

PROOF OF EVIDENCE

HENRY CHURCH MRICS

On behalf of
Bristol Airport Limited

**The Bristol Airport Limited (Land at A38 and
Downside Road) Compulsory Purchase Order
2020**

June 2021

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1.0 Introduction and Role

- 1.1 My name is Henry John Church. I am a Member of the Royal Institution of Chartered Surveyors and am a Senior Director in the firm of CBRE Ltd.
- 1.2 I have over 20 years' experience of providing advice on compulsory purchase and compensation matters, having initially qualified as a rural practice surveyor and subsequently passing the exams to become a Fellow of the Association of Agricultural Valuers. During this period, I have advised numerous acquiring authorities and claimants on both compulsory purchase procedure (including preparing and presenting evidence on behalf of both promoters of, and objectors to, compulsory purchase) and settlement of compensation claims. My recent experience of highways Compulsory Purchase Orders (CPOs) includes:
 - Stockport Metropolitan Borough Council - A6 to Manchester Airport Relief Road;
 - Cheshire East Council – Poynton Relief Road; and
 - East Sussex County Council - North Bexhill Access Road.
- 1.3 Bristol Airport Limited (BAL) made The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 ("the Order") [Core Document CP001] on 15 September 2020. The Order is required to secure the property interests necessary to deliver the highway improvements required for the development of Bristol Airport to accommodate 12 million passengers per annum (mppa). The wider development is subject of a planning application, reference 18/P/5118/OUT, and the planning appeal (reference APP/D0121/W/20/3259234) which precedes the CPO inquiry.
- 1.4 I was instructed by BAL on 10 August 2018 to pursue negotiations with all parties affected by the Order with a view to securing an agreement to purchase interests, by private treaty, with each of them and responding to objections, as appropriate. In pursuance of my instructions, I and/or others have contacted and, in some instances, met with affected parties seeking to progress negotiations to secure the required land interests.
- 1.5 My proof of evidence is structured as follows:
 - scope of evidence (Section 2);
 - background (Section 3);
 - securing powers (Section 4);
 - objections and negotiations (Sections 5 to 7); and
 - conclusions (Section 8).

Introduction and Role

1.6 I have read the RICS Professional Statements

- “Surveyors advising in respect of compulsory purchase and statutory compensation, 1st Edition” published in April 2017, and
- “Surveyors acting as expert witnesses”

and consider that, in both instances, I am compliant with them.

1.7 The evidence which I have prepared and provide for this inquiry in this Proof of Evidence is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2.0 Scope of Evidence

2.1 My evidence covers:

- The approach to acquisitions including the advice in the Ministry of Housing, Communities and Local Government (MHCLG) Guidance "*Guidance on Compulsory purchase process and The Crichton Down Rules*" (July 2019) ("the Guidance") [Core Document CPO13] and how this has been complied with;
- A summary of negotiations to acquire required interests by agreement; and
- A summary of remaining objections, description of my dealings with the affected parties, agreements that are in the process of being concluded and my response to those issues that fall within the scope of my evidence.

2.2 In carrying out my instructions I have been assisted by my colleague John Gunthorpe who is a Director in the CBRE CPO Team, other professional advisers to BAL and BAL employees.

3.0 Background

SCHEME OVERVIEW

- 3.1 To accommodate an additional 2 mppa, BAL is proposing to undertake an improvement of the A38 (the need for this scheme is discussed in detail in the evidence of Mr Witchalls). As Mr Witchalls explains in paragraph 4 of his evidence [BAL/W4] submitted in support of confirmation of the Order, the scheme comprises improvement works to the A38 between the main Airport Access Road and West Lane. The main carriageway over this length is proposed to be widened to allow two through lanes to be provided on each carriageway. In addition to the A38 works, Downside Road will be widened to two lanes at its junction with the A38 and a new access will be provided to the Airport Tavern.
- 3.2 A comprehensive scheme history and description of the scheme is set out in sections 5 and 6 of BAL's Statement of Reasons [Core Document CP003], sections 5 and 6 of BAL's Statement of Case [Core Document CP004] and section 4 of Mr Witchalls' Proof of Evidence submitted in support of confirmation of the Order [BAL/W4].
- 3.3 A planning application for the development of Bristol Airport to accommodate 12 mppa including the highways scheme (reference 18/P/5118/OUT) was submitted by BAL to the Local Planning Authority, North Somerset Council ("NSC"), in December 2018. This application was refused on 19 March 2020 and is now subject to an appeal (reference APP/D0121/W/20/3259234) pursuant to Section 78 of the Town and Country Planning Act 1990 [Core Document CD 5.1], the Inquiry for which precedes the CPO public inquiry.

MAKING OF THE ORDERS

- 3.4 The Order which is the subject of this inquiry is The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 ("the Order") [Core Documents CP001 and CP002].
- 3.5 The Order was made on 15 September 2020.

4.0 Securing Powers

COMPULSORY PURCHASE POWERS

- 4.1 BAL is using powers enabled by the Airports Act 1986 (the "Airports Act") [Core Document CD 5.14], as is justified and explained in section 7 of BAL's Statement of Case. While some of the Order Land is required only for construction purposes, I am advised that the compulsory purchase powers available to BAL to improve the highway do not allow it to compulsorily acquire rights over land or to take temporary possession of it. Therefore, freehold interests are being sought over all of the Order Land with the undertaking that BAL will offer back land, which is not required permanently, to the original landowners, subject to BAL retaining any necessary rights and other terms being agreed, including compensation. This approach has been adopted on legal advice.
- 4.2 I am advised that BAL is the relevant airport operator for Bristol Airport, being the company responsible for management of the Airport and that it holds a certificate from the CAA under section 57A of the Airports Act. Accordingly, as set out in section 7 of BAL's Statement of Case, under section 58 and schedule 2 of the Airports Act, I am advised that BAL is deemed to be a statutory undertaker for the purposes of the Acquisition of Land Act 1981 [Core Document CD 5.12].
- 4.3 As a 'relevant airport operator', the Secretary of State may authorise BAL under section 59 to acquire 'land' compulsorily for any purpose connected with the performance of the airport operator's functions. I am further advised that BAL cannot rely on section 59(3) of the Airports Act to acquire 'new rights over land', since such rights sought do not fall within the categories listed in Section 44 of the Civil Aviation Act 1982 [Core Document CD 5.13]. The permanent rights sought would be in connection with off-airport highway mitigation works, as opposed to rights required to construct airport infrastructure. As a result, I am advised that BAL does not consider that it could rely on Section 44 of the Civil Aviation Act to request that the Secretary of State makes, what would have to be, a separate CPO to acquire permanent new rights for temporary construction areas required for the Highway Works.
- 4.4 As BAL cannot seek to acquire new rights over land to use as construction areas for the off-airport highway works, and nor is it able to take temporary possession powers over such land, it must acquire the Order Land permanently, even on plots where BAL does not propose to undertake permanent highway works. However, I confirm that BAL undertakes to offer back land that is not required permanently to the original landowners, subject to BAL retaining any necessary rights relating, for example, to diverted services and drainage and subject to other terms being agreed, including as to compensation. The Order Land falling within this category is plots 4, 6, 11, 13, 15, 17 and 22 (as shown on the Order Map [Core

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Document CP002]) and shaded blue on the plan at Appendix HC1 (note that plot 1 is shaded blue erroneously). BAL will, however, continue to negotiate with affected parties to acquire the necessary use of the land and rights by agreement.

- 4.5 BAL has therefore sought to engage with all affected parties and enter into agreements which will include the hand back of any land not required permanently, subject to any rights or restrictive covenants for the operation and maintenance of the scheme and subject to terms as to compensation.

COMPLIANCE WITH MHCLG GUIDANCE ON THE USE OF POWERS

- 4.6 The Guidance [Core Document CPO13] first published in October 2015, revised in February 2018 and further revised in July 2019, provides a step-by-step guide to those bodies proposing to compulsorily acquire land. Whilst it is principally aimed at those intending to use compulsory purchase for regeneration schemes, it provides a useful guide to all bodies proposing to use powers for other purposes and one that we have followed.
- 4.7 The Guidance [Core Document CPO13] advises that a CPO should only be made where there is a compelling case in the public interest (see section 2, paragraph 1 of the Guidance). Importantly, paragraph 3 in section 2 of the Guidance makes it clear that the compulsory purchase of land is intended as a last resort in the event that attempts to acquire the rights requirement by agreement fail. Paragraph 3 states:

"Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:

- plan a compulsory purchase timetable as a contingency measure; and*
- initiate formal procedures*

This will also help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiation."

- 4.8 For the reason set out in paragraph 3, the Guidance encourages an acquiring authority to seek to acquire land by negotiation wherever practicable.
- 4.9 In this instance, BAL has successfully acquired two of the required land interests. In addition, it has corresponded extensively and met with the objectors and/or their advisers in relation to other plots. Details of the efforts to negotiate are set out in sections 5 and 6 below.

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- 4.10 At paragraph 4 in section 2, the Guidance encourages the acquiring authority to engage with affected parties as these negotiations

"...will also help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations."

- 4.11 Further, in paragraph 1 of section 17 of the Guidance the Government notes:

"Undertaking negotiations in parallel with preparing and making a compulsory purchase order can help to build a good working relationship with those whose interests are affected by showing that the authority is willing to be open and to treat their concerns with respect. This includes statutory undertakers and similar bodies as well as private individuals and businesses. Such negotiations can then help to save time at the formal objection stage by minimising the fear that can arise from misunderstandings.

Talking to landowners will also assist the acquiring authority to understand more about the land it seeks to acquire and any physical or legal impediments to development that may exist. It may also help in identifying what measures can be taken to mitigate the effects of the scheme on landowners and neighbours, thereby reducing the cost of a scheme. Acquiring Authorities are expected to provide evidence that meaningful attempts at negotiation have been pursued or at least genuinely attempted, save for lands where land ownership is unknown or in question."

- 4.12 Mindful of this guidance, my evidence demonstrates that BAL has:

- shown a real ability and desire to acquire interests by agreement;
- sought to engage with landowners;
- kept them informed of the progress of the scheme; and
- actively sought, and positively participated in, discussions with those owners with a view to acquiring the necessary land, rights and powers over the Order Land by agreement.

- 4.13 In addition, BAL has undertaken to meet the reasonable professional fees and costs incurred by those with whom it has been negotiating compensation.

LAND HAND BACK

- 4.14 As is explained above, the powers being used only allow BAL to acquire land permanently. In order to demonstrate deliverability, BAL has included all the land that will be required to

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construct the proposed highway works. Where land is only required for temporary construction purposes, however, then BAL undertakes to offer such surplus land back to the existing landowner, subject to the need to retain any rights (for example for diverted utilities in the highway verge) and subject to the agreement of compensation.

4.15 It is clear to me that:

- Where BAL enters into an agreement with an affected party to purchase land that it only requires for temporary construction purposes, it will contractually commit to return surplus land, subject (as above) to the retention of any rights required and compensation; and
- Where BAL does not manage to acquire land by agreement with an affected party and has to rely on its compulsory purchase powers, then it undertakes to offer back surplus land to the existing landowner, subject (as above) to the retention of any rights required and compensation.

5.0 Objectors

OVERVIEW

- 5.1 BAL received 32 objections to the CPO, of which 2 related to the acquisition of an interest in land (covering 8 plots in the Order) with a third from North Somerset Council ("NSC"). It is unclear whether NSC owns any land within the Order boundaries but it has occupier interests in respect of public footpaths and as the highway authority. 29 objections were based on an objection to the proposed expansion of the airport. There is no objection in respect of the remaining 14 plots. This section of my evidence deals with the objections to land take only. Those objections to the CPO that are based on an objection to the development of Bristol Airport to accommodate 12 mppa, and which do not relate specifically to the acquisition of an interest in land, are addressed elsewhere in BAL's evidence.
- 5.2 An Appendix - Signposting of Responses to Objections is attached to my evidence at Appendix HC6 which summarises the objections received to the Order and identifies where the response is provided in BAL's evidence.
- 5.3 In addition I attach at Appendix HC5 a statement from Simon Preece, Commercial Director at BAL and Andrew Griffiths, Chief Financial Officer at BAL, who respond to objections relevant to BAL's position as the Acquiring Authority.
- 5.4 Prior to the making of the Order, BAL identified those persons with an interest in land from whom acquisition is required and has engaged with each of them. Set out below are details of those objectors and BAL's engagement with them. Negotiations are ongoing and it is hoped that terms can be agreed and agreements documented which, when complete, will lead to the withdrawal of the relevant objection.

BACKGROUND AND CONTEXT

- 5.5 Although BAL recommended that affected parties are represented by professional advisors, and indeed offered to pay reasonable fees, in fact only some of the affected parties are so represented.
- 5.6 At the initial stage of my involvement, I sought to formalise the approach to professional fees, seeking agreement on hourly rates proposed by professional advisors and putting in place suitable fees undertakings in line with the level of engagement required.

Objectors

AFFECTED PARTIES

Hawthorn Leisure (Mantle) Limited

Owner of plots 3 - 8

Overview

- 5.7 Hawthorn Leisure (Mantle) Limited ("Hawthorn Leisure") is the freehold owner of the property known as the Airport Tavern.
- 5.8 I am advised the Airport Tavern was acquired as part of a larger portfolio of pubs by NewRiver REIT ("NewRiver") in 2015. I understand, therefore, that NewRiver is the ultimate parent company owner of the subject land.
- 5.9 The land holding is let on a 20 year lease to Andrew Lane from 6 January 2004 with the permitted use being as a public house. Details of our engagement with Mr Lane are outlined in Section 6 below. Mr Lane has not objected to the CPO.
- 5.10 A ground of objection from Hawthorn Leisure is that BAL has not sought to negotiate. As this evidence demonstrates this is manifestly not true. Not only has BAL negotiated but it remains willing to do so.

Effects of scheme

- 5.11 The scheme requires the acquisition of 2,582 sqm (0.64 acres) of land, being plots 3-8, partly for highway improvements and part to facilitate construction. Of these, only plots 3, 5, 7 and 8 (which extend to 928 sqm) are required permanently. The temporary land is shaded blue with permanent land take shaded pink on the plan at Appendix HC1 (note that plot 1 is shaded blue erroneously).
- 5.12 A new access is proposed to be constructed to the Public House from Downside Road (see Appendix HC9).
- 5.13 The land to be acquired includes part of the car park and land at the frontage of the public house. Part of Hawthorn Leisure's objection is that the residual land post CPO would be commercially unviable. However, given assurances over access, I can see no reason why the public house cannot continue to trade following the completion of the works and operation of the scheme. The retained land includes the totality of the public house with an improved access via Downside Road.
- 5.14 BAL has confirmed that any land not required permanently for the scheme will be offered back to the landowner, subject to any rights or restrictive covenants for the operation and maintenance of the scheme, and the agreement of terms as to compensation.

Objectors

Current position

- 5.15 Hawthorn Leisure is not represented by an agent and has managed discussions on its own behalf.
- 5.16 As the schedule of contact at Appendix HC2 shows, engagement commenced between BAL and NewRiver REIT in November 2017 and has been maintained on a regular basis since this time. As part of the BAL engagement an offer was made in July 2018. Insofar as there was subsequent correspondence between BAL and NewRiver/Hawthorn Leisure then this was privileged.
- 5.17 Since my involvement, both BAL and I have sought to progress discussions to acquire the necessary land interests from Hawthorn Leisure by agreement, making a formal offer in September 2020. Hawthorn Leisure subsequently provided a new primary point of contact and we wrote to that contact (Edward Little) on 20 April 2021. Mr Little responded on 6 May advising that he had not been able to engage with our original contact (and his colleague) either and requested a copy of the offer letter. This was sent by return. A response has been received with further clarification of the offer provided by return.
- 5.18 Although BAL will continue with reasonable efforts to acquire the required land by agreement, it requires the certainty of land assembly afforded by the Order should negotiations remain outstanding and, therefore, needs to progress the Order in respect of Plots 3-8.

The Trustees of the Sir J V Wills Will Trust

Owner of plots 1 & 2

Overview

- 5.19 The Sir J V Wills Will Trust ("SJWT") are the freehold owners of the former quarry land at Downside Road. It is my understanding that the land is currently vacant and is not currently put to any identified use by the owner.
- 5.20 A ground of objection made by SJWT is that BAL has not sought to negotiate.
- 5.21 A number of offers have been made by, or on behalf of, BAL to the Trustees of the Sir J V Wills Will Trust (SJWT), and as would be expected in commercial negotiations, these offers have evolved over time as further information has come to light.
- 5.22 BAL continues to seek to acquire the necessary interests from SJWT by agreement, but if this is not possible, a disagreement over compensation is not a matter that should prevent confirmation of the Order. If agreement cannot be reached in due course and the Order is

Objectors

confirmed and powers implemented, then SJWT would have the option of pursuing a claim through the Upper Tribunal (Lands Chamber)

- 5.23 As this evidence demonstrates not only has BAL negotiated but it remains willing to do so.

Effects of scheme

- 5.24 The scheme requires the permanent acquisition of plots 1 and 2 and which extend to 4,996 sqm (1.23 acres) of land for scheme construction and environmental mitigation. I confirmed in my letter dated 4 September 2020 that any land not required permanently for the scheme will be offered back to SJWT, subject to any rights or restrictive covenants for the operation and maintenance of the scheme.

Current position

- 5.25 SJWT instructed Lucy Back of Sworders to undertake negotiations and CBRE contacted Ms Black to provide a fee undertaking to progress engagement.
- 5.26 BAL initially approached SJWT and I was introduced in July 2019. Insofar as there has been correspondence since then it has been privileged.
- 5.27 I wrote to Ms Back in open correspondence on 4 September 2020 with a formal offer for BAL to acquire the land.
- 5.28 On 25 May 2021, I made an open offer to enter into a so called Lands Tribunal contract with a minimum payment.
- 5.29 Although BAL will continue with reasonable efforts to acquire the required land by agreement, it requires the certainty of land assembly afforded by the Order should negotiations remain outstanding and, therefore, needs to progress the Order in respect of Plots 1 and 2.

North Somerset Council

Overview

- 5.30 NSC's main concern in its objection letter appears to relate to its proposed A38 Major Road Network Scheme, some of the land for which does not fall within NSC's ownership. I understand that land needed for the A38MRN Scheme is included in BAL's Order to allow delivery of its highway works.
- 5.31 NSC is the Local Planning Authority and, I understand, is the 'occupier' in respect of some footpaths and is also the occupier as 'assumed highway authority' in respect of some other plots.

Objectors

- 5.32 I am advised that whilst Highways England is registered at the Land Registry as the owner of plots 9, 16, 17, 18, 19, 20 and 21, it appears that this land was de-trunked under the Exeter- Leeds Trunk Road (Sidcot Lane (A371) Winscombe to Bristol City Boundary, Bedminster Down) (Detrunking) Order 1977 (see Appendix HC7). At that point, ownership should have passed to NSC. However, despite the Order being made, no formal land transfer took place and the title has not been updated. BAL has a copy of the detrunking Order and a copy of the Schedule to the London Gazette dated 24 March 1977. The Schedule confirms that *"the length of the Exeter-Leeds Trunk Road (A.38) between its junction with Sidcot Lane (A.371), Winscombe and the Bristol City Boundary, Bedminster Down shall cease to be a trunk road and shall become a principal road"... "and the responsibility for that length shall be transferred from the Secretary of State to the County Council of Avon and the County Council of Somerset"*. BAL has sought to confirm the extent of the land transferred and whether this included the Order Land as well as the highway forming part of the trunk road but is unable to ascertain definitive certainty of this.
- 5.33 Whilst Highways England considers that the land has been transferred to NSC and it is just the administrative task of updating the title that is outstanding – see correspondence with Highways England at Appendix HC8, NSC does not. The CPO is therefore essential to allow acquisition of the necessary interests by BAL to provide certainty of ownership and allow the Highway Works to proceed.
- 5.34 BAL has treated NSC as a statutory objector.

