

Temple Gate CPO Risk Register

Negative Risks that offer a threat to the Temple Gate CPO and its Aims (Aim - Reduce Level of Risk)

Ref	Risk Description	Key Causes	Key Consequence	Status Open / Closed	Strategic Theme	Risk Category	Risk Owner	Key Mitigations	Direction of travel	Current Risk Level			Monetary Impact of Risk £k	Risk Tolerance			Date
										Likelihood	Impact	Risk Rating		Likelihood	Impact	Risk Rating	
1	CPO and Stopping Up application for development site assembly not successful or is quashed by the High Court	Outcome of CPO inquiry or Secretary of State decision does not support the Council's case for a CPO for the site assembly.	BCC loss of expenditure pursuing failed CPO. BCC cannot meet site assembly obligations in Joint Development and Land Agreement with Skanska leading to the termination of the agreement and BCC incurring internal and external abortive costs. BCC loss of option on Station Approach, leading to Skanska taking forward development not in keeping with aspirations of Temple Meads Station Masterplan	Open		Programme / Project Management	Property Services Manager	Counsel advice secured to inform the likelihood of success. CPO process will follow guidance provided	Neutral	2	5	10	£0.5m-£3m	2	5	10	19.03.2020
2	CPO compensation for the site assembly is awarded at a level that is higher than the Councils externally validated forecast.	Outcome of CPO inquiry and the subsequent decision of the Lands Chamber (Upper Tribunal) on level of appropriate compensation, leads to higher than forecast compensation being awarded to the owners.	The Council has to pay more than its externally validated compensation forecast for the site. Such additional CPO costs will then have the effect of reducing the overall financial return from the project and the land sale to Skanska.	Open		Financial Loss	Finance Services Manager	Provision of robust evidence as part of CPO proceedings based on advice received from Counsel, External Valuers and specialist legal advisors. Inclusion of contingency sum in budget	Neutral	3	3	9	£0.5m-£3m	3	3	9	19.03.2020
3	Unilateral Notice Holders in the Grosvenor Hotel	Legal advice is that the UN holders do not have compensatable interests. The Council will be sending courtesy letters to the holders. If they are able to demonstrate they have a legal interest in the property they may be able to claim compensation.	The Council has to pay more than its externally validated compensation forecast for the site. Such additional CPO costs will then have the effect of reducing the overall financial return from the project and the land sale to Skanska.	Open		Financial Loss	Finance Services Manager	Provision of robust evidence as part of CPO proceedings based on advice received from Counsel, External Valuers and specialist legal advisors. Inclusion of contingency sum in budget	Neutral	3	3	9	£0.5m-£3m	3	3	9	19.03.2020
4	Decision to Make or Confirm Orders challenged in High Court but the Court upholds the Secretary of State's decision	The Secretary of State's decisions may be challenged by a person aggrieved. If that happens the Council would seek to appear in the challenge as an interested party even though it is the Secretary of State's decision that is challenged.	If the Challenge is defeated, allowing the scheme to proceed, it is very likely only the Secretary of State will benefit from a costs award from the Court. The Council would have to bear its own costs of appearing in the challenge	open		Financial Loss	Finance Services Manager	External solicitors and Counsel are assisting the Council's internal legal team and all are directed at reducing the risk of challenge.	Neutral	3	3	9	£75k	3	3	9	
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