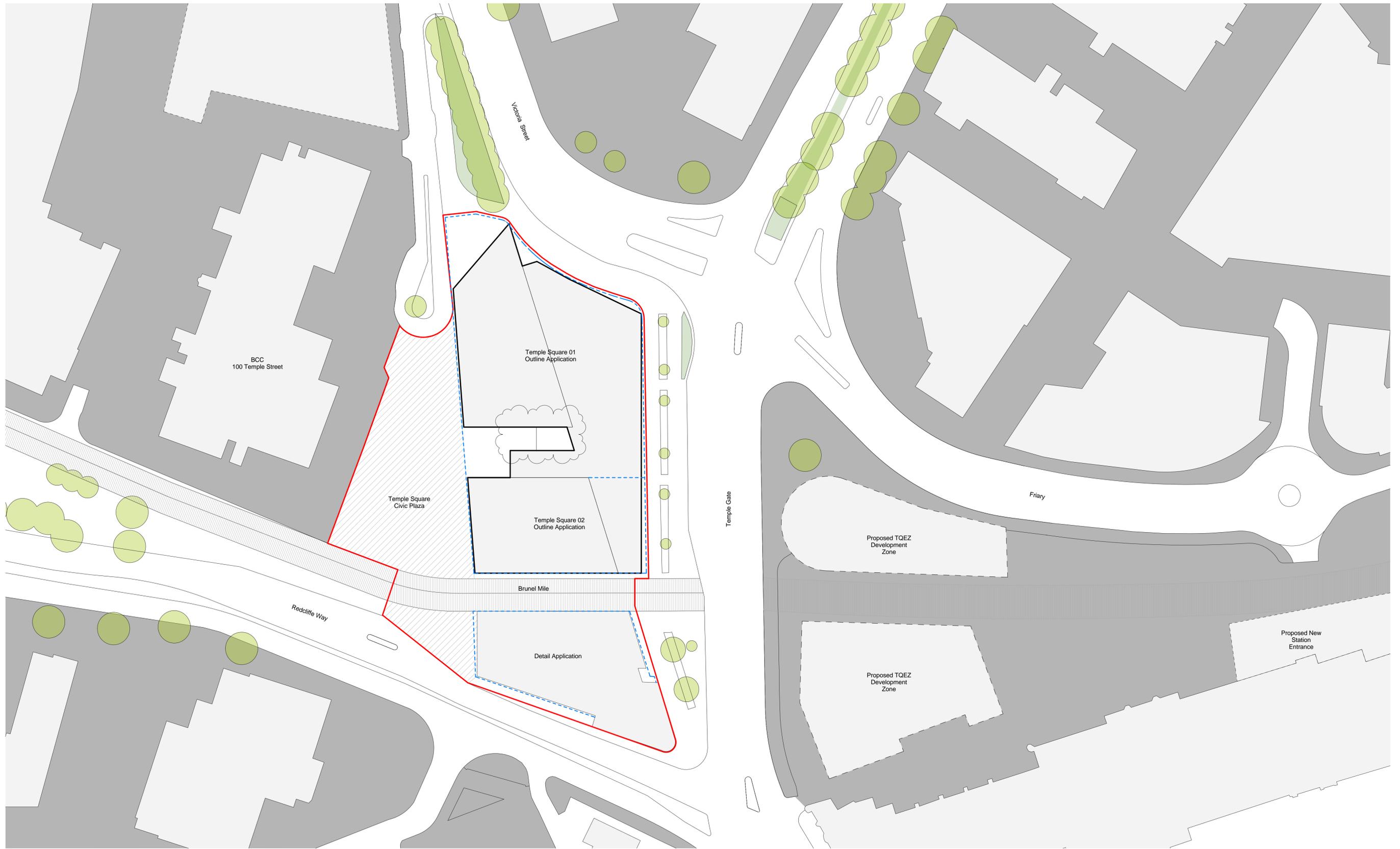
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PROPERTY	
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Polygon Ref	: N/A
Scale	: 1:1,000 @ A3
Date	: 18/01/2022



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REV	DESCRIPTION	DATE	CLIENT
A	Planning	12/12/2016	SKANSKA
B	Planning Amendment	25/08/2017	

OUTLINE PLANNING APPLICATION

DRAWING KEY

- Site Boundary
- - - Development Boundary

PROJECT
Bristol Temple Square

ADDRESS
Temple Square, Bristol

GRIMSHAW PROJECT NO.
16008

NORTH



SCALE
1 : 500 @A1

STATUS
Planning

DRAWING
Proposed Masterplan

DRAWN	CHECKED	AUTHORISED
EHP	AK	AB

DRAWING NUMBER
16008-GAL-MP-00-DR-AX-P0003

REVISION
B