Current position

- 5.35 I am advised that:
- BAL has been in discussions with NSC and it is understood that NSC's main concern is to ensure control over the land that is currently in third party ownership but which is required for both BAL's highway works and NSC's proposed A38 Major Road Network Scheme once BAL's highway works are completed. This is considered further at section 6 of Mr Witchall's Proof of Evidence in support of confirmation of the Order.
 - BAL does not intend to retain that land which would form part of the adopted highway following the completion of the Highway Works. It expects to hand this land over to NSC.
- 5.36 There have been extensive discussions between the parties regarding the section 106 agreement connected with the planning application appeal, which need to be progressed before the land agreement can be negotiated to ensure consistency.

6.0 Other parties with whom negotiations continue

- 6.1 I and members of the BAL team have sought to engage with all affected parties – not only those who objected. The only exception is Vicky Hassell, the extent of whose interest has yet to be determined. Further detail is provided on this at paragraph 6.24.
- 6.2 Set out below is a summary of those parties who are affected but where agreement has yet to be concluded.

Mr Andrew John Lane and Airport Tavern Limited

Occupier Plots 3 - 8

Overview

- 6.3 Mr Lane holds a leasehold interest in, and is the proprietor of, the Airport Tavern public house. Mr Lane additionally operates an airport parking business from the public house car park. Mr Lane's trading entities include Airport Tavern Limited.
- 6.4 Mr Lane holds a 20 year lease from 6th January 2004 over the public house, car park and adjoining field. The permitted use under the lease is as a public house.

Effects of scheme

- 6.5 The scheme requires the acquisition of 2,512 sqm (0.62 acres) of land, being plots 3-8, of which only plots 3, 5, 7 and 8 (extending to 976 sqm) are required permanently (see plan at Appendix HC1). A new access is proposed to be constructed to the public house from Downside Road (see Appendix HC9).
- 6.6 Under the Heads of Terms issued to Mr Lane's Solicitor on 4 September 2020, BAL has confirmed that any land not required permanently for scheme will, insofar as it is possible, be offered back to him, subject to any rights or restrictive covenants for the operation and maintenance of the scheme. Options including by agreement if terms can be agreed with Hawthorn Leisure and by BAL retaining the freehold and becoming Landlord in respect of the plots required temporarily.
- 6.7 Whilst there will, inevitably, be disruption I understand that the public house will be able to operate throughout during construction.

Current position

- 6.8 Mr Lane has not appointed an agent and has, to date, managed all discussions with BAL himself.
- 6.9 CBRE first met with Mr Lane on site on 21 October 2019 to brief him on BAL's proposal. A detailed schedule of contact since this date can be found in Appendix HC3.

Other parties with whom negotiations continue

- 6.10 CBRE wrote to Mr Lane on 29 September 2020 with an offer to acquire his land interests.
- 6.11 Although BAL will use reasonable endeavours to finalise the agreement, it requires the certainty of land assembly afforded by the Order should the agreement not be completed prior to the order being confirmed and, therefore, needs to progress the Order in respect of Plots 3-8.

Mr Antony Nicholas Gould

Owner of plots 10 - 15

Overview

- 6.12 Mr Gould is the freehold owner of Oakwood House which includes a residential dwelling and a detached static caravan.
- 6.13 It is my understanding that the land is used as the administration point for an airport parking operation in conjunction with other land in the area. Mr Gould has recently sought a Certificate of Lawfulness for this use.
- 6.14 Mr Gould's agent advised that Oakwood House (or part of it) is let to Mr Christopher Williams under an Assured Shorthold Tenancy – one of a number since January 2010.

Effects of scheme

- 6.15 The scheme involves the acquisition of 396 sqm (0.098acres) of Mr Gould's Interest of which 106 sqm is required permanently.
- 6.16 In order to construct the scheme, there is a requirement to relocate or demolish the static caravan.
- 6.17 BAL has confirmed to Mr Gould in writing that any land not required permanently for the scheme will be offered back to him, subject to any rights or restrictive covenants for the operation and maintenance of the scheme.

Current position

- 6.18 Mr Gould originally appointed Richard Nancekivell of David James & Partners with Newland Rennie ("DJ&P") to act on his behalf to act as his agent. I first met with Mr Nancekivell and Mr Gould on 15 August 2019.
- 6.19 A schedule of contact since this date can be found in Appendix HC4.
- 6.20 In early discussion, Mr Nancekivell advised that his client was able to provide both the necessary freehold and leasehold interests to BAL although he had not confirmed the exact

Other parties with whom negotiations continue

relationship of Mr Gould and Mr Williams or the extent of the areas and interests which each had.

- 6.21 A formal written offer was made to Mr Gould by BAL for the acquisition of his land interests required for the construction and operation of the scheme prior to my instruction.
- 6.22 Mr Nancekivell has recently left DJ&P and the matter is now being managed solely by Georgina Drewett of DJ&P.
- 6.23 I have sought clarity as to the extent of her client's interest. My understanding is that a new lease is in the process of being documented. It is anticipated that, once signed, there will be clarity as to the relationship and what interests Mr Gould and Mr Williams have.

Negotiations are continuing and reasonable endeavours will be made to enter into an agreement with Mr Gould; however, BAL requires the certainty of land assembly afforded by the Order should the agreement not be reached.

Mr Christopher Shaun Williams

Occupier of plots 10 - 15

Overview

- 6.24 It is my understanding that Mr Williams occupies Oakwood House (a House in Multiple Occupation) and adjoining field under an Assured Shorthold Tenancy. He has had this interest under a series of tenancies since January 2010. The extent of the demised area is unknown. Vicky Hassell is also listed in the CPO schedule as seemingly having an interest in plots 10 to 15, but from the discussions with DJ&P to date, it is not clear what interest she holds.
- 6.25 It is further understood that Mr Williams occupies the mobile home in the garden of Oakwood House, although the basis of this is currently unclear.
- 6.26 It is also my understanding that Mr Williams has taken over the day to day running of the car parking business (which, as far as I can tell, is Oakwood Airport Parking Limited) at Oakwood House since his occupation. The extent of his role is unclear and further clarification has been sought.
- 6.27 Until recently, discussions have been managed on behalf of Mr Williams by the freehold owner, Mr Gould and his agent. Mr Williams has, I understand, now instructed Georgina Drewett and I have contacted her seeking answers to the questions raised.

Other parties with whom negotiations continue

Effects of scheme

- 6.28 The scheme involves the acquisition of 396 sqm (0.098 acres) of Mr Gould's Interest of which 106 sqm is required permanently.
- 6.29 BAL has confirmed to the freeholder, Mr Gould, in writing that any land not required permanently for scheme will be offered back to him, subject to any rights or restrictive covenants for the operation and maintenance of the scheme.

Current position

- 6.30 Mr Williams appeared to have allowed Mr Gould's agent to progress discussions on his behalf however, as set out above, we understand he has now instructed Ms Drewett.
- 6.31 Following a conversation, Ms Drewett has liaised with her client and advised that new lease arrangements are being put in place. Until this is resolved, her client is not in a position to further agreement.
- 6.32 To date, a definitive plan showing the extent of Mr Williams occupation has not been provided by either Mr Williams or Mr Gould.
- 6.33 Negotiations are continuing and reasonable endeavours will be made to enter into an agreement with Mr Williams (and Ms Hassel if the details of her interest can be clarified); however, BAL requires the certainty of land assembly afforded by the Order.

Deborah Jane Lindsay & Richard Allen Lindsay

Owner Plot 22

Overview

- 6.34 Deborah and Richard Lindsay are the owners of 1A Lilac Cottages, a residential property accessed via a private road from the A38.

Effects of scheme

- 6.35 The scheme involves the acquisition of 222sqm (0.055 acres), part of which includes a stone retaining wall in which it is believed Deborah and Richard Lindsay hold an interest. The land is required for construction purposes only, i.e. temporarily.
- 6.36 BAL has confirmed that it will work with the owners and occupier of Lilac Cottages to ensure access to these properties is maintained during the construction period communicating with them in September 2020.
- 6.37 Following completion of the works, there will be little or no impact to the Lindsay's land interest. 1A Lilac Cottages will remain accessible throughout the scheme.

Other parties with whom negotiations continue

Joanne Margaret Limb

Owner Plot 22

Overview

- 6.38 Ms Limb is the owner of 1 Lilac Cottages, a residential property accessed via a private road from the A38.

Effects of scheme

- 6.39 The scheme involves the acquisition of 222sqm (0.055 acres), part of which includes a stone retaining wall in which it is believed Ms Limb holds an interest. The land is required for construction purposes only, i.e. temporarily.
- 6.40 BAL has confirmed that it will work with the owners and occupier of Lilac Cottages to ensure access to these properties can be maintained during the construction period.
- 6.41 Following completion of the works, there will be little or no impact to Ms Limb's land interest. 1 Lilac Cottages will remain accessible throughout the scheme.

Gregory Les Wedlake

Owner Plot 22

Overview

- 6.42 Mr Wedlake is the owner of the Old Forge, a hotel and car hire facility which fronts the A38.

Effects of scheme

- 6.43 The scheme involves the acquisition of 222 sqm (0.055 acres) of land in which Mr Wedlake is believed to have an interest – being the assumed subsoil interest beneath the public highway.
- 6.44 BAL has confirmed that it will work with Mr Wedlake to ensure access is maintained to his business during the construction works.
- 6.45 Following completion of the works, there will be little or no impact on Mr Wedlake's land interest.

Current position

- 6.46 CBRE met with Mr Wedlake and briefed him on BAL proposals on 21 October 2019.

7.0 Agreements with affected parties

OVERVIEW

- 7.1 I and members of the BAL team have sought to engage with all affected parties – not only those who objected. Set out below is a summary of those parties where agreement has been concluded.

Mr David & Mrs Frances Jutsum

Freehold owner of Greenacres

Overview

- 7.2 Mr & Mrs Jutsum were the freehold owners of Greenacres, a residential property which backs onto the A38 but is accessed via Downside Road.
- 7.3 The scheme requires a small area to the rear garden of the property.

Negotiations

- 7.4 At the time of my appointment, BAL had been in discussions with Mr & Mrs Jutsum in relation to the acquisition of the land required for the scheme.
- 7.5 It is my understanding that during these discussions, BAL offered to purchase the entire property.
- 7.6 Mr & Mrs Jutsum advised BAL that an outright sale of the property was their preferred option. A compensation package was agreed between the parties which included both the market value of the property but disturbance costs also.
- 7.7 The land was transferred to BAL on 26 February 2019 and in my view provides evidence of BAL's real ability and desire to acquire land by agreement in accordance with its obligations under the Guidance (see para 4.11 above).

Rachel Wilton

Freehold owner of Highlands

Overview

- 7.8 Ms Wilton was the freehold owner of Highlands, a residential property which backs onto the A38 but is accessed via Downside Road.
- 7.9 The scheme requires a small area forming the rear garden of the property.

Agreements with affected parties

Negotiations

- 7.10 At the time of my appointment, BAL had been in discussions with Ms Wilton in relation to the acquisition of the land required for the scheme.
- 7.11 It is my understanding that during these discussions, BAL offered to purchase the entire property.
- 7.12 Ms Wilton advised BAL that an outright sale of the property was her preferred option. A compensation package was agreed between the parties which included both the market value of the property but disturbance costs also.
- 7.13 The land was transferred to BAL on 30 May 2019 and in my view provides further evidence of BAL's real ability and desire to acquire land by agreement in accordance with its obligations under the Guidance (see para 4.11 above).

8.0 Conclusion

8.1 It is clear to me that:

- The need for, and design of, the scheme has led to a requirement for the land in the Order and BAL has sought (with some success) to acquire that land by agreement; where it has not yet succeeded, BAL requires compulsory purchase powers to deliver the scheme;
- Advice in Guidance [Core Document CPO13] has been fully met in respect of the Order. In particular, as is shown in sections 5 to 7 of my evidence, BAL has:
 - sought to engage with all affected parties;
 - kept them informed of the progress of the scheme; and
 - actively sought and positively participated in discussions with them with a view to acquiring the necessary land, rights and powers over the Order Land by agreement.

As I explained at paragraph 4.8 the Guidance [Core Document CPO13] encourages an acquiring authority to seek to acquire land by negotiation wherever practicable. BAL has demonstrably done this engaging with all and successfully agreeing terms with some.

- BAL has given an undertaking in respect of the reasonable professional fees and costs incurred by the outstanding objectors in negotiating.
- In my opinion, the objectors to the Order will be adequately protected, either by an agreement (negotiations are continuing in respect of each interest where agreement remains to be reached) or (following a failure of negotiations) by the statutory entitlement to claim compensation under the relevant provisions of the national Compensation Code.

8.2 I therefore consider that BAL has complied with the requirements of the Guidance [Core Document CPO13] and invite the Inspector to recommend that the CPO should be confirmed.

9.0 Expert's Declaration

- 9.1 I confirm that my duty to the Inquiry as an expert witness overrides any duty to those instructing or paying me, that I have understood this duty and complied with it in giving my evidence impartially and objectively, and that I will continue to comply with that duty.
- 9.2 I confirm that my evidence includes all facts which I regard as being relevant to the opinions I have expressed and that attention has been drawn to any matter that would affect the validity of those opinions. I am not instructed under any conditional fee arrangement and have no conflict of interest. I confirm that I have made clear which facts and matters referred to in this evidence are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.
- 9.3 I confirm that my evidence complies with the requirements of the Royal Institution of Chartered Surveyors (RICS), as set down in Surveyors acting as expert witnesses: RICS practice statement.

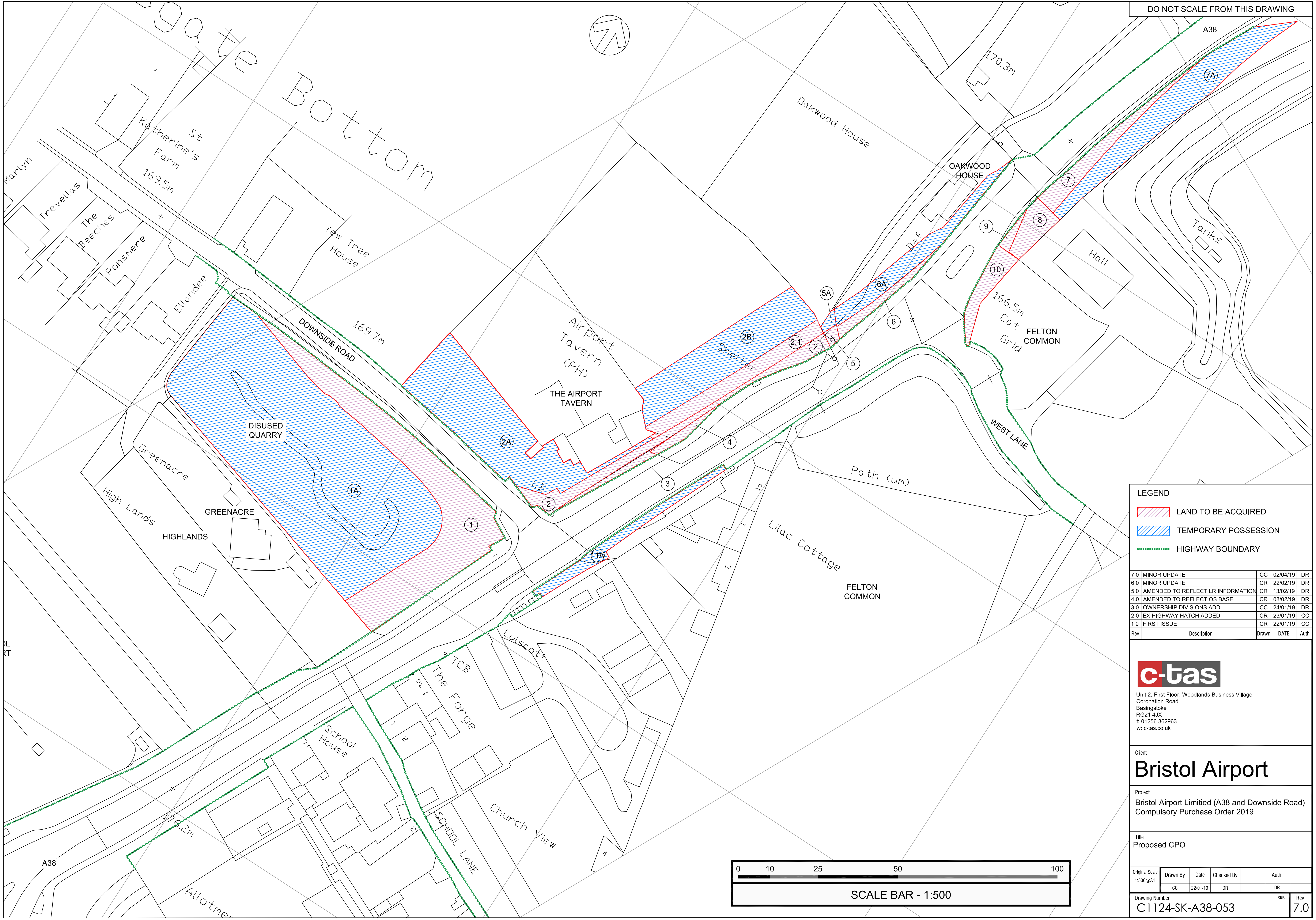


Henry John Church MRICS

29 June 2021

APPENDICES

HC1 – Plan showing plots



DO NOT SCALE FROM THIS DRAWING

LEGEND

- LAND TO BE ACQUIRED
- TEMPORARY POSSESSION
- HIGHWAY BOUNDARY

7.0	MINOR UPDATE	CC	02/04/19	DR
6.0	MINOR UPDATE	CR	22/02/19	DR
5.0	AMENDED TO REFLECT LR INFORMATION	CR	13/02/19	DR
4.0	AMENDED TO REFLECT OS BASE	CR	08/02/19	DR
3.0	OWNERSHIP DIVISIONS ADD	CC	24/01/19	DR
2.0	EX HIGHWAY HATCH ADDED	CR	23/01/19	CC
1.0	FIRST ISSUE	CR	22/01/19	CC
Rev	Description	Drawn	DATE	Auth

Unit 2, First Floor, Woodlands Business Village
Coronation Road
Basingstoke
RG21 4JX
t: 01256 362963
w: c-bas.co.uk

Client

Bristol Airport

Project

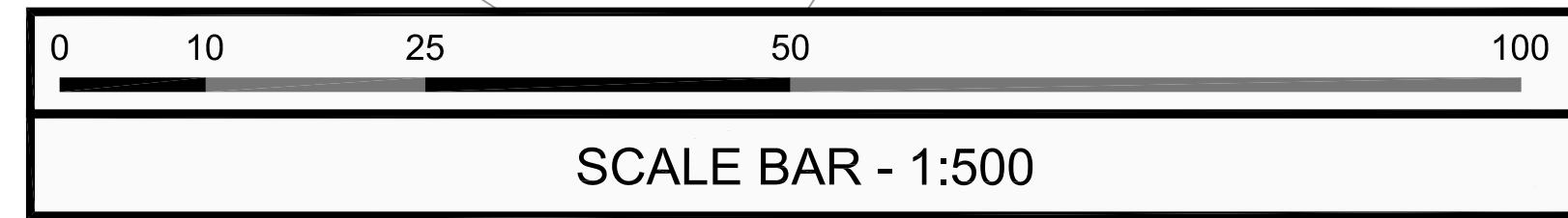
Bristol Airport Limited (A38 and Downside Road)
Compulsory Purchase Order 2019

Title

Proposed CPO

Original Scale 1:500@A1	Drawn By CC	Date 22/01/19	Checked By DR	Auth DR
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Drawing Number C1124-SK-A38-053	Rev 7.0
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HC2 – NewRiver REIT contact schedule

Contact Record

Project: Bristol Airport Expansion – A38 Improvement Works

Claimant: Hawthorn Leisure

Property Address: The Airport Tavern, Downside Road, Lulsgate, Bristol

Property Interest: Freeholder

CPO Plots: 3 - 8

Claimant Contacts: Edward Little
Email: edward.little@hawthornpubs.co.uk

Date	Communication	Parties	Summary
16/11/17	email	Andrew Dixon of BAL (AD) to C Downes of New River (CD)	First contact explaining the airports masterplan and the need to acquire land for A38 junction improvements. Invitation to meet AD and Simon Earles of BAL (SE).
15/03/18	email	AD to CD	Initial plan sent to CD at New River with a plan showing that at this stage the road widening scheme would mean taking the whole of the AT building itself. Requested copy of lease and accounts for the AT. Requested a meeting or conference call.
21/03/18	email	CD to AD	Copy of the lease between New River and the tenant Mr Andrew Lane provided to BAL.
23/03/18	email	AD to Liz Higgins (EH) cc Simon Preece (SP), SE, AG	Enquiry as to whether the AT would get a certificate of lawful use for parking. Also stated that had received the lease and accounts
26/03/18	email	AD to CD	Notification from BAL to New River that BAL would appoint GVA Grimley to provide an OMV for the Airport Tavern freehold.
26/03/18	email	EH to AD CC: SP, SE, AG	Confirmed that the AT would get a Certificate of Lawful use on the hardstanding of the AT Car park.
27/06/18	email	AD BAL to Isgrove GVA	AD advised GI that BAL Board had given consent to approach New River Mantle, owners of the AT with a view to commencing negotiations. AD to undertake negotiations with SP.
02/07/18	email	AD to CD	Sent a more refined plan, informed CD that will be submitting planning in September 18. Informed CD that would be negotiating internally and not instructing GVA. Suggested meeting both AD & SP either at BAL or in London. Suggested 3 purchase options:1. Purchase the portion BAL requires now and purchase what we require in the future at a later

Engagement Record

			date.2. Purchase what BAL require and obtain an option on the residue.3. Purchase the whole site immediately.Requested CD to call to arrange a meeting
02/07/18	email``	CD to AD CC: SP	Thank you for redefined plans. Requested offer prior to meeting.
02/07/18	email	AD to CD CC:SP	AD informed CD that he would be discussing the offer with SP.
04/07/18	email	AD to CD CC: SP	Offer sent, subject to contract, based on the purchase of the land required of 382m ² at £93,000. An option to purchase £50,000 the whole site (non-returnable and a final price of £450,000. BAL would have to provide an alternative access to the AT. Suggested a meeting once CD had had time to consider the offer.
04/07/18	email	read receipt	CD read the email on 04/07/18.
11/07/18	email	AD to CD CC: SP	Asked if CD had considered the offer and could a meeting be arranged.
11/07/18	email	CD to AD CC: SP	Informed that offer was not acceptable.
19/07/18	email	AD to CD CC: SP, SE, EH	Asked if CD had undertaken a valuation as AD wanted to submit a Board Paper. Secondly requested access to undertake a topographical survey within 2 weeks of the email, in order to submit a planning application.
23/07/18	email	AD to CD CC: SE, EH	Requested valuation again and date for topographical survey
24/07/18	email	AD to CD	Request for an update on the valuation and survey.
06/08/18	email	AD to CD	Further request for valuation and request for discussion.
06/08/18	email	CD to AD	Asked to bear with New River whilst they deliberate the site.
07/08/18	Meeting	AD, SP, MD, CD, DS	Discussed our valuations, how the two companies could work together in developing a hotel. MD would not commit to a valuation but stated that he would get back to SP.
13/08/18	email	AD to CD CC: SP, ET	Further request for valuation and date for topographical survey.
16/08/18	email	CD to AD	Apologies for delay stating that it is because it was summer. States that site had potential to be developed as a hotel. Attached statistics from CBRE concerning hotel spaces at various regional airports and stating that Bristol Airport was underprovided with hotel rooms. He asked for a revised offer or where BAL support New River in a planning application for a hotel and New River would provide the land that BAL required
22/08/18	email	AD to CD CC:SP, ET, SE	Without Prejudice letter making a final offer of £850,000 and informing CD that BAL legal advisors had stated that a CPO could be initiated, that this

Engagement Record

			could take 12 months. Asked not to ignore emails and phone calls.
28/08/18	email	AD to CD	Suggested that CD's was an interesting proposal and suggested that the parties meet to discuss the proposition further.
28/08/18	email	CD to AD	Suggested dates for meeting.
28/08/18	email	AD to CD CC:SP	Agreed to meet in London on 7 September 18.
10/09/18	email	AD to CD	Thanked for the meeting. Further request to undertake the topographical survey and what their views on value were.
01/10/18	email	CD to AD, SP, ET, SE	Apologies for the delay, stated was waiting for his Director view. Also asked about the possibility of another type of facility for a lease.
01/10/18	email	SP to CD CC: AD, SE, ET	Request to CD to allow survey to be undertaken.
01/10/18	email	CD to SP & AD CC: SE ET	Stated that waiting for Tenant to revert back to him.
03/10/18	email	CD to SP & AD CC: SE ET	Confirmed that the Tenant was happy for the topographical survey to proceed. Also stated that the CFO and MD wanted to meet up to discuss way forward.
11/10/18	Survey	C-Tas Consultants	Undertook topographical survey
16/10/18	email	SP to MD, CD, DS, SE, AD	Reiterated what was said in the meeting. Also reiterated that they could make an offer that BAL could consider.
16/10/18	Meeting	SP, AD, SE, MD, DS, CD	SP explained that BAL only required the land needed for the road scheme but that the £850,000 still stood for the whole site. He also mentioned the figure of £93,000 for the area we did require. He stated that BAL would support New River on any future developments of the land if they were to give BAL the land it requires. It was discussed that BAL would be prepared to submit a CPO. It was left that MD would get back to SP by the end of March,
19/10/18	Telephone	SP to MD	Follow up telephone call between SP & MD. MD stated that new River was not keen to sell the whole site but if we wished to make another offer for the whole it would need to be at or in excess of £1.5m. MD stated that New River was willing to sell the 'sliver' of land required for the A38 junction improvements but not at the price offered by BAL of £93k. He said he needed to meet the tenant to discuss matters and would do that within 2 weeks. SP offered to meet MD and DS when they visited the tavern and introduce him to DL.
20/10/18	email	SP to internal team	Update on SP's conversation with MD

Engagement Record

30/11/18	Meeting	SP with MD and DS	A further meeting took place on 30th November between SP, MD and DS. The meeting was at BAL and followed a meeting they had at the Tavern with their tenant. MD said that they remain keen to reach an agreement for the sale of the 'sliver' of land required for the A38 development. They need to have further meetings with the tenant before they can start talking to us about price. We agreed to talk again before Christmas and to set a deadline of 31st March 19 for an agreement. In the meantime SP notified them that BAL would start looking at CPO proceedings as we can't risk a failure to agree at the end of March without having taking contingency action. MD said he understood and accepted that approach but was very keen to avoid it.
12/02/19	email	SP to MD and DS	Request for conference call to discuss progress on an offer from New River by 31st March 19 as agreed previously.
20/02/19	conference call	SP with DS and Jamie Whitfield (JW)	Call as above with DS and Jamie Whitfield (JW). MD not present. SP was anticipating an update on New River's progress with tenant and making a counter offer to BAL. JW requested an offer from BAL
20/02/19	email	SP to DS	SP asking for clarification of earlier call.
04/04/19	email	DS to SP	DS requested SP contacted JW for further details on progress with tenant due to DS ongoing recent illness.
11/07/19	email	AD to CD CC: SP	Requested to meet to ascertain what would be acceptable.
12/07/19	Telephone	AD/CD	Discussed offer. CD stated that he would undertake a valuation and revert back to AD. CD did state that BAL should not contact the Tenants.
19/8/19	Email	SP to JW	Regarding meeting
21/08/19	email	AD to SE, SP EH	Internal mail discussing strategy following receiving CD's proposal for the hotel.
29/8/19	meeting	SP, HC and JW	To discuss proposal
6/9/19	Email	HC to JW	Summarising discussion and asking for feedback
30/1/20	Email	HC to JW	Chasing an update
2/7/20	Email	HC to JW	Chasing an update
4/9/20	Email	HC to JW	Chasing an update
10/11/20	Telephone	SP to JW	Discussing progress. SP confirmed that New River wished to agree terms avoid the CPO. New River to set out counteroffer
17/11/20	Email	SP to JW	Summarising meeting and next steps
22/1/21	Email	SP to JW	Chasing an update
24/3/21	Email	HC to JW	Chasing a response to 22/1/20 email
29/3/21	Email	Jon Bower of WBD for BAL (JB) to Emma Hurst of CMS	Asking for contact details of person to progress this

Engagement Record

		CMNO for New River (EH)	
30/3/21	Email	EH to JB	Acknowledging receipt
14/4/21	Email	JB to EH	Chasing progress
20/4/21	Email	JB to EH	Chasing progress
20/4/21	Email	EH to JB	Confirming Ed Little (EL) dealing with this
20/4/21	Email	John Gunthorpe of CBRE (JG) to EL	Introducing himself and attaching offer
6/5/21	Email	EL to JG	Asking for offer to be reissued
6/5/21	Email	JG to EL	Reissuing offer
12/6/21	Email	JG to EL	Chasing progress and offering a call
14/6/21	Email	EL to JG	Confirming offer fails to meet expectation
14/6/21	Email	JG to EL	Clarifying offer and offering a call
Case Manager: HC			

HC3 – Andrew Lane contact schedule

Contact Record

Project: Bristol Airport Expansion – A38 Improvement Works

Claimant: Andy Lane

Property Address: Airport Tavern, Bridgwater Rd, Lulsgate, Bristol BS40 9XA

Property Interest: Leaseholder – Airport Tavern

CPO Plots: 3 - 8

Claimant Contacts: Andy Lane – 07765 267 693
Email: laner@live.co.uk

<i>Date</i>	<i>Notes</i>	<i>Actions</i>
14/10/2019	<ul style="list-style-type: none"> - JG phone Mr Lane to arrange to meet him on site at the Airport Tavern on 21/10/2019 	
21/10/2019	<ul style="list-style-type: none"> - Onsite meeting held between JG & Mr Lane. JG briefed Mr Lane on the proposed A38 works and the potential implications for his land interest. - JG advised Mr Lane that BRS would like to reach an agreement with him to acquire the necessary property interests to deliver the scheme - Mr Lane advised that he had planning permission to operate a car parking business on part of the site and the remainder was only used for 28 days a year as it is within the Green Belt - Mr Lane advised that he was open to an agreement, provided the consideration was reflective of the impact on his business - JG requested that Mr Lane complete the LIQ's to ensure his property interests were accurately captured 	
16/07/2020	<ul style="list-style-type: none"> - Voice message left with Mr Lane to arrange meeting to discuss agreement to acquire part of his property interest. 	JG to follow up with call

Engagement Record

21/07/2020	<ul style="list-style-type: none"> - Voice message left with Mr Lane to arrange meeting to discuss agreement to acquire part of his property interest. 	JG to follow up with call
28/07/2020	<ul style="list-style-type: none"> - Email sent to airportavern@outlook.com requesting Mr Lane make contact to discuss BRS proposals 	
28/07/2020	Phone call with Mr Lane, meeting arranged on site for Tuesday 04/08/2020 @ 9:30 am	
07/08/2020	<ul style="list-style-type: none"> - JG met with Andy Lane on site at the Airport Tavern. - JG advised that BRS was objecting the refusal of PP and intended to progress with the scheme - JG showed AL the land area within order limits and identified BRS were seeking to acquire land permanently but would be offering land back which is not needed - Mr Lane advised he did not wish to be obstructive and as long as he felt he was being fairly compensated he would be willing to enter into an agreement - He did raise some concerns with how close the road would be to the front of the pub and whether that was a road safety issue - JG suggested that AL seek professional advice and if he would like these fees reimbursed, he should contact JG first to agree fee undertaking - JG advised he would send through a plan once one was available. 	
04/09/2020	<ul style="list-style-type: none"> - Offer letter send to Mr Lane offering £175k on a Not Less Than basis for the acquisition of his property interests 	
15/09/202	<ul style="list-style-type: none"> - JG called Mr Lane who advised he was happy to discuss offer further. - Mr Lane advised that he would like a copy of a plan so he could evaluate the impacts of the scheme in more detail - JG advised he would seek to send a plan later in the week - JG advised it was likely Mr Lane would shortly receive statutory notices which we understood. 	JG to email Mr Lane plan of land acquisition. Sent 21/09/2020
21/09/2020	<ul style="list-style-type: none"> - JG sent email to Mr Lane with a copy of the CPO plan attached 	

Engagement Record

02/12/2020	- JG called Mr Lane to discuss the offer letter on behalf of BAL. Mr Lane advised he was happy to progress discussions however he would like to take some professional advice. I advised Mr Lane to provide details of the advice he requires and an estimated cost so that this could be approved by BAL and a undertaking provided.	JG sent follow up email requesting details of Mr Lane's advisor.
Case Manager: JG		

HC4 – Mr Gould contact schedule

Contact Record

Project: Bristol Airport Expansion – A38 Improvement Works

Claimant: Mr Gould

Property Address: Oakwood House, Bridgwater Rd, Felton, Bristol BS40 9XA

Property Interest: Freeholder

CPO Plots: 10 - 15

Claimant Contacts: Georgina Drewett
Email: Georgina@djandp.co.uk

<i>Date</i>	<i>Notes</i>	<i>Actions</i>
16/7/2019	Email from Andrew Dixon (AD) to Richard Nancekivell (RN) and Georgina Drewett (GD) and David James & Partners (DJ&P) advising of CBRE's instruction	
26/7/19	AD to DJ&P regarding meeting	
6/8/19	Meeting arranged	
15/8/19	Henry Church (HC) and AD met Tony Gould and RN to discuss previously made offer and issues arising incl issues relating to mobile home and sewage treatment. Mr Gould confirmed that insofar as agreement was reached he would deliver the site with VP	
17/8/19	HC to RN summarising meeting and asking for details including as to the relationship between Mr Gould and Mr Williams, planning and footpath blockage	
2/9/19	GD to AD and HC regarding replacement windows at Oakwood House	
Insofar as there has been any further correspondence it has been privileged		
Case Manager: HC		

HC5 - Simon Preece & Andrew Griffiths Statements

APPENDIX HC5 TO PROOF OF EVIDENCE OF HENRY CHURCH MRICS

Statement of Simon Preece

1. INTRODUCTION AND ROLE

- 1.1 I am Simon Preece. I am the Commercial Director at BAL. I have held this position since 2011.
- 1.2 I am responsible for the commercial aspects of the management of property and land at BAL. I am responsible for the commercial aspects of the acquisition and development of property and land at the airport and directly accountable to the Board of BAL on these matters. I have been responsible and (in some cases) directly involved in discussions with landowners affected by the CPO since 2018.
- 1.3 I have prepared this Statement forming part of this appendix to the evidence of Mr Henry Church to respond to the majority of the CPO objections raised directly relevant to BAL's position as the acquiring authority. I also explain the process undertaken by BAL in deciding whether to proceed to make the Order which as part of that process considered whether the purposes for which the Order was to be made justified the interference with the human rights of those whose interests would be affected. My colleague Andrew Griffiths addresses matters relevant to funding in a separate statement forming this Appendix.

2. RESPONSE TO CPO OBJECTIONS

- 2.1 Hawthorn Leisure (Mantle) Limited (**Hawthorn Leisure**) queried whether the Order was made under the correct statutory powers and was concerned that BAL had failed to consider alternatives to compulsory purchase.
- 2.1.1 BAL is the relevant operator for the Airport, being the company responsible for management of the Airport. I am informed that on being authorised to do so by the Secretary of State, under section 59 of the Airports Act 1986, BAL can acquire land compulsorily for any purpose connected with the performance of the airport operator's functions.
- 2.1.2 The Scheme, and the Highway Works which form part of that Scheme, are necessary for the performance by BAL of its functions in ensuring the continued, effective operation of the Airport, by ensuring adequate access to the Airport.
- 2.1.3 I am therefore advised that BAL has promoted the Order under the correct statutory powers.
- 2.1.4 In considering the land required to deliver the Highway Works and in preparing the draft Order schedule and maps, BAL has sought to take a proportionate approach to land acquisition and to acquire the minimum interests necessary to deliver the Highway Works.
- 2.1.5 Some of the Order Land is required only for construction purposes, for example to provide working space to allow construction of the Highway Works. Some of that land may also need to be subject to permanent new rights, for example for diverted services or drainage rights.
- 2.1.6 At the outset, BAL considered alternatives to the making of the Order through voluntary negotiations to acquire the necessary interests, and considering the possibility of acquiring land temporarily or acquiring permanent rights over (rather than freehold interests in) those parts of the Order Land required only for construction purposes.
- 2.1.7 However, I was advised that BAL cannot rely on section 59(3) of the Airports Act 1986 to acquire new rights over land since the rights sought would be to enable off-airport highway mitigation works. The Highway Works are necessary for the delivery of the

Scheme, but are not airport infrastructure so I am advised that BAL could not rely on section 44 of the Civil Aviation Act 1982 to ask the Secretary of State for Transport to make an additional compulsory purchase order to acquire permanent new rights for temporary construction areas required for the Highway Works.

- 2.1.8 I am advised that compulsory purchase powers do not currently allow for the temporary possession of land, since the relevant provisions of the Neighbourhood Planning Act 2017 are not yet in force.
- 2.1.9 As the proof of evidence of Henry Church shows, negotiations to acquire land required for the Highway Works have been ongoing for some time both by BAL and by CBRE on behalf of BAL, but these negotiations have not proved successful in allowing acquisition of all of the Order Land and in particular the land owned by Hawthorn Leisure. I have previously met with them, have authorised the making of offers but progress has been extremely limited.
- 2.1.10 BAL remains committed to seek to acquire all interests by agreement, but in parallel has promoted the Order under the only powers available to it to deliver these necessary Highway Works for the Scheme. As part of its negotiations, BAL has undertaken to offer back land which is not required permanently to the original landowners, subject to BAL retaining any necessary rights relating, for example, to diverted services and drainage, and subject to other terms being agreed, including as to compensation.

3. HUMAN RIGHTS

- 3.1 BAL considered the impacts of the human rights of those who would be affected by the Highway Works before deciding to proceed to make the Order.
- 3.2 This is demonstrated by the minute of the Board Meeting of 27 August 2020 at which the decision to make the Order was approved. An extract of this minute is attached at Schedule 1 to this Appendix.

Statement of Andrew Griffiths

1. INTRODUCTION AND ROLE

- 1.1 I am Andrew Griffiths. I am the Chief Financial Officer at BAL. I have held this position since January 2021 having previously undertaken similar roles in the aviation sector including both Manchester Airport and Manchester Airport Group.
- 1.2 I am responsible for all financial matters at BAL including managing the company's funding arrangements.
- 1.3 I have prepared this Statement forming part of this appendix to the evidence of Mr Henry Church to respond to an aspect of the CPO objections raised directly in relation to BAL's funding position. My colleague Simon Preece addresses matters relevant to negotiations and process in a separate statement forming this Appendix.

2. RESPONSE TO CPO OBJECTIONS

- 2.1 Whilst Mr Preece addresses the responses to the majority of the objections raised by Hawthorn Leisure (Mantle) Limited, Hawthorn Leisure also expressed concern in its objection letter that there is a lack of funding for the Highway Works. I can confirm on behalf of BAL the following:
 - 2.1.1 Financial approval was obtained in September 2018 for funding to proceed with acquisition of the necessary land for the Highway Works. Since then, BAL has continued discussions with affected parties, with acquisition of the properties of Greenacre and High Lands approved by the Board and achieved by agreement (demonstrating its commitment to the Scheme to date). BAL under the direction of Simon Preece will seek to acquire the remaining interests in accordance with that approval. The figures for the financial approval are commercially sensitive given the ongoing negotiations for acquisition.
 - 2.1.2 The funding for the Highway Works will be confirmed once the Order powers are confirmed. In line with previous highway improvements and infrastructure developments at the Airport (including the construction of the new administration building, multi-storey car park and fire station in 2018, as well as the previous A38 improvements undertaken as part of the 10 mppa planning permission), the funding for these Highway Works (including the land acquisition costs) will be provided by BAL as part of its capital projects programme.
 - 2.1.3 BAL has a strong track record of capital investments. In 2018, this amounted to £20.3m which included the new administration building, multi-storey car park and new fire station. In 2019, the total spend was £46.6m. Whilst the final costs of the Highway Works will be settled as part of the tender process, the cost (including land acquisition) will be relatively low when considered in the context of the wider Scheme costs. BAL is confident that it has the capital resource to be able to fund them as part of its operational costs, with the costs of the wider Scheme being funded through equity and/or debt finance. BAL does not expect to require external market funding nor further investment from its shareholders to allow delivery of the Highway Works.

BAL Board Minutes

Confidential

BAL Board Covid-19 Meeting, Thursday, 27 August 2020 Minutes of the Meeting via Teams conference call

Present:

Janis Kong (Chair)	- Independent
David McGraw	- OTPP
David Kerr	- OAIL
Victor Scheibehenne	- OTPP
Liz Neighbour	- Independent
Dave Lees	- BRS
Jason Clark	- BRS

In attendance:

Adrienne Kastirr	- OAIL
Lorraine Robertson (minutes)	- BRS
Simon Preece, Commercial Director	- BRS
Liz Higgins, Planning Manager	- BRS
Shaun Browne, Head of Airline Relations	- BRS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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BAL Board Minutes

Confidential

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5.2. 12mppa Planning Appeal Update/CPO

SP and LH joined the meeting.

The papers were taken as read.

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SP summarised the position and acquisitions to date and negotiations that had taken place on outstanding land acquisitions. The CPO was required as part of the 12mppa planning appeal process, however, BRS was required to continue to negotiate under the CPO rules. SP confirmed that previous offers would be withdrawn, with BRS making new offers contingent on planning approval.

LH also gave an update on the position with the Stansted planning appeal – the examination was due to take place in January 2021, which would indicate a likely March 2021 dates for BRS.

The Board, having regard to in particular the conclusions relating to Human Rights, endorsed the 12mppa Sub Committee decision to make the necessary CPO of the land as outlined in the Draft Order Map and complete outstanding actions as set out in Appendix 1, CPO Report on the A38/Downside Road under Section 59 of the Airports Act 1986.

SP and LH left the meeting.

[REDACTED]

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19 August 2020

Bristol Airport Expansion

Report to the Sub-Committee of the Board on the use of compulsory purchase powers to promote

the Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020

Bristol Airport Limited

STRICTLY CONFIDENTIAL

This report has been prepared solely for Bristol Airport Limited. It should not be used for any other purpose. We do not accept liability to any other person other than those to whom this report is addressed.

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1. INTRODUCTION

- 1.1 This Report relates to the making by Bristol Airport Limited (the **Company**) of the Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 (the **Order**) under section 59 of the Airports Act 1986 (the **Airports Act**).
- 1.2 If made by the Company and confirmed by the Secretary of State for Transport, the Order will authorise the Company to purchase compulsorily land for the highway works to be undertaken to improve the A38 and Downside Road (the **Highway Works**) as part of the Bristol Airport expansion proposals (the **Project**). The Highway Works are described in more detail in Section 3 below.
- 1.3 The Board of the Company has established a sub-committee (the **Sub-Committee**) to make decisions relating to the Project, including in respect of the use of compulsory purchase powers.
- 1.4 The Project proposes an increase in the permitted passenger cap at the Bristol Airport from 10 million passengers per annum (**mppa**) to 12 mppa, together with a number of new infrastructure components to support the proposed increase in passenger numbers and ensure safe and efficient passenger movement to and around the airport site.
- 1.5 The Highway Works are required in order to accommodate additional traffic generated by the additional 2 mppa.
- 1.6 This Report is prepared to allow the Sub-Committee to consider the proposed compulsory purchase of land required for the Highway Works. Whilst negotiations with all affected parties continue, it is now necessary to seek compulsory land acquisition powers if agreement cannot be reached in a reasonable timescale and for a number of other reasons including dealing with land in unknown ownership and previously undiscovered parties.
- 1.7 This report considers the proportionality and compelling nature of seeking compulsory purchase powers, as well as the Human Rights of the affected parties. The draft Statement of Reasons for seeking CPO powers is at Appendix 1 and the draft CPO and Order Map at Appendices 2 and 3.
- 1.8 The purpose of this Report is to obtain approval from the Sub-Committee, if it feels appropriate to do so having first taken into account the Human Rights of the parties affected. The details of the resolutions are set out in section 10 of this Report.
- 1.9 The Sub-Committee meeting receiving this Report will need to consider the implications for the Human Rights of the parties affected by the Order, which are set out in Section 6 of this report.

2. SUPPORTING DOCUMENTS

- 2.1 Attached to this Report at Appendix 1 is the draft Statement of Reasons, the final version of which will be provided to the Secretary of State explaining why the Order has been made.

Appendix 2 is the draft Order, which details the existing interests in the Order Land. Appendix 3 is the proposed Order Map showing the individual plots referenced in the tables in the Order. Each of these documents is now substantially in the form in which they will be submitted to the Secretary of State although they may be subject to additional, minor changes. The Sub-Committee should have full regard to the draft Statement of Reasons when resolving whether or not to grant approval for the matters set out in paragraph 1.8 above.

3. BACKGROUND TO THE PROJECT AND THE HIGHWAY WORKS

- 3.1 As part of its approach to meet rising passenger demand, the Company submitted an application in December 2018 to North Somerset Council (the **Council**) to secure planning permission to increase the permitted passenger cap from 10 mppa to 12 mppa. In order to accommodate the addition 2 mppa, the Company is proposing to undertake a significant improvement of the A38 between the main airport access roundabout and West Lane to accommodate any additional traffic generated by an extra 2 mppa and support better performance of the junction.
- 3.2 The main carriageway over this length will be increased in width to allow two through lanes to be provided on each carriageway. The widening will be mainly undertaken on the western side of the road providing an overall width of 16m. The improvements taper back to join the existing carriageway width some 130m beyond West Lane. A further dedicated lane will be provided for northbound traffic turning left into Downside Road, along with a right turn lane into West Lane.
- 3.3 The centre of the carriageway will be hatched or have traffic islands in order to separate traffic flows. Downside Road will be widened to two lanes for 80m prior to the junction with the A38 and new access provided into the Airport Tavern car park.
- 3.4 The junction with Downside Road will remain controlled by traffic signals but will be linked to new signals controlling the West Lane junction. The junctions will monitor traffic approaching the junctions and using MOVA will adjust the timings to enhance traffic flow and reduce queuing. Traffic will only be able to turn left out of West Lane, while traffic travelling southbound will remain unable to turn right into Downside Road and will continue to double back at the main airport junction with the A38.
- 3.5 The existing footway/ cycle track will remain on the eastern side of the A38, with a new footway provided north of the West Lane junction. An enhanced footway/ cycle track will be provided on the western side of the road between the airport and Downside Road, with a footway provided for the section north of the Downside Road tying in with the existing facility north of West Lane. Pedestrian and cycle facilities will be provided within the Downside Road junction. A pedestrian crossing is included within the West Lane signals and both junction designs will incorporate drop kerbs. Bus stops will be maintained albeit adjusted for the new carriageway alignment. Access will also be maintained to the footpath which runs along the western boundary of the Airport Tavern land towards Lulsgate Bottom.

- 3.6 The proposed improvements are in-keeping with the current character of the area. The road will be constructed with an asphalt wearing course and antiskid surfacing will be applied on the approaches to the signal stop lines. All traffic signs, signals and markings will be provided in accordance with highway design standards applicable to the location and type of road. The area will continue to have street lighting in line with the Council's standards and local operations including driving at night. Surface water drainage will be enhanced to accommodate the effects of the widened carriageway.
- 3.7 These highway improvement works were proposed to be secured as part of the Section 106 Agreement to be agreed with the Council as local planning authority.
- 3.8 Bristol Airport has experienced significant growth since planning permission was granted for expansion of the airport to 10 mppa in 2011. This has been supported by substantial investment in airport infrastructure, facilities and surface access.
- 3.9 The extant 2011 planning permission limits the passenger throughput to 10 mppa and current facilities at Bristol Airport are not capable of accommodating an increase in passenger numbers beyond this cap.
- 3.10 As part of the phased approach to the continuing sustainable development of Bristol Airport as set out in its Masterplan, the development proposed will enable Bristol Airport to grow beyond 10 mppa to 12 mppa by making the best use of the existing airport site.
- 3.11 Access to air services provides global connectivity which creates economic and social benefits. Bristol Airport is a key economic driver within North Somerset, the West of England sub-region, the South West region and South Wales, delivering significant GVA and employment benefits, and providing substantial benefits to the wider economy by facilitating travel for business passengers and for inbound visitors.
- 3.12 National aviation policy, as set out in the Aviation Policy Framework, the Future of UK Aviation: Making Best Use of Existing Runways and the Government's emerging strategy for aviation, provide support for the growth of regional airports and making the best use of existing airport capacity including at Bristol Airport.
- 3.13 The planning application sought consent to increase the permitted passenger cap from 10 mppa to 12 mppa, together with a number of new infrastructure components to support the proposed increase in passenger numbers and ensure safe and efficient passenger movement to and around the airport site.
- 3.14 The planning application was submitted to the Council in December 2018 and was recommended for approval in the Officer's Report to the Planning and Regulatory Committee dated 11 March 2020.

- 3.15 However planning permission for the Application was subsequently refused at the Planning and Regulatory Committee meeting on 18 March 2020.
- 3.16 The reasons for refusal related to the overall planning balance in terms of economic benefits and environmental impacts, aircraft noise, air quality impacts, greenhouse gas emissions, development of car parking in the green belt and public transport provision.
- 3.17 The Company will submit an appeal against the Council's refusal of the planning application within the statutory timescales. Given the interlinkages between the Order and the appeal for the planning application, the Company will ask the appeal and any inquiry into the Order to be co-joined, and for the Secretary of State to recover the appeal decision.
- 3.18 The Highway Works are required to deliver the development the subject of the planning appeal and the reasons for the planning appeal are set out in the Statement of Case accompanying the appeal which this committee will approve before submission.

4. DESCRIPTION OF THE ORDER LAND

- 4.1 The Order Land is described in section 3 of the draft Statement of Reasons.
- 4.2 The majority of the land required to deliver the Highway Works already forms part of the public highway (being the A38 and Downside Road). However, some third party land is also required for the widening works, and also for the construction works.
- 4.3 All of the Order Land will be required to deliver the Highway Works. Some of the Order Land is only required for construction purposes, for example for working space to allow the Highway Works to be constructed. Some of that land may also need to be subject to permanent new rights, for example for diverted services or drainage rights. Compulsory purchase orders do not currently allow for the temporary acquisition of land, since the relevant provisions of the Neighbourhood Planning Act 2017 are not yet in force. In addition the Company is advised that in this circumstance it could not rely on Section 59(3) of the Airports Act to acquire new rights over land, since such rights sought would not fall within the categories listed in Section 44 of the Civil Aviation Act 1982 (**Aviation Act**). The permanent rights sought would be in connection with off-airport highway mitigation works, as opposed to rights required to construct airport infrastructure. As a result the Company is advised that it should not rely on Section 44 of the Aviation Act to request that the Secretary of State for Transport make an (additional) compulsory purchase order to acquire permanent new rights for temporary construction of areas required for the Highway Works.
- 4.4 Since the Company is not authorised to acquire new rights over land to use as construction areas for the off-airport highway works, and nor is it able to take temporary possession powers over such land, it must acquire the Order Land permanently, even on plots where the Company does not propose to undertake permanent highway works. However, the Company can undertake to

offer back land which is not required permanently to the original landowners, subject to the Company retaining any necessary rights relating for example to diverted services and drainage and subject to other terms being agreed, including as to compensation. The Order Land falling within this category is plots 4, 6, 11, 13, 15, 17 and 22. The Company will, however, continue to negotiate with affected landowners to acquire the necessary use of the land and rights by agreement.

- 4.5 As well as having powers of compulsory purchase in respect of the Order Land, the Company will rely on Section 203 of the Housing and Planning Act 2016 to override third party rights over land and convert them into a claim for compensation. This will then enable the Highway Works to be carried out without the beneficiaries of rights being able to obtain an injunction against the Company or its successors in title. Instead former beneficiaries will have a right to claim compensation. The Company has already acquired the properties known as Highlands and Greenacre so that parts of the rear gardens of those properties (which have a frontage but no access onto the A38) do not need to be included within the Order.
- 4.6 The Company's professional team has been engaged in negotiation with all of the freehold owners of the affected land. Negotiations will continue with the remaining parties where agreement has not been secured, with a view of reaching agreement without compulsory powers having to be relied upon. However, it is necessary to consider the exercise of the compulsory acquisition powers now so that, in the event that negotiations are not concluded, the Company may ensure that the Project timetable can be met.

5. THE COMPULSORY ACQUISITION PROCESS

- 5.1 Section 59 of the Airports Act authorises the compulsory acquisition of land by any relevant airport operator for any purpose connected with the performance of the operator's functions.
- 5.2 The Company is the relevant airport operator for Bristol Airport, being the company responsible for management of the airport. The Company holds a certificate from the Civil Aviation Authority under section 57A of the Airports Act. As a result, under section 58 and schedule 2 of the Airports Act, the Company is deemed to be a statutory undertaker for the purposes of the Acquisition of Land Act 1981.
- 5.3 The Highway Works are necessary for the performance by the Company of its functions in ensuring the continued effective operation of the airport.
- 5.4 Before the Company exercises its powers to make a compulsory purchase order, it is necessary to secure approval from the Sub-Committee. In summary the process to be followed once authority to make an order is provided by the Sub-Committee (as set out in the Acquisition of Land Act 1981) is as follows:

- 5.4.1 The Order is made and notice served on all those with an interest in the land. When notices of making the Order are served on the affected owners, a statement of reasons outlining the case for compulsory purchase (substantially in the form of the draft at Appendix 1) will also be served.
- 5.4.2 There is a minimum 21 day period for those affected by the Order to object. If they object (and their objection relates to matters other than the payment of compensation) then they can require a public inquiry to be held.
- 5.4.3 A public inquiry is held if objections are made and not withdrawn. At the inquiry, the case for the promoters and objectors will be heard.
- 5.4.4 A report is provided to the Secretary of State who will decide whether or not powers of compulsory purchase should be confirmed.
- 5.4.5 Following confirmation of an order, there are three years in which to exercise the powers.
- 5.5 The acquisition of land is subject to the payment of compensation based on open market value principles encompassed in a series of statutes and judicial decisions known as the compensation code. In addition to a payment based upon the value of the interest affected, compensation may also be payable in the event that there is a decrease in the value to land retained or outside the area over which new rights are exercised in the event for example that part of the remaining land can no longer be used. Matters of compensation are not for the Secretary of State to consider and in the event that compensation cannot be agreed, the matter would be referred to the Lands Chamber to determine.

6. HUMAN RIGHTS

- 6.1 As the exercise of compulsory acquisition powers involves depriving a legal entity of its interests in land it is necessary to consider the impact on human rights of those affected. This applies to both people and other legal entities including companies.
- 6.2 The European Convention on Human Rights (the **Convention**) is an international treaty signed under the auspices of the Council of Europe. Whilst the United Kingdom was instrumental in drafting the Convention it was never incorporated into United Kingdom law. The Human Rights Act 1998 (**HRA**) addresses the situation to an extent.
- 6.3 The HRA still does not incorporate the Convention into United Kingdom law but what it does is to enable individuals to invoke Convention rights for certain purposes and for certain effects.
- 6.4 The main articles of the Convention which are of importance in circumstances where the Company is considering making a compulsory purchase order are Article 6 – The Right to a Fair

Hearing; Article 8 – The Right to Respect for Private and Family Life and His/ Her Home; and Article 1 of Protocol 1 – The Protection of Property.

- 6.5 In seeking compulsory acquisition powers in the Order, an acquiring authority must show that the acquisition is justified in the public interest. On this basis the Company is now being asked to consider the human rights of those affected.

Article 6

- 6.6 Article 6 of the Convention entitles everyone to a fair and public hearing when their rights are interfered with. If an objection is made by owners of land in the Order, then the Order will not be made by the Secretary of State without an inquiry being held or if consented to by the objector, the objection being considered by an independent Inspector by way of the written representations procedure. Article 6 is therefore adhered to in the Order making process.

Article 8

- 6.7 Article 8(1) provides that everyone has the right to respect for his/her home but Article 8(2) allows the State to restrict the rights to respect for the home to the extent necessary in a democratic society and for certain listed public interest purposes, e.g. public safety, economic wellbeing, protection of health and protection of the rights of others.

- 6.8 When considering Article 8 in the context of compulsory acquisition the Company needs to ask the following questions:

- (a) Firstly, does a right protected by Article 8 apply – to which the answer is "yes".
- (b) Secondly, has an interference with that right taken place or will take place as a result of the compulsory purchase being made – to which the answer is again "yes".

- 6.9 The answer to these two questions being in the affirmative confirms that Article 8 applies and it is therefore necessary to consider the possible justifications for the interference under Article 8(2). There are three questions for the Company to consider:

- (i) *Is the interference in accordance with the law?*

The answer is yes, there being a legal basis for seeking compulsory acquisition in the Order.

- (ii) *Does the interference pursue a legitimate aim?*

The justification for the Order is that it seeks to achieve a particular purpose in the public interest, namely, the delivery of the Project.

- (iii) *Is the interference necessary in a democratic society?*

Here the Company must make a balancing judgement between the public interest and the rights of the individual – the Order must be necessary and proportionate.

- 6.10 A proportionality question is whether the measure has an excessive or disproportionate effect on the interests of affected persons? A recent Court judgment held this need not necessarily be the least intrusive means possible, although an earlier Court indicated the least intrusive means of securing the public interest would be the appropriate measure. In the circumstances set out in this Report, it is for the Sub-Committee to consider if a less onerous means of securing the purposes of the Project can be achieved using powers other than compulsory acquisition.

Article 1 of Protocol 1 (A1P1)

- 6.11 This Article provides that:

- 6.11.1 Every natural or legal person is entitled to the peaceful enjoyment of his possessions;
- 6.11.2 No one shall be deprived of those possessions except in the public interest and subject to the conditions provided for by law; however,
- 6.11.3 The above rules shall not prevent a State enforcing such laws as it deems necessary to control the use of property in accordance with the general interest.
- 6.11.4 The Company must decide in relation to Article 1 whether a fair balance has been struck between the demands of the general interest of the community and the requirements of the protection of the individual's fundamental rights. The right to compensation is an important factor in considering the balance between the two.

Recommendations Relating to the Human Rights Act

- 6.12 With regard to Article 8 it is for the Sub-Committee to consider whether, in balancing the constitutional rights of ownership of property for the individuals who are affected by the Order either through the acquisition of land or rights against the socio-economic benefits to the community of proceeding with the Order, the making of the Order and the interference with the individuals' rights is justified, necessary and proportionate. In considering this balance, and as is set out in the draft Statement of Reasons, national aviation strategy supports the growth of regional airports and making the best use of existing airport capacity. This should be considered in the balance with any private loss.
- 6.13 With regard to A1P1, it could be considered that the interference with a person's property through the acquisition of land is in the public interest and subject to the conditions provided for by law; in particular, the interference with A1P1 rights is justified by the public advantage accruing in proceeding with the Project. This is particularly the case when taking into account the fact that there is a legal right to compensation for the interests acquired pursuant to the Order; and that if agreement cannot be reached an affected party can have the matter determined independently by the Lands Chamber of the Upper Tribunal.

- 6.14 If the Sub-Committee considers the public interest justifies the interference with private rights and that there is a case in the public interest for the Project, it can authorise the making of the Order.

7. EQUALITIES ACT 2010

- 7.1 In addition to the HRA, the Acquiring Authority is required to comply with the Equalities Act 2010. The Company has considered the impacts on those that would be affected by the land acquisition. There are no known negative impacts arising from the Highway Works on anybody with protected characteristics. The Highway Works will deliver much improved segregated access for pedestrians and cyclists and provide Disability Act compliant access to the Airport Tavern via a ramp (in addition to steps).

8. NEGOTIATION STRATEGY

- 8.1 The Company has been in discussion with the affected parties. To date, it has not been possible to agree commercial terms with all of the parties included in the proposed Order.
- 8.2 It is hoped that agreement can be reached prior to the actual exercise of compulsory powers and detailed negotiations in relation to the terms will continue to be pursued. Because of the timetable for the Project, compulsory powers are being sought in case agreement is not reached within a reasonable timeframe.
- 8.3 Negotiations will continue but it is currently envisaged that these will not come to fruition before the Order needs to be relied upon.

9. FINANCIAL RESOURCES AND COMPENSATION

- 9.1 The draft Statement of Reasons sets out that the Company has the ability to secure the financial resources required, which include the cost of acquiring any land and the payment of compensation as applicable. This position has not changed in light of the Coronavirus pandemic. The basic principles of the compensation code are referred to above. As well as compensation payments for acquisition of land and rights, injurious affection or depreciation in value of owners' retained land and disturbance suffered by owners, compensation is payable under the loss payment regime on the basis of 10% of the market value of the land acquired up to a maximum of £100,000.
- 9.2 Disturbance payments and similar arrangements for payment apply for owners' costs of conveyancing and obtaining professional advice on the compulsory acquisition process (although not objection costs). Other costs would include the hire of a venue for any inquiry and if necessary the cost of hiring administrative equipment to support that inquiry.
- 9.3 As part of the Highway Works it will be necessary to secure additional consents and approvals. These are being discussed with North Somerset Council. As part of the planning appeal process

a section 106 agreement will be advanced. In addition in the event that the Company undertakes the Highway Works a section 278 agreement (as well as dedication under section 38 of the Highways Act 1980) will be required. The Company will also discuss with the Council the need for any order to close and re-provide the private means of access to the Airport Tavern and any temporary closure of the public footpath within plots 10 and 11 whilst the Highway Works are undertaken.

- 9.4** There are not considered to be any impediments to implementation of the Order, and this Report has considered the impact of the parties affected by compulsory acquisition. Therefore the Sub-Committee may consider that the public benefit outweighs the private loss such that there is a compelling case in the public interest for the Order to be made.

10. SUB-COMMITTEE RESOLUTION

- 10.1** The Sub-Committee is asked to formally consider whether it believes that the making of the Order is proportionate in interfering with the Human Rights of those potentially affected by the powers of expropriation that the Company seek.

- 10.2** It is recommended that, having given due consideration to the provisions of this Report including in particular the impact on the human rights of those affected by the Project as well as equalities impacts;

the Company resolves to:

- 10.2.1** Finalise the drafting of the Statement of Reasons, make any necessary amendments to reduce the boundary of the land outlined in the draft Order Map in Appendix 3 to this Report entitled "Map referred to in the Bristol Airport (Land at A38 and Downside Road) Compulsory Purchase Order 2020" (**the Draft Order Map**) and finalise the draft Order Schedule in Appendix 2 of this Report;
- 10.2.2** Make a compulsory purchase order of the land outlined on the **Draft Order Map**, submit the same to the Secretary of State to request its confirmation, pursue all necessary actions to secure confirmation of the Order and if confirmed, exercise the powers;
- 10.2.3** Continue to seek to acquire all outstanding interests and rights in land to deliver the Highway Works by negotiation, in conjunction with the statutory process outlined above;
- 10.2.4** Offer, where appropriate, undertakers to affected parties to overcome their objections to the compulsory purchase (and other aspects of the Project);
- 10.2.5** To apply the unknown ownership procedure set out in section 6(4) of the Acquisition of Land Act 1981;

- 10.2.6 To prepare and take all actions necessary for any inquiry into the Order and to appoint a professional team to prepare for and give evidence at such inquiry;
- 10.2.7 If confirmed, to advertise the Order and to take all necessary steps to acquire the required land, including the making of vesting declarations or the service of notices to treat and notices of entry and to take possession of the Order Lands;
- 10.2.8 Make or defend references to the Lands Chamber of the Upper Tribunal on matters of disputed compensation if so required;
- 10.2.9 Use the Company's powers under section 203 of the Housing and Planning Act 2016 to override third party rights in land that comes within the Company's ownership which would interfere with the Highway Works

Appendices:

App 1 - Draft Statement of Reasons

App 2 - Draft Order Schedule

App 3 - Draft Order Map

App 4 - Map showing the extent of the land required for the Highway Works

2020

Bristol Airport Limited (Land at A38 and Downside Road) Compulsory
Purchase Order 2020

Bristol Airport Limited's Statement of Reasons

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1. INTRODUCTION

- 1.1 This document is the Statement of Reasons produced by Bristol Airport Limited (**Acquiring Authority** or **BAL**) explaining the reasons and justification for making the Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 (the **Order**).
- 1.2 The Order was made by BAL under the provisions of the Airports Act 1986 (the **Airports Act**). The Order will be submitted to the Secretary of State for Transport to request its confirmation. The Order is required to support BAL's planned increase in the permitted passenger cap at the Bristol Airport from 10 million passengers per annum (**mppa**) to 12 mppa, which is the subject of an appeal against the refusal of planning application (reference 18/P/5118/OUT) (the **Application**). The Application includes a number of new infrastructure components offsite to support the proposed increase in passenger numbers and ensure safe and efficient passenger movements to and around the airport site. Highway works to the A38 and Downside Road are required to accommodate additional traffic generated by the additional 2 mppa (the **Highway Works**). The Highway Works and the Bristol Airport expansion proposals (the **Scheme**) are described in more detail in section 6.
- 1.3 BAL is seeking to acquire land required for the Highway Works which it has not been able to secure by way of private treaty. The area over which land is required for the Highway Works is referred to in this Statement as the **Order Land**.
- 1.4 This Statement of Reasons has been produced in accordance with the advice in Section 12 of the guidance issued in October 2015 (and last updated in July 2019) by the Department for Communities & Local Government (as was) entitled "Guidance on Compulsory Purchase process and The Crichel Down Rules" (**CPO Guidance**). It sets out the reasons why the powers of compulsory purchase contained in the Order are necessary and why there is a compelling case in the public interest for the Order to be confirmed by the Secretary of State. This Statement of Reasons is a non-statutory document.
- 1.5 This Statement is not intended to constitute BAL's Statement of Case for the purposes of the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event of a public local inquiry being held into the Order. Should a public inquiry be held BAL will request that it is cojoined with the planning appeal relating to the Application.
- 1.6 As the Order was made during the time of the Coronavirus (**COVID-19**) pandemic, BAL will, in complying with its notification requirements, take into account the Ministry of Housing, Communities and Local Government's "Coronavirus (COVID-19): compulsory purchase guidance" published on 13 May 2020 (and last updated 27 May 2020 **[review if updated]**) (**COVID-19 Guidance**).

2. STRUCTURE OF THIS STATEMENT

- 2.1 Section 12 of the CPO Guidance provides advice on what the contents of a Statement of Reasons should address. The following sections of this Statement reflect the CPO Guidance and include:
 - 2.1.1 A description of the Order Land and its present use (section 3);
 - 2.1.2 A description of the Highway Works, the Scheme and the proposals for the use or development of the Order Land (section 6);
 - 2.1.3 An explanation of the enabling power under the Airports Act (section 7);
 - 2.1.4 A statement of the Acquiring Authority's purpose in seeking to acquire the Order Land, justification for use of the enabling power and explanation of how regard has been given to the European Convention on Human Rights (sections 5, 6, 7 and 16);
 - 2.1.5 a statement justifying the extent of the Scheme to be disregarded for the purposes of assessing compensation in the 'no-scheme world' (section 6)

- 2.1.6 A statement about the planning position of the Order Land (section 10);
- 2.1.7 Any special considerations affecting the Order Land (section 15);
- 2.1.8 A statement on the absence of impediments to the implementation of the Order and delivery of the Highway Works (sections 3, 6, 9, 10 and 11);
- 2.1.9 Details of any views which may have been expressed by a Government department about the proposed development of the Order Land (section 18);
- 2.1.10 What steps BAL has taken to negotiate the acquisition of the land by agreement. (section 8)
- 2.1.11 Any other information which would be of interest to persons affected by the Order (section 21 and 22);
- 2.1.12 Details of related orders, applications etc (section 13); and
- 2.1.13 Details of documents which BAL would intend to refer to or put in evidence in the event of an inquiry (Appendix 1).
- 2.2 This Statement describes the case for compulsory purchase and provides conclusions on BAL's reasons for promoting the Order.
- 2.3 The following terms are used in this Statement:

1981 Act	Acquisition of Land Act 1981
Acquiring Authority or BAL	Bristol Airport Limited
Application	the planning application submitted by BAL to increase the permitted passenger cap at the Bristol Airport from 10 mppa to 12 mppa allocated reference 18/P/5118/OUT which is the subject of an appeal
Compensation Code	the body of Statute, Lands Tribunal and Lands Chamber of the Upper Tribunal decisions and case law applicable to the determination of compensation in relation to compulsory purchase
Convention	The European Convention on Human Rights which was incorporated into domestic law by the Human Rights Act 1998
Council	North Somerset Council
CPO Guidance	the guidance issued by the Department of Communities and Local Government in July 2019 entitled Guidance on Compulsory Purchase process and The Crichel Down Rules
COVID-19 Guidance	the guidance issued by MHCLG updated on 27 May 2020 entitled Coronavirus (COVID-19): compulsory purchase guidance
Highway Works	the highway works at the A38 and Downside Road described in Section 6
MHCLG	Ministry of Housing, Communities & Local Government
MPPA	million passengers per annum

- | | |
|---------------------------|---|
| Order | The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 |
| Order Land | the land included within the Order for compulsory acquisition |
| Order Map | Map referred to in the Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 |
| Scheme | the scheme do be consented by the Application including the Highways Works on the Order Land |
| Secretary of State | the Secretary of State for Transport |
- 2.4 A list of the documents which BAL intends to refer to in the event of an inquiry into the Order is provided at Appendix 1. BAL reserves its right to add to the list as necessary and will endeavour to notify the inquiry and any remaining objectors of any such documents as soon as possible prior to the opening of such an inquiry.
- 3. DESCRIPTION OF THE ORDER LAND**
- 3.1 The land included within the Order to be compulsorily acquired is shown edged red coloured pink being the Order Land and shown on the Order Map. The total area of land to be compulsorily acquired is approximately 9,375 square metres.
- 3.2 General location of the Order Land
- 3.2.1 Bristol Airport is located on the western side of the A38, approximately 11km south-west of Bristol City Centre, within the local authority administrative area of North Somerset Council. Covering an area of 196 hectares (**ha**), it is situated on a ridge of high ground called Broadfield Down 183 metres above ordnance datum with the A370 Bristol to Weston-super-Mare road 4km to the north and the M5 motorway 11km to the west of the site (the total planning application site area is circa 211 ha). The A38 carriageway is directly adjacent to the airport, on its eastern extent.
- 3.2.2 Two roundabout junctions provide access to the airport site from the A38. The northern roundabout provides access to the northern parts of the airport including the main terminal building, passenger pick up and drop off areas, hotel and operational facilities and both short and long-stay parking areas. This is also the main access for public transport links to Bristol Airport. The southern roundabout, meanwhile, provides access to (inter alia) silver zone long-stay car parking, main administrative building, staff car parking, car rental hub, aircraft maintenance areas, fire station, Profred hangar, Bristol and Wessex Aeroplane Club, Bristol Flying Centre and Western Power Distribution Helicopter Unit.
- 3.2.3 In addition to its existing site, BAL owns some 16 ha of land immediately to the south of the southern area. This land is currently used for agriculture, dominated by improved grassland used for grazing and a small area of woodland. The area surrounding the Airport, meanwhile, is predominantly open, undulating countryside with extensive woodland areas to the east and open farmland and settlements to the north, east and south.
- 3.2.4 Immediately to the north of the airport are properties along Downside Road. Those properties along the southern side of this road fall within the parish of Wrington and those along the north fall within the parish of Backwell. Those properties along the southern side of Downside Road share a boundary with Bristol Airport. To the north-west is the village of Felton which extends northwards along the A38 and east towards Winford. To the south is a small settlement of Redhill and beyond is Wrington.

- 3.2.5 The Order Land is located to the north of the northern A38 roundabout which serves the Airport. The Order Land comprises land both adjacent to the A38 carriageway as well as along Downside Road.

3.3 The Order Land in detail:

Plot	Description and present use of Order Land
1	The western portion of Woodland and former quarry (south of Downside Road and west of Bridgwater Road, A38)
2	Woodland and former quarry (south of Downside Road and west of Bridgwater Road, A38) fronting the highways
3	Hardstanding between A38 highway and Airport Tavern building, hedgerow and shrubbery within field to the north of the Airport Tavern
4	Enclosed parking area adjacent to Downside Road and hedgerow (Airport Tavern)
5	Field, hedgerow and shrubbery (Airport Tavern)
6	Field, hedgerow and shrubbery (Airport Tavern)
7	Footway (north eastern corner Downside Road)
8	Hardstanding between A38 highway and Airport Tavern building
9	Hardstanding between A38 highway and Airport Tavern building, hedgerow and shrubbery within field to the north of the Airport Tavern
10	Hedgerow (land south of Oakwood House) and public footpath (LA2 37/10/X)
11	Hedgerow (land south of Oakwood House) and public footpath (LA2 37/10/X)
12	Caravan, garden and hedgerow (land south of Oakwood House)
13	Caravan, garden and hedgerow (land south of Oakwood House)
14	Garden and hedgerow (Oakwood House)
15	Garden and hedgerow (Oakwood House)
16	Grassed verge footway and shrubbery (north west of Felton Village Hall and east of Bridgwater Road, A38)
17	Grassed verge and footway (north west of Felton Village Hall and east of Bridgwater Road, A38)
18	Grassed verge footway and shrubbery (west of Felton Village Hall and east of Bridgwater Road, A38)
19	Grassed verge footway and shrubbery (west of Felton Village Hall and east of Bridgwater Road, A38)
20	Grassed verge footway and shrubbery (south west of Felton Village Hall and east of Bridgwater Road, A38)
21	Common land comprising grassed verge and footway on the corner of Bridgwater Road A38 and West Lane
22	Carriageway (east of Bridgwater Road, A38 leading to Lilac Cottages) and verge (east of Bridgwater Road, A38)

4. PRESENT OWNERSHIP AND OCCUPATION OF THE ORDER LAND

- 4.1 The Order Land is characterised by land adjacent to the existing A38 and Downside Road carriageways including the former quarry on the south side of Downside Road. None of the land comprises buildings other than a mobile home within parts of 9 and 9A.
- 4.2 The CPO Schedule (Document 1.1) contains the names and addresses of all owners, lessees, tenants and occupiers (Table 1) who have interests within the Order Land together with other qualifying persons such as mortgages, beneficiaries of restrictive covenants and other right holders (Table 2).
- 4.3 Table 1 of the CPO Schedule contains 22 parcels identifying 6 different property interests of which 1 is unregistered and may contain unknown interests. Table 2 of the CPO Schedule identifies other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 including interests of a mortgagee and those with access over plot 22. The CPO Schedule also

identifies statutory undertakers and other like bodies who have or possibly have equipment on, in or over the Order Land.

- 4.4 The location of the plots is shown on the map accompanying the CPO - Document 1.2.
- 4.5 In order to ensure that the Highway Works can take place in a timely manner to allow delivery of the Scheme, it will be necessary for BAL to compulsorily acquire the Order Land albeit with a continued commitment to seek to acquire the interests by agreement.

5. BACKGROUND TO AND NEED FOR THE HIGHWAY WORKS

- 5.1 Operated by BAL, Bristol Airport is the principal airport and main international gateway for the South West of England and South Wales.
- 5.2 Bristol Airport opened at Lulsgate Bottom in May 1957 on the site of a former WW2 experimental fighter station, RAF Lulsgate Bottom. For six decades Bristol Airport has served passengers travelling to and from the South West of England and South Wales, enabled by ongoing investment in infrastructure, services and facilities.
- 5.3 In 2011, BAL obtained planning permission for the major expansion of Bristol Airport to accommodate 10 mppa (09/P/1020/OT2). BAL is continuing to implement the extant 2011 consent as the Airport grows towards 10 mppa and between 2010 and 2017, investment totalling over £160m was made in a significant upgrade of facilities and infrastructure at Bristol Airport. In 2017, the Airport handled over 8.2 million passengers, making it the fifth largest regional airport in the UK and the third largest regional airport in England.
- 5.4 Bristol Airport has grown every year except one since 1989 and following a small dip in 2008/09 (reflecting the global financial crisis) is now in its eighth successive year of growth, with passenger numbers increasing by 40% (from 5.8 mppa to 8.2 mppa) between 2011 and 2017. This reflects growth in demand within the South West region as well as the UK as a whole and has been supported by the continued development of the Airport.
- 5.5 The global COVID-19 pandemic has particularly affected the aviation sector and like other UK airports, passenger throughput at Bristol Airport has fallen. As a result, as part of the appeal for the Application, BAL intends to update the passenger and traffic forecasts that informed the Application in order to fully consider the impacts of the pandemic and the uncertainties associated with the rate at which demand will return.
- 5.6 BAL is confident that the impact of COVID-19 will be temporary and short term and that demand will return as travel restrictions are lifted and the UK's economy recovers from the pandemic. Further, as the UK completes its departure from the EU, the country's aviation industry will play a vital part in enhancing the UK's relationship with the rest of the world. In recent years, the South West has not been at the forefront of national infrastructure plans. Expansion will help to address this inequality and the improved connectivity will help the South West contribute to the UK's global ambitions. In consequence, there remains an acute need for the Scheme despite the short-term impacts of COVID-19 on the aviation sector.
- 5.7 Provisional work completed on the forecasts to-date indicates that, whilst demand is temporarily suppressed, traffic at Bristol Airport will still reach 12 mppa albeit over a longer time period than previously envisaged (by circa 2030 rather than 2026). The existing passenger cap of 10 mppa was forecast to be reached by 2021 and in this context, the temporary suppression of growth will provide BAL with an opportunity to ensure that the infrastructure needed to support 12 mppa can be put in place sufficiently in advance to smoothly transition above 10 mppa.
- 5.8 Bristol Airport is a significant economic driver within North Somerset, the West of England sub-region, the South West region and South Wales. As at 2018, around 3,960 people currently work on-site at the Airport, which equates to approximately 3,480 full time equivalents including indirect and induced jobs, this increases to an estimated 8,200 full time equivalents across the South West region. Bristol Airport also has a wider economic role in supporting and facilitating prosperity in other sectors. The connectivity provided by the Airport enables the flow of trade,

investment, people and knowledge that is essential to globally successful regions. Bristol Airport also plays a vital role in supporting the tourism sector, providing easy access to overseas markets, notably Germany, Spain, the Irish Republic, Italy and France. In total, it is estimated that Bristol Airport generates £1.7 billion of gross value added in the South West economy (as at 2018).

- 5.9 Like the UK as a whole, regional airports (and particularly larger regional airports such as Bristol Airport) outside of London have grown strongly. Between 2011 and 2017, regional airports in the UK grew by about a third, from circa 85 million to over 113 million passengers with the rate of this growth being greater than that experienced by the six London airports in recent years (collectively, regional airports experienced a growth of 7.8% in the period 2016-2017, compared to London airports which grew by 4.8%).
- 5.10 In this context, the Government has supported the recommendation of the Airports Commission stating in "Beyond the horizon: the future of UK aviation", that if the UK is to continue to grow its domestic and international connectivity, and before a new runway is built at Heathrow, then there is a need for existing runways throughout the UK to be used more intensively, making best use of existing capacity. Even with the third runway constructed at Heathrow, the DfT forecasts indicates that additional regional airport capacity will be required to meet passenger demand and support economic development.
- 5.11 Ensuring that Bristol Airport is able to meet current and forecast passenger demand is therefore essential if it is to continue to fully support local, regional and national economic growth.
- 5.12 BAL has undertaken a forecast study, which has been independently verified by Mott MacDonald of expected passenger traffic growth for the period 2018 to 2045, blending a top-down econometric model with a bottom-up, airline by airline approach. The forecast indicates that passenger demand will reach 10 mppa by 2021 and beyond 2021, passenger traffic is projected to rise further to 12 mppa by 2026, 15 mppa by the mid-2030s, and circa 20 mppa by 2045. The drivers of this forecast increase in passenger demand are wide ranging and include:
 - 5.12.1 population and economic growth;
 - 5.12.2 growth in airline activity, traffic and the introduction of new routes;
 - 5.12.3 accommodation of leaked demand from other regions;
 - 5.12.4 growth in the number of aircraft based at Bristol Airport;
 - 5.12.5 the introduction of larger aircraft with the possibility of more long-haul routes;
 - 5.12.6 increased tourism; and
 - 5.12.7 growth in passenger throughput outside of the summer peak.
- 5.13 The passenger throughput at Bristol Airport is limited to 10 mppa by the extant 2011 planning permission and current facilities at Bristol Airport are not capable of accommodating an increase in passenger numbers beyond this cap.
- 5.14 To meet passenger demand both now and into the future, BAL is currently preparing a new Master Plan. The Master Plan will set out a strategy for phased growth to meet the forecast level of passenger demand by the mid-2040s. In doing so, it will ensure that Bristol Airport contributes fully to growing national airport capacity, delivering increased connectivity and supporting economic prosperity in the South West and South Wales regions. As part of the approach set out in the emerging Master Plan to meeting future passenger demand beyond 2021, BAL submitted a planning application in December 2018 to secure consent for an initial phase of growth to 12 mppa. This will allow for growth in passenger numbers up to at least the mid-2020s.
- 5.15 The Transport Assessment submitted with the planning application indicated that the current A38/Downside Road junction is over capacity:

"11.4.2 The existing A38 signal junction with Downside Road have been validated against the recorded traffic and queue length surveys.

11.4.3 The results indicate the existing A38 signal junction is operating over capacity in the 2018 survey flow evening peak, with the PRC recorded at -9.1%. In the 2018 survey flows morning peak and inter peak the junction is operating within capacity."

- 5.16 The Transport Assessment also outlined that the highway improvements (including the Highway Works) would ensure the safe and efficient movement of passenger movement to and around the Airport site. The planning officer's report for the Council's 18 March 2020 committee also outlined that the works would improve traffic flow and safety in the immediate vicinity of the airport. As a result the Highway Works are required to allow delivery of the Scheme. The analysis undertaken for BAL identifies that the full highway works are required to be implemented as soon as growth beyond 10mppa is expected. Alternatives to the works design were considered (including potentially reducing the extent of the works and along an alternative alignment) but this is the most efficient design to meet the highway requirements.

6. DESCRIPTION OF THE HIGHWAY WORKS AND THE SCHEME

- 6.1 The proposed Scheme seeks to facilitate an increase in the permitted passenger cap from 10 mppa to 12 mppa. To support the proposed increase in passenger numbers and ensure safe and efficient passenger movement to and around the airport site, the development includes a number of new infrastructure components, improvements to existing facilities and operational changes.
- 6.2 BAL is proposing to undertake a significant improvement of the A38 between the main Airport access road (being the most northern of the 2 roundabouts serving the Airport) and West Lane to accommodate any additional traffic generated by an extra 2 mppa. The main carriageway over this length will be increased in width to allow two through lanes to be provided on each carriageway. The widening will be mainly undertaken on the western side of the road providing an overall width of 16m. Level changes, proximity of common land and residential properties prevent the carriageway works taking place on the eastern side. The improvements taper back to join the existing carriageway width some 130m beyond West Lane. A further dedicated lane will be provided for northbound traffic turning left into Downside Road, along with a right turn lane into West Lane. The centre of the carriageway will be hatched or have traffic islands in order to separate traffic flows. Downside Road will be widened to two lanes for 80m prior to the junction with the A38 and new access provided into the Airport Tavern car park from Downside Road to replace the current access from the A38 which currently does not meet the necessary highway standards.
- 6.3 The junction with Downside Road will remain controlled by traffic signals but will be linked to new signals controlling the West Lane junction. The junctions will monitor traffic approaching the junctions and using Microprocessor Optimised Vehicle Actuation will adjust the timings to enhance traffic flow and reduce queuing. Traffic will only be able to turn left out of West Lane, while traffic travelling southbound will remain unable to turn right into Downside Road and will continue to double back at the main Airport roundabout with the A38.
- 6.4 The existing footway/ cycle track will remain on the eastern side of the A38 with a new footway provided north of the West Lane junction. An enhanced footway/cycle track will be provided on the western side of the road between the Airport and Downside Road, with a footway provided for the section north of the Downside Road tying in with the existing facility north of West Lane. Pedestrian and cycle facilities will be provided within the Downside Road junction. A pedestrian crossing is included within the West Lane signals and both junction designs will incorporate drop kerbs. Bus stops will be maintained albeit adjusted for the new carriageway alignment. Access will also be maintained to the public footpath which runs along the northern boundary of land at the Airport Tavern towards Lulsgate Bottom.
- 6.5 A table summarising the proposed use of each of the plots, both during and post construction is provided at Appendix 3.

- 6.6 The proposed improvements are in-keeping with the current character of the area. The road will be constructed with an asphalt wearing course and antiskid surfacing will be applied on the approaches to the signal stop lines. All traffic signs, signals and markings will be provided in accordance with highway design standards applicable to the location and type of road. The area will continue to have street lighting in line with NSC standards and local operations including dimming at night. Surface water drainage will be enhanced to accommodate the effects of the widened carriageway.
- 6.7 The highway improvements referred to above (the **Highway Works**) were included within the proposed heads of terms submitted to North Somerset Council (the **Council**) as part of the Application. These heads of terms were agreed with the Council and negotiations on the draft Section 106 agreement with the Council to secure the heads of terms are continuing as part of the appeal process for the Application.
- 6.8 As stated in the planning committee report of 18 March 2020 it is expected that the Council will carry out the highway works at BAL's expense as soon as is practical. If, however, for any reason BAL's proposed highway works are not commenced within 3 years post-consent, then their delivery would revert to a 'Section 278' process in which BAL will be responsible for carrying out the highway works to the Council's satisfaction. These scenarios, including the transfer of funds, are set out in the proposed Section 106 legal agreement. BAL does not consider there to be any change in this approach but continues to have dialogue with the Council. In the absence of agreement to this approach BAL will exercise the CPO powers within the 3 year period from confirmation and then undertake the works itself under a s.278 agreement with the Council.

7. JUSTIFICATION OF THE USE OF THE ENABLING POWER

- 7.1 On [19] August 2020 the sub-Committee of the Board of BAL (in accordance with their authorisation by the main Board of BAL) formally resolved to make the Order under the Airports Act 1986 (the **Airports Act**).
- 7.2 BAL is the relevant airport operator for Bristol Airport, being the company responsible for management of the airport. BAL holds a certificate from the Civil Aviation Authority under section 57A of the Airports Act. As a result, under section 58 and schedule 2 of the Airports Act, BAL is deemed to be a statutory undertaker for the purposes of the Acquisition of Land Act 1981.
- 7.3 As a result, BAL, on being authorised to do so by the Secretary of State, has the power under Section 59 of the Airports Act to acquire land compulsorily for any purpose connected with the performance of the airport operator's functions.
- 7.4 The Highway Works are necessary for the performance by BAL of its functions in ensuring the continued effective operation of Bristol Airport in accordance with the scheme to be delivered pursuant to the Application.
- 7.5 Whilst freehold interests are sought over all of the Order Lands, some of the land is required only for construction purposes, for example for working space to allow the Highway Works to be constructed. Some of that land may also need to be subject to permanent new rights, for example for diverted services or drainage rights. Compulsory purchase powers do not currently allow for the temporary acquisition of land, since the relevant provisions of the Neighbourhood Planning Act 2017 are not yet in force.
- 7.6 In addition, BAL does not consider that, in this circumstance, it could rely on Section 59(3) of the Airports Act to acquire new rights over land, since such rights sought do not fall within the categories listed in Section 44 of the Civil Aviation Act 1982 (**Aviation Act**). The permanent rights sought would be in connection with off-airport highway mitigation works, as opposed to rights required to construct airport infrastructure. As a result BAL does not consider that it could rely on Section 44 of the Aviation Act to request that the Secretary of State for Transport make an (additional) compulsory purchase order to acquire permanent new rights for temporary construction areas required for the Highway Works.

- 7.7 Since BAL is not authorised to acquire new rights over land to use as construction areas for the off-airport highway works, and nor is it able to take temporary possession powers over such land, it must acquire the Order Land permanently, even on plots where BAL does not propose to undertake permanent highway works. However, BAL undertakes to offer back land which is not required permanently to the original landowners, subject to BAL retaining any necessary rights relating, for example, to diverted services and drainage and subject to other terms being agreed, including as to compensation. The Order Land falling within this category is plots 4, 6, 11, 13, 15, 17 and 22. BAL will, however, continue to negotiate with affected landowners to acquire the necessary use of the land and rights by agreement.
- 7.8 As well as having powers of compulsory purchase in respect of the Order Land, BAL will rely upon Section 203 of the Housing and Planning Act 2016 to override third party rights over land and convert them into a claim for compensation. This will then enable the Highway Works to be carried out without the beneficiaries of rights being able to obtain an injunction against BAL or its successors in title. Instead, as stated above, former beneficiaries will have a right to claim compensation. BAL has already acquired the properties known as Highlands and Greenacre so that parts of the rear gardens of those properties (which have a frontage but no access onto the A38) do not need to be included in the Order.
- 7.9 In order to deliver the increase in passenger numbers to 12mppa as part of the Scheme, BAL needs to secure the Order Lands to be able to deliver the Highway Works. Without the use of compulsory purchase powers there is no guarantee that the acquisition of all interests through private treaty could be achieved within the timescales envisaged for the Highway Works, and in turn the expansion of the Airport, to proceed. Discussions with affected parties will continue with a view to securing the acquisition of interests and reducing the number of interests which need to be acquired compulsorily.

8. DETAILS OF ATTEMPTS TO ACQUIRE INTERESTS BY AGREEMENT

- 8.1 Negotiations to acquire the land required for the Highway Works including the Order Lands have been ongoing for some time since before the planning application was submitted.
- 8.2 BAL has already acquired two properties – Greenacre and High Lands, located to the south of plot 1. The rear portions of the gardens of those properties (which as explained above the properties have a frontage but no access onto the A38) will be required for the Highway Works. As they have already been acquired they do not form part of the CPO.
- 8.3 BAL has appointed CBRE to support it in the promotion of the Order, including engaging with affected parties in an attempt to acquire all interests required for the Highway Works by agreement in advance of the use of compulsory purchase powers.
- 8.4 Whilst Highways England is listed as owner of plots 8, 12, 13, 14 and 18 these parcels should have been transferred to the Council when the A38 was de-trunked but no formal land transfer took place.
- 8.5 BAL and CBRE have been in contact with all parties from whom permanent acquisition is required. Where appropriate, offers have been made following extensive discussions. It has not been possible to make offers for all interests because further information is required but in all cases BAL has sought to acquire all interests by agreement.
- 8.6 All parties who have the benefit of rights, easements and covenants in land which are affected by a compulsory purchase order and known to the acquiring authority must be served with notices of the making of the Order. Diligent enquiries have been carried out to identify these parties but if there are any parties who have not been notified of the Order who are within this category they may still be notified of the Order by the posting of notices on site.
- 8.7 BAL remains committed to seek to acquire all interests by agreement.

9. TIMESCALE FOR DELIVERY

- 9.1 The Highway Works are required to be undertaken once 10mppa capacity is reached. BAL will seek agreement from the Council for the mechanism for undertaking the Highway Works. The previously agreed position has been that the Highway Works would be undertaken by the Council at BAL's expense. BAL does not consider that this position has changed and will seek agreement to this as part of the planning appeal. In the absence of agreement BAL would look to undertake these works under a s.278 agreement to be entered into with the Council as highway authority.

10. PLANNING POLICY AND PLANNING POSITION

10.1 National planning policy

- 10.1.1 The revised National Planning Policy Framework (July 2018) (**NPPF**) considers (at paragraph 80) that planning decisions should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 104 recognises the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time- taking into account their economic value. The growth of Bristol Airport to 12mppa will provide significant economic and regeneration benefits to the local economy, West of England sub-region and the wider South West region.
- 10.1.2 [Section 9 of the NPPF promotes sustainable transport. Development proposals should realise opportunities to promote and increase walking, cycling and greater use of public transport. The Application submitted in support of the Scheme was accompanied by a suite of supporting transport documents, including a transport assessment, draft workplace travel plan, parking demand study and parking strategy, as well as proposed S.106 agreement commitments, underpinning BAL's proposals for transport.]
- 10.1.3 [Paragraph 144 of the NPPF is concerned with protecting the green belt and the prevention of inappropriate development except in very special circumstances. The Highway Works form part of a number of components of the Scheme which are to be located within the green belt. The NPPF identifies (at paragraphs 145-146) that certain forms of development are not inappropriate in the green belt provided that they preserve openness and do not conflict with the purposes of including land within it. The Highway Works would be located alongside/ adjacent to the existing highway, and therefore they would preserve openness and not conflict with the purposes of including land within the green belt.]

10.2 National aviation policy

- 10.2.1 National aviation policy is set out in the Aviation Policy Framework (**APF**), the Future of UK Aviation: Making Best Use of Existing Runways (**MBU**) policy (2018) and the Government's emerging Aviation Strategy. These provide support for the growth of regional airports and making the best use of existing airport capacity including at Bristol Airport.
- 10.2.2 The APF establishes the Government's high-level objectives and policy on aviation. The APF recognises that "*airports in Northern Ireland, Scotland, Wales and English airports outside of London play an important role in UK connectivity*" and that "*new or more frequent international connections attract business activity, boosting the economy of the region and providing new opportunities and better access to new markets for existing businesses*". The APF also states that the "*Government wants to see the best use of existing airport capacity*" which was further endorsed by Government in its MBU policy.

- 10.2.3 Paragraph 1.2 of the MBU identifies the need for an additional runway in the South East by 2030, but also notes the Airports Commission's recognition of the need for other airports to make more intensive use of their existing infrastructure. Paragraph 1.29 explains that the Government is supportive of airports making best use of their existing runways.
- 10.2.4 Emerging national aviation policy contained in the Green Paper Aviation Strategy 2050: The Future of UK Aviation (**Aviation 2050**) also supports the growth of regional airports as a catalyst for regional economic development and connectivity and reaffirms the Government's making best use policy. At paragraph 4.4, Aviation 2050 states:
- "Airports have a crucial role to play in their regions. They are hubs for growth within and beyond the region in which they are situated. Local airports, such as Newquay, Norwich and Prestwick serve their immediate catchment area, offering domestic and short-haul destinations. Regional airports, such as Bristol, Belfast International, Newcastle and Glasgow, serve larger catchments and offer extensive short-haul network and some key long-haul routes, providing their regions with access to global markets."*
- 10.2.5
- 10.2.6 With specific regard to Bristol Airport, the APF recognises the vital role the airport plays in the economic success of the South West region, forecasting that the ongoing development of the airport will contribute between £1.9 and £2 billion to the national economy. In this regard, there is also a strong sub-regional and local policy support for expansion including through the emerging West of England Joint Spatial Plan (**JSP**) and North Somerset Local Plan.
- 10.3 Local Planning Policy
- 10.3.1 Policy CS 10 of the Council's Core Strategy indicates that development proposals that encourage an improved and integrated transport network and allow for a wide choice of modes of transport as a means of access to jobs, homes, services and facilities will be encouraged and supported. Policy DM24 sets controls over development which will be permitted provided it would not prejudice highway safety or inhibit necessary access for emergency, public transport, service or waste collection vehicles. It is considered that the Highway Works will improve highway safety and is in accordance with both policies.
- 10.4 Bristol Airport Masterplan
- 10.4.1 The 2013 APF recommends that airport master plans are updated every five years to "provide a clear statement of intent on the part of an airport operator to enable future development of the airport to be given due consideration in local planning processes". In this context and in response to forecast passenger growth, BAL is currently preparing a new Master Plan for Bristol Airport with the early stages having been subject to very expensive public consultation.
- 10.4.2 In preparing its Master Plan, BAL prepared an initial discussion document called "Your airport: Your views", which was subject to public consultation between 16 November 2017 and 26 January 2018. Access to the airport by road and public transport was the most common issue raised during the consultation. Concerns were expressed with regard to the impact of increased traffic with a number of consultees stating that BAL should seek to enhance the capacity of the road network (including the A38, local roads and links to/from the A38 and M5). The Highway Works are a direct response to this feedback.
- 10.5 Planning Application/ Consent

- 10.5.1 The Application was submitted to the Council in December 2018 and was recommended for approval in the Officer's Report to the Planning and Regulatory Committee of 10 February 2020.
- 10.5.2 However planning permission for the Application was refused at that Planning and Regulatory Committee meeting and was reconfirmed as a refusal on 18 March 2020.
- 10.5.3 The reasons for refusal related to the overall planning balance in terms of economic benefits and environmental impacts, aircraft noise, air quality impacts, greenhouse gas emissions, development of car parking in the green belt and public transport provision.
- 10.5.4 BAL has since submitted an appeal against the refusal of the Application (the **Appeal**).
- 10.5.5 The Appeal accords with the NPPF, Local Planning Policy and national aviation policy and there are no other material considerations which weigh significantly against the Scheme. The Application would give rise to substantial local and regional benefits which are material considerations that weigh significantly in favour of granting consent. This same conclusion was reached by Council officers in recommending approval of the Application.
- 10.5.6 Given the interlinkages between the Order and the Appeal, BAL will ask for the Appeal and any inquiry into the Order to be co-joined, and for the Secretary of State to recover the Appeal decision. As a result, the outcome of the Appeal will be known to the decision-maker of the Order.

11. FUNDING

- 11.1 Financial approval was obtained in September 2018 for funding to proceed with acquisition of the necessary land. Since then, BAL has continued discussions with affected parties, with acquisition of the properties of Greenacre and Highlands achieved by agreement and approved by the Board. BAL will seek to acquire the interests in accordance with that approval.
- 11.2 The funding for the Highway Works will be confirmed once the CPO powers are confirmed. Any final decision will be linked to a decision to implement the planning permission. BAL is owned by The Ontario Teachers' Pension Plan which is Canada's largest single-profession pension plan, with \$193.9 billion in net assets at June 30, 2018. BAL (and Bristol Airport Developments Limited (BADL) a subsidiary of BAL) has a strong track record of capital investment projects. In 2018 this amounted to £20.3m by BAL and £20.8m by BADL which included the new administration building, multi-storey car park and new fire station. Whilst the final costs of the Highway Works will be settled as part of the tender process BAL is confident that it has the capital resource to be able to fund them.

12. COMPLIANCE WITH GUIDANCE

- 12.1 In promoting a compulsory purchase order, acquiring authorities should have regard to government guidance. The relevant government guidance is MHCLG Guidance on Compulsory Purchase Process published in July 2019 (the **CPO Guidance**). Matters which should be addressed include:
 - 12.1.1 Authorities should seek to acquire interests by negotiation where practicable. A compulsory purchase order is intended as a last resort in the event that attempts to acquire by agreement fail. A summary of the negotiations with third parties is contained in section 8 above.
 - 12.1.2 There must be a compelling case in the public interest to justify the compulsory acquisition. This is set out in this Statement.
 - 12.1.3 There should be a clear idea of how BAL intends to use the land and that the necessary resources are likely to be available to achieve that end within a reasonable timescale. Substantive information on the sources of funding of the scheme is

required, together with information on the timing. BAL has the funding to complete the acquisition.

- 12.1.4 There must be a reasonable prospect of the scheme proceeding and be unlikely to be blocked by impediments to implementation. Securing ownership of the Order Land will allow delivery of the Highway Works and the Scheme.

13. COVID-19 GUIDANCE

- 13.1 [section to be updated] Given the current pandemic during which BAL has made the Order, BAL will also follow the Ministry for Housing, Communities and Local Government Coronavirus (COVID-19): compulsory purchase guidance which was last updated 27 May 2020 (**COVID-19 Guidance**) and the Minister of State for Housing's Written Statement (HCWS316) on the online inspection of documents made on 25 June 2020.
- 13.2 As a result, in accordance with the COVID-19 Guidance, where BAL uses post by recorded delivery to serve any documents under the Acquisition of Land Act 1981, the Council will rely on Royal Mail logging the name of the person accepting documents sent by recorded delivery, rather than capturing signatures.
- 13.3 In addition, as recommended by the COVID-19 Guidance, BAL has increased the time period for objections to the making of the Order to be submitted to the Secretary of State from the minimum statutory 21 day period from the date that the making of the Order is first advertised to 30 days.
- 13.4 The COVID-19 Guidance confirms that the Government considers that publication of the Order and its supporting map online by an acquiring authority fulfils the requirement under the Acquisition of Land Act 1981 to publish these documents in a 'place'. A copy of the Order, the map, this Statement of Reasons and the supporting documents are available at the following website address: [●].
- 13.5 In addition, it is also recommended under the COVID-19 Guidance to ensure that effective notice is provided that the Order has been made and to mitigate any risk of prejudicing interests of those who may not have access to the internet, that the acquiring authority provides contact details in the notices for individuals to request a hard copy of the Order and map. BAL's notices for the making of the Order refer individuals who would like a hard copy of the Order and map to contact [●] of BAL at [●] or on [●]. [In addition, the notices confirm that the Order and map can be inspected at the [●], provided that social distancing restrictions are followed.

14. RELATED APPLICATIONS, ORDERS ETC

- 14.1 As part of the Highway Works it will be necessary to secure additional consents and approvals. These are being discussed with the Council. As part of the planning appeal process a s.106 agreement will be advanced. In addition, in the event that BAL undertakes the Highway Works a s.278 agreement (as well as dedication under s.38 of the Highways Act 1980) will be required. BAL will also discuss with the Council the need for any order to close and re-provide the private means of access to the Airport Tavern and any temporary closure of the public footpath within plots 10 and 11 whilst the Highway Works are undertaken.

15. SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND

- 15.1 Whilst plots 8,12, 13, 14 and 18 are listed as being owned by Highways England, the A38 has been de-trunked and the parcels should have been transferred to the Council, so BAL does not consider that this is special category land.
- 15.2 Whilst BAL seeks to compulsorily acquire land belonging to North Somerset Council (as highway authority) to allow delivery of the Highway Works, under Section 57A of the Airports Act, BAL is deemed to be a statutory undertaker. As a result, under Section 17 of the Acquisition of Land Act 1981, the Order would not be subject to special parliamentary procedure.

- 15.3 Plot 21 falls within the Felton Hill Common Land area. The total area of this plot is less than 250 square yards and in any event is needed for the widening /drainage of existing highway. As a result it is not considered that s.19(1) of the Acquisition of Land Act 1981 is engaged and no exchange land is required.

16. HUMAN RIGHTS ACT

- 16.1 The Human Rights Act 1998 (**HRA**) came into force on 2 October 2000 and must be considered by authorities promoting the use of compulsory purchase. In its report to the Sub-Committee of the Board dated [REDACTED], BAL considered the impact on human rights of those affected by the Highway Works. In particular BAL has had regard to the following conventions which can be invoked by individuals pursuant to the HRA:-

16.1.1 Article 8 – the right to respect for private and family life and his/her home

16.1.2 Article 1 of Protocol 1 – the protection of property

16.1.3 Article 6 – the right to a fair hearing.

- 16.2 In resolving to make the Order, BAL carried out an assessment of the interference with individuals' rights and, having regard to the purpose and benefits of the Scheme as set out above and in its Application for planning permission, considered that:-

With regard to Article 8, there is a legal basis for making the Order under Section 59 of the Airports Act and the Order pursues a legitimate aim to facilitate the delivery of the Scheme, which will bring socio-economic benefits. It is considered, therefore, that the interference with the protected rights of the individuals are in accordance with the law and necessary in a democratic society in the interests of the economic well-being of the country.

16.2.1 With regard to Article 1 Protocol 1 (**A1P1**), it is considered that the interference with the individual's property is in the public interest and subject to the conditions provided for by law; in particular, the interference with A1P1 rights is justified by the advantages accruing to the public by proceeding with the development particularly taking into account the fact that there is a legal right to compensation for the property acquired under the Order.

16.2.2 With regard to Article 6, the compulsory purchase process offers the opportunity for those affected by the Order to make representation on the Order and to be heard by an Inspector appointed on behalf of the Secretary of State to consider the case for compulsory acquisition, either through written representations or through a public inquiry. BAL considers that the right to a fair hearing is met through the compulsory purchase process.

17. EQUALITIES ACT 2010

- 17.1 In addition to the HRA, the Acquiring Authority is required to comply with the Equalities Act 2010. The Company has considered the impacts on those that would be affected by the land acquisition. There are no known negative impacts arising from the Highway Works on anybody with protected characteristics. The Highway Works will deliver much improved segregated access for pedestrians and cyclists and provide Disability Act compliant access to the Airport Tavern via a ramp (in addition to steps).

18. VIEWS OF GOVERNMENT DEPARTMENTS

- 18.1 No views relating to the Order have been expressed by Government departments.

19. INQUIRIES PROCEDURE RULES

- 19.1 This statement is not intended to discharge BAL's obligations under the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event of a public local inquiry being held.

20. DOCUMENTS ETC TO BE REFERRED TO OR PUT IN EVIDENCE IN THE EVENT OF A PUBLIC INQUIRY BEING HELD

- 20.1 Should it be necessary to hold a Public Local Inquiry into the Order, BAL would intend to refer to or put in evidence the documents identified in Appendix 1. It should however be noted that BAL reserves its right to add to the list as necessary and will endeavour to notify the Inquiry and any remaining objectors of any such documents as soon as possible prior to the opening of the Inquiry.

21. CONTACTS FOR FURTHER INFORMATION

- 21.1 Any queries in relation to this Order can be raised with BAL's Planning Manager, Liz Higgins, Bristol Airport, Bristol, BS48 3DY; email liz.higgins@bristolairport.com
- 21.2 Any owners and occupiers of land affected by the Highway Works who wish to discuss acquisition by BAL should contact Henry Church of CBRE, telephone 0207 1822194 email henry.church@cbre.com

22. COMPENSATION

- 22.1 Provision is made by statute with regard to compensation for the compulsory acquisition of land and the depreciation in value of properties. More information is given in the series of booklets published by the Department for Communities and Local Government entitled "Compulsory Purchase and Compensation" listed below:

Booklet No. 1 - Compulsory Purchase Procedure.

Booklet No. 2 - Compensation to Business Owners and Occupiers.

Booklet No. 3 - Compensation to Agricultural Owners and Occupiers.

Booklet No. 4 - Compensation for Residential Owners and Occupiers.

Booklet No. 5 - Reducing the Adverse Effects of Public Development: Mitigation Works.

- 22.2 Copies of these booklets are obtainable, free of charge, from:

Communities and Local Government Publications, Cambertown House, Goldthorpe Industrial Estate, Rotherham S63 9BL, Tel: 0300 123 1124

- 22.3 In addition, the booklets are available to download for free online at:

<https://www.gov.uk/government/organisations/department-for-communities-and-local-government/series/compulsory-purchase-system-guidance>

APPENDIX 1

Core Document List

Document Number	Document
1.	<p>Compulsory Purchase Order and supporting documents:</p> <p>1.1 The Order</p> <p>1.2 The Order Map</p> <p>1.3 Statement of Reasons</p> <p>1.4 Sub-Committee of the Board Report dated [●]</p> <p>1.5 Sub-Committee of the Board Resolution dated [●]</p>
2.	<p>Planning application documents</p> <p>2.1 Application for outline planning permission (reference 18/P/5118/OUT)</p> <p>2.2 Officer's Report to the Planning and Regulatory Committee at North Somerset Council</p> <p>2.3 Decision Notice</p> <p>2.4 Appeal documentation [●]</p>
3.	<p>Legislation</p> <p>3.1 The Airports Act 1986</p> <p>3.2 The Civil Aviation Act 1982</p> <p>3.3 The Acquisition of Land Act 1981</p> <p>3.4 The Human Rights Act 1998</p> <p>3.5 The European Convention on Human Rights</p> <p>3.6 [●]</p> <p>3.7 [●]</p>
4.	<p>National Planning Policy and Guidance</p> <p>4.1 [●]</p> <p>4.2 [●]</p> <p>4.3 Ministry of Housing, Communities & Local Government's Guidance on Compulsory Purchase process and The Crichel Down Rules July 2019</p> <p>4.4 Ministry of Housing, Communities & Local Government's Guidance entitled Coronavirus (COVID-19): compulsory purchase guidance May 2020</p>
5.	<p>Local Planning Policy</p> <p>5.1 [●]</p> <p>5.2 [●]</p> <p>5.3 [●]</p> <p>5.4 [●]</p> <p>5.5 [●]</p>

Document Number	Document
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6.	Other supporting documentation 6.1 <input type="radio"/> 6.2 <input type="radio"/> 6.3 <input type="radio"/> 6.4 <input type="radio"/> 6.5 <input type="radio"/>

APPENDIX 2

Order Map

APPENDIX 3

Table summarising plot proposed use

Plot No.	Notes / Proposed usage
1	<p>Provide additional space for contractor to construct new road / footway</p> <p>Continued use as a bat habitat through reinforcement works as part of the Integrated/Embedded Landscape, Visual and Ecology Mitigation Masterplan</p> <p>Safe working space around old quarry workings</p>
2	<p>Construction of new carriageway</p> <p>Construction of new footway and cycle track</p> <p>Erection of street lighting and traffic signals</p> <p>Construction of new surface water soak-away</p> <p>Diversion of buried statutory services</p> <p>Soft landscaping following conclusion of construction works</p>
3	<p>Construction of new carriageway</p> <p>Diversion of buried statutory services</p> <p>Construction of new public footway and pedestrian access (both steps and ramp) to The Airport Tavern</p> <p>Construction of structural retaining wall</p> <p>Erection of street lighting, traffic signals and bus shelter</p> <p>Relocation of post box</p>
4	<p>Creation of new junction and vehicular entrance into the Airport Tavern from Downside Road</p> <p>Re-grading of the parking area to accommodate change in level between existing parking area and Downside Road</p> <p>New white lining within property</p>

Plot No.	Notes / Proposed usage
	Amendments to existing surface water drainage system (private drainage for property)
5	Foundations for retaining wall Landscaping and associated earthworks works to existing highway surface water soak away and connections
6	Provide additional construction space for contractor to safely construct new road / footway / retaining wall Undertake changes to existing surface water soak away
7	Construction of new carriageway and footway Diversion of buried statutory services
8	Construction of new carriageway and footway Diversion of buried statutory services
9	Construction of new carriageway and footway Diversion of buried statutory services
10	Construction of new carriageway Construction of new footway Diversion of buried statutory services Erection of street lighting Provision of new public footpath stile
11	Provide additional construction space for contractor to construct new carriageway / footway Re-grading of earth embankment Creation of new steps for public right of way
12	Construction of new carriageway Construction of new footway

Plot No.	Notes / Proposed usage
	Diversion of buried statutory services Erection of street lighting and traffic signals
13	Provide additional space for contractor to safely construct new road / footway Re-grading of earth embankment New fencing as boundary treatment
14	Diversion of buried statutory services Construction of new carriageway Construction of new footway Erection of street lighting and traffic signals Reprovision of stone wall
15	Provide additional space for contractor to safely construct new road / footway Re-grading of earth embankment Reprovision of shrubbery
16	Construction of new carriageway Construction of new footway Diversion of buried statutory services Erection of street lighting
17	Provide additional construction space for contractor to safely construct new road / footway Provide additional space for service diversions
18	Construction of new carriageway Construction of new footway Diversion of buried statutory services

Plot No.	Notes / Proposed usage
	Erection of street lighting
19	Construction of new carriageway
20	<p>Construction of new carriageway</p> <p>Construction of new footway</p> <p>Diversion of buried statutory services</p> <p>Erection of street lighting and traffic signals</p>
21	<p>Construction of new footway</p> <p>Diversion of buried statutory services</p> <p>Construction of new carriageway</p> <p>Erection of street lighting</p>
22	<p>Provide additional space for contractor to safely construct new carriageway / footway</p> <p>Provide additional space for service diversions</p> <p>Upgrading of street lighting, existing traffic signals and related equipment</p>

APPENDIX 4

Plan showing land required for the Highway Works

THE BRISTOL AIRPORT LIMITED (LAND AT A38 AND DOWNSIDE ROAD) COMPULSORY PURCHASE ORDER 2020

The Airports Act 1986 and the Acquisition of Land Act 1981

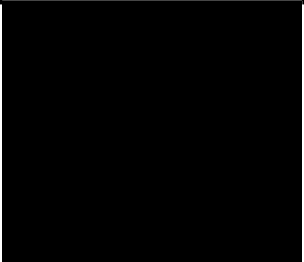
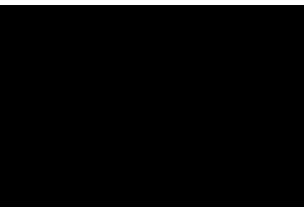
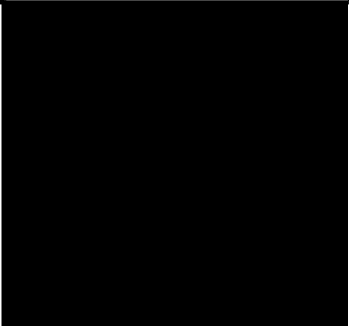
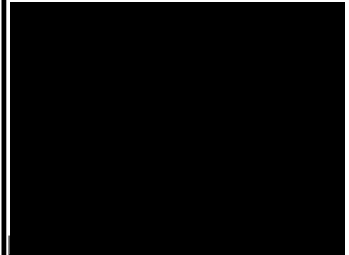
Bristol Airport Limited (in this order called "the acquiring authority") makes the following order-

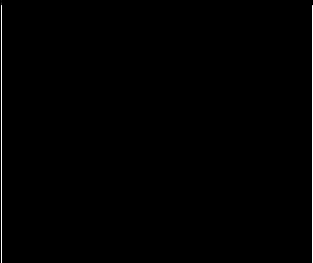

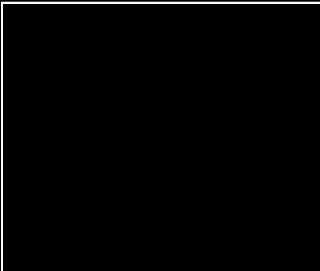
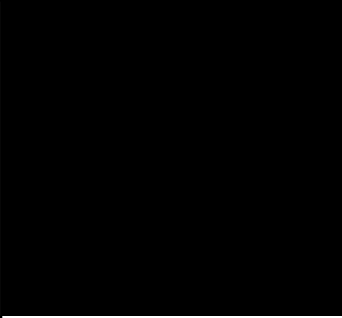
1. Subject to the provisions of this order, the acquiring authority is under section 59 of the Airports Act 1986 hereby authorised to purchase compulsorily the land described in paragraph 2 for the purpose of delivering highway improvement works to allow for the expansion of Bristol Airport.
2. The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated and shown edged in red and coloured pink on a map prepared in duplicate, executed by the acquiring authority and marked "Map referred to in the Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020".
3.
 - (1) In this paragraph "the order land" means the land numbered in the Schedule as Plot 21.
 - (2) As from the date on which this order becomes operative or the date on which the order land, or any part of it, is vested in the acquiring authority whichever is the later, that land or that part of it which is vested (as the case may be) shall be discharged from all rights, trusts and incidents to which it was previously subject.




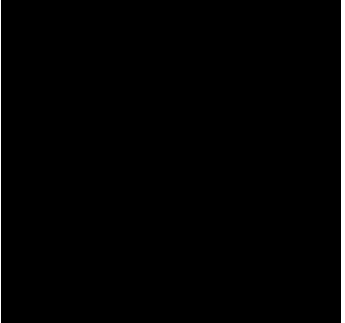
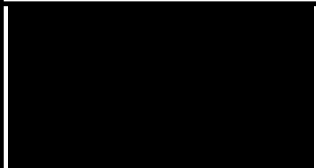
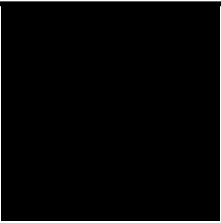

SCHEDULE

LAND TO BE PURCHASED

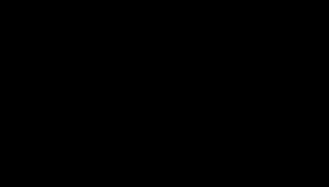
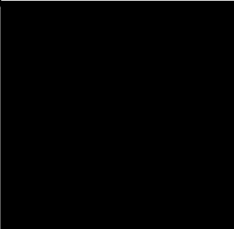
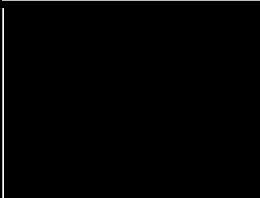
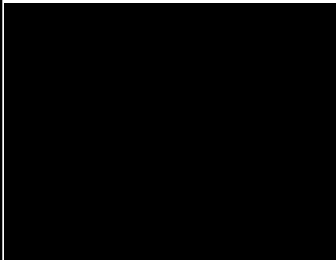
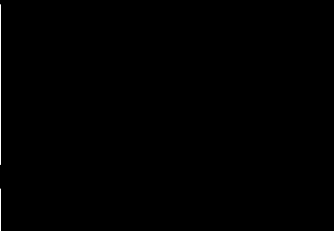
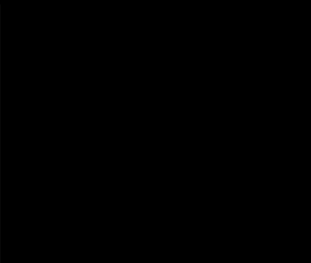
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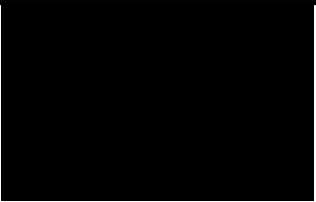
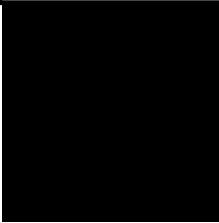
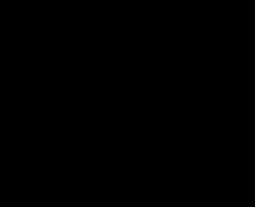
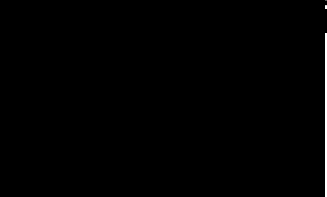
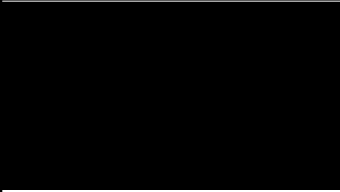
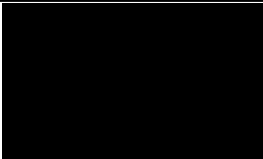
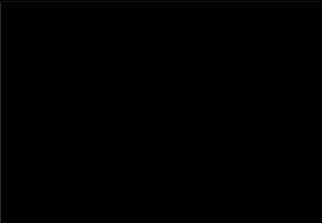
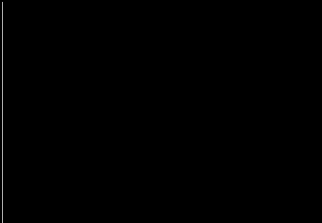
Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	Permanent Acquisition over 2714 square metres of the western portion of woodland and former quarry (south of Downside Road and west of Bridgwater Road, A38)	 	NONE	NONE	 

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)					
		Unknown			
2	Permanent Acquisition over 2282 square metres of woodland and former quarry (south of Downside Road and west of Bridgwater Road, A38) fronting the highways		NONE	NONE	

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
2 (cont'd)					
					
		Unknown			
3	Permanent Acquisition over 309 square metres of hardstanding between A38 highway and Airport Tavern building, hedgerow and shrubby within field to the north of the Airport Tavern			NONE	

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
4	Permanent Acquisition over 1102 square metres of enclosed parking area adjacent to Downside Road and hedgerow (Airport Tavern)			NONE	
5	Permanent Acquisition over 619 square metres of field, hedgerow and shrubbery (Airport Tavern) and public footpath (LA2 37/10/X)			NONE	

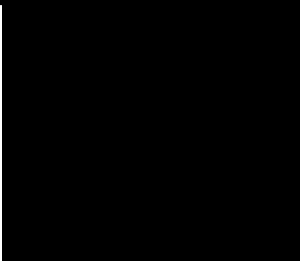
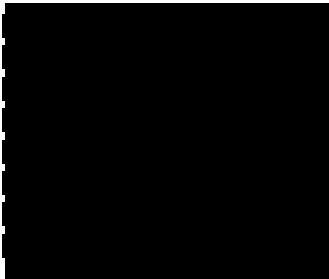
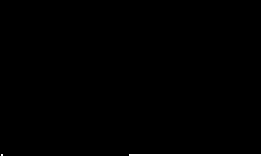
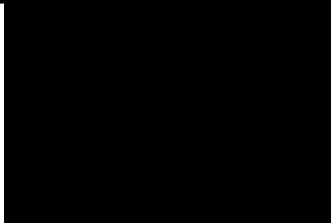
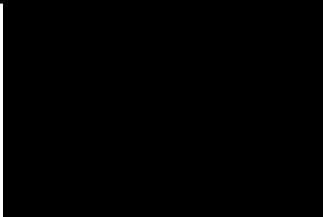
Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
6	Permanent Acquisition over 434 square metres of field, hedgerow and shrubbery (Airport Tavern) and public footpath (LA2 37/10/X)			NONE	 
7	Permanent Acquisition over 2 square metres of footway (north eastern corner Downside Road)	 Unknown	NONE	NONE	

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
8	Permanent Acquisition over 46 square metres of hardstanding between A38 highway and Airport Tavern building	 Unknown		NONE	
9	Permanent Acquisition over 49 square metres of hardstanding between A38 highway and Airport Tavern building, hedgerow and shrubbery within field to the north of the Airport Tavern		NONE	NONE	
10	Permanent Acquisition over 21 square metres of hedgerow (land south of Oakwood House) and public footpath (LA2 37/10/X)		NONE		

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
10 (cont'd)					<div></div> <div></div> <div></div>

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
11	Permanent Acquisition over 19 square metres of hedgerow (land south of Oakwood House) and public footpath (LA2 37/10/X)		NONE		

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
11 (cont'd)					
12	Permanent Acquisition over 67 square metres of caravan, garden and hedgerow (land south of Oakwood House) and public footpath (LA2 37/10/X)		NONE		

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
12 (cont'd)					 
13	Permanent Acquisition over 138 square metres of caravan, garden and hedgerow (land south of Oakwood House) and public footpath (LA2 37/10/X)		NONE		

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
13 (cont'd)					<div></div> <div></div> <div></div>

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
14	Permanent Acquisition over 18 square metres of garden and hedgerow (Oakwood House)		NONE		


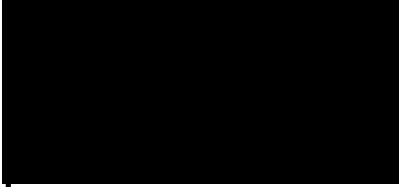
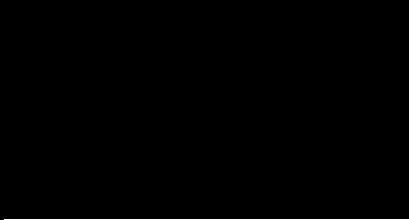
Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
15	Permanent Acquisition over 133 square metres of garden and hedgerow (Oakwood House)		NONE		
16	Permanent Acquisition over 310 square metres of grassed verge footway and shrubbery (north west of Felton Village Hall and east of Bridgwater Road, A38)		NONE	NONE	

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
17	Permanent Acquisition over 499 square metres of grassed verge and footway (north west of Felton Village Hall and east of Bridgwater Road, A38)		NONE	NONE	
18	Permanent Acquisition over 138 square metres of grassed verge footway and shrubbery (west of Felton Village Hall and east of Bridgwater Road, A38)		NONE	NONE	
19	Permanent Acquisition over 29 square metres of grassed verge footway and shrubbery (west of Felton Village Hall and east of Bridgwater Road, A38)		NONE	NONE	
		Unknown			
20	Permanent Acquisition over 117 square metres of grassed verge footway and shrubbery (south west of Felton Village Hall and east of Bridgwater Road, A38)		NONE	NONE	

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
21	Permanent Acquisition over 31 square metres of common land comprising grassed verge and footway on the corner of Bridgwater Road A38 and West Lane		NONE	NONE	
22	Permanent Acquisition over 216 square metres of carriageway (east of Bridgwater Road, A38 leading to Lilac Cottages) and verge (east of Bridgwater Road, A38)		NONE	NONE	

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
22 (cont'd)					
		Unknown			

Table 2

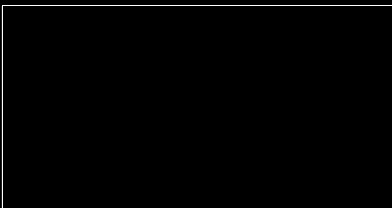
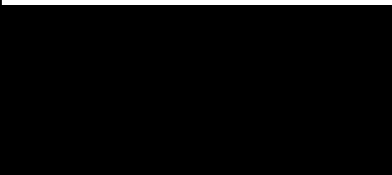
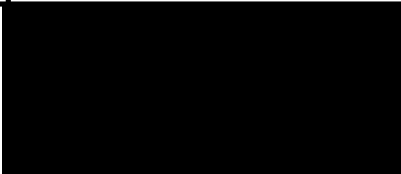
Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
1	NONE	NONE		in respect of sewer
				in respect of electricity cable
			Unknown	in respect of unknown rights
2	NONE	NONE		in respect of sewer

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
2 (cont'd)				in respect of electricity cables
			Unknown	in respect of unknown rights
3	NONE	NONE		in respect of drainage rights
				in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
3 (cont'd)				in respect of sewers
				in respect of electricity cables
4	NONE	NONE		in respect of drainage rights
				in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
4 (cont'd)				in respect of sewer
				in respect of electricity cable
5	NONE	NONE		in respect of drainage rights
				in respect of sewers

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
5 (cont'd)				in respect of electricity cable
6	NONE	NONE		in respect of drainage rights
				in respect of sewer
7	NONE	NONE		in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
7 (cont'd)				in respect of sewer
				in respect of electricity cable
			Unknown	in respect of unknown rights
8	NONE	NONE	Unknown	in respect of unknown rights
9	NONE	NONE		in respect of electricity cables

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
9 (cont'd)			Unknown	in respect of restrictive covenants and rent charges that may have been imposed prior to 16th December 2008
10		as mortgagee for		in respect of electricity cable
11		as mortgagee for	NONE	NONE
12		as mortgagee fo	NONE	NONE
13		as mortgagee for	NONE	NONE

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
14	[REDACTED]	as mortgagee for [REDACTED]	NONE	NONE
15	[REDACTED]	as mortgagee for [REDACTED]	[REDACTED]	in respect of water main
16	NONE	NONE	[REDACTED] [REDACTED]	in respect of water main in respect of telecommunications

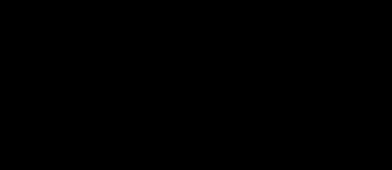
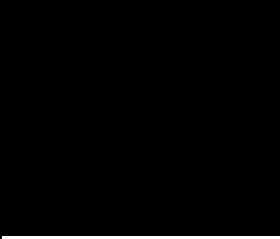
Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
16 (cont'd)			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications
			[REDACTED]	
17	NONE	NONE	[REDACTED]	in respect of water main

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
17 (cont'd)			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications
18	NONE	NONE	[REDACTED]	in respect of water mains

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
18 (cont'd)			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
19	NONE	NONE	[REDACTED]	in respect of water main
			[REDACTED]	in respect of telecommunications
			Unknown	in respect of unknown rights
20	NONE	NONE	[REDACTED]	in respect of water main
			[REDACTED]	in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
20 (cont'd)			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of street lighting
			[REDACTED]	in respect of telecommunications
			[REDACTED]	in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
20 (cont'd)			Unknown	in respect of restrictive covenants and rent charges that may have been imposed prior to 4th November 2008
21	NONE	NONE		in respect of electricity cable
			Unknown	in respect of restrictive covenants and rent charges that may have been imposed prior to 4th November 2008
			Unknown	in respect of unknown rights of commoners
22	NONE	NONE		in respect of right of access over public road

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)				in respect of right of access over public road
				in respect of right of access over public road
				in respect of right of access over public road

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)			<div></div> <div></div> <div></div> <div></div>	in respect of water main in respect of gas main in respect of street lighting in respect of telecommunications

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)				in respect of telecommunications
				in respect of electricity cables
			Unknown	in respect of unknown rights

This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely—

Number on map	Special Category
Plot 21	Common land under section 19(1) of the Acquisition of Land Act 1981 being land forming part of Felton Hill Common (CL9)

Date:

Executed by **Bristol Airport Limited** acting by a
director and a director/secretary:

Director

Director/Secretary

Director

Director/Secretary

Coords: 351,352 165,725

Drawing Name:
Map referred to in the Bristol Airport Limited
(Land at A38 and Downside Road)
Compulsory Purchase Order 2020

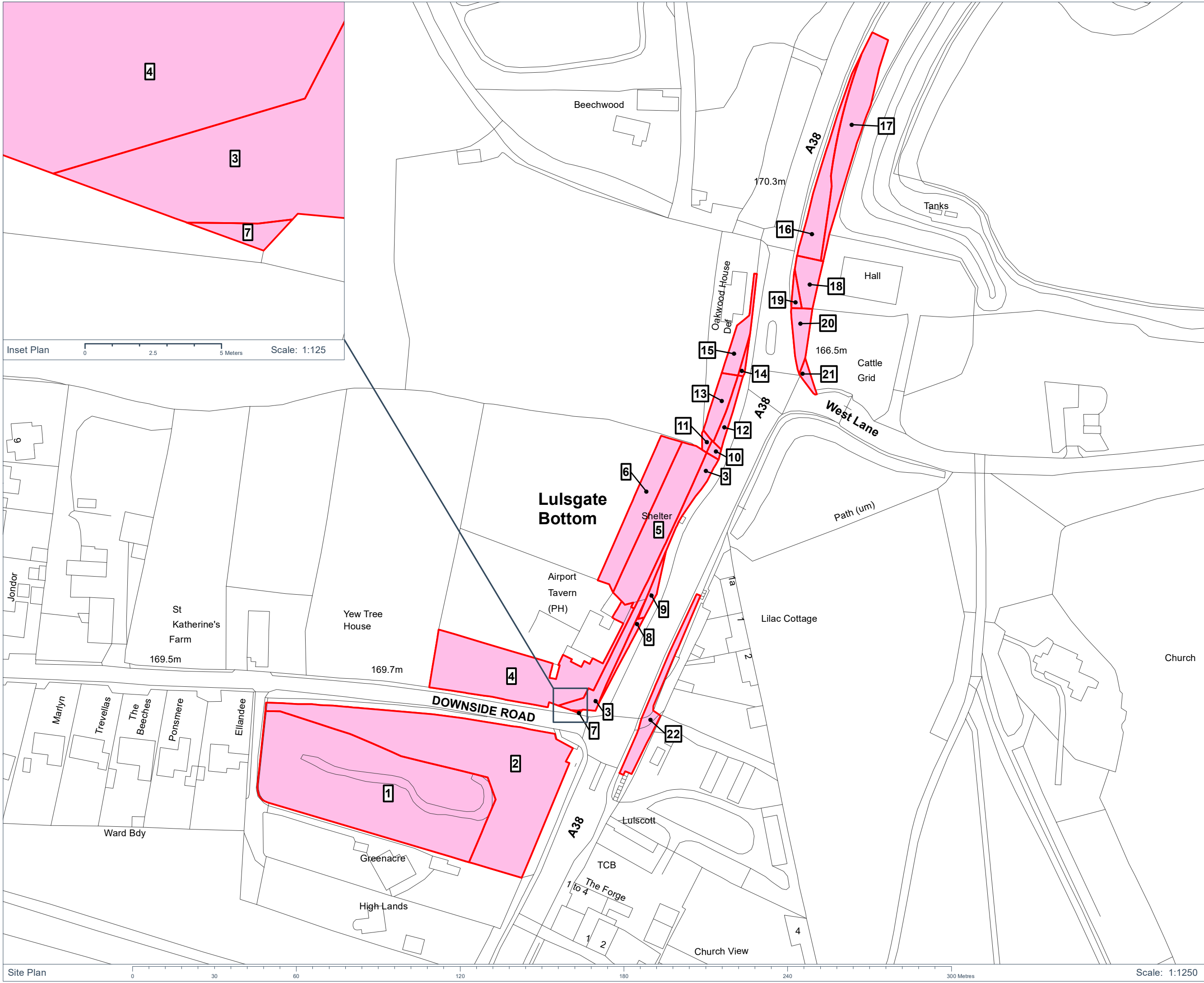
Drawing No: 194590_PLN_CPO_306.1_D

Rev	Date	Description
-	22.07.2020	First Issue
D	24.07.2020	Amendment to Template and Plot
B	30.07.2020	Plot Amendments
C	14.08.2020	Plot Amendments & Renumbering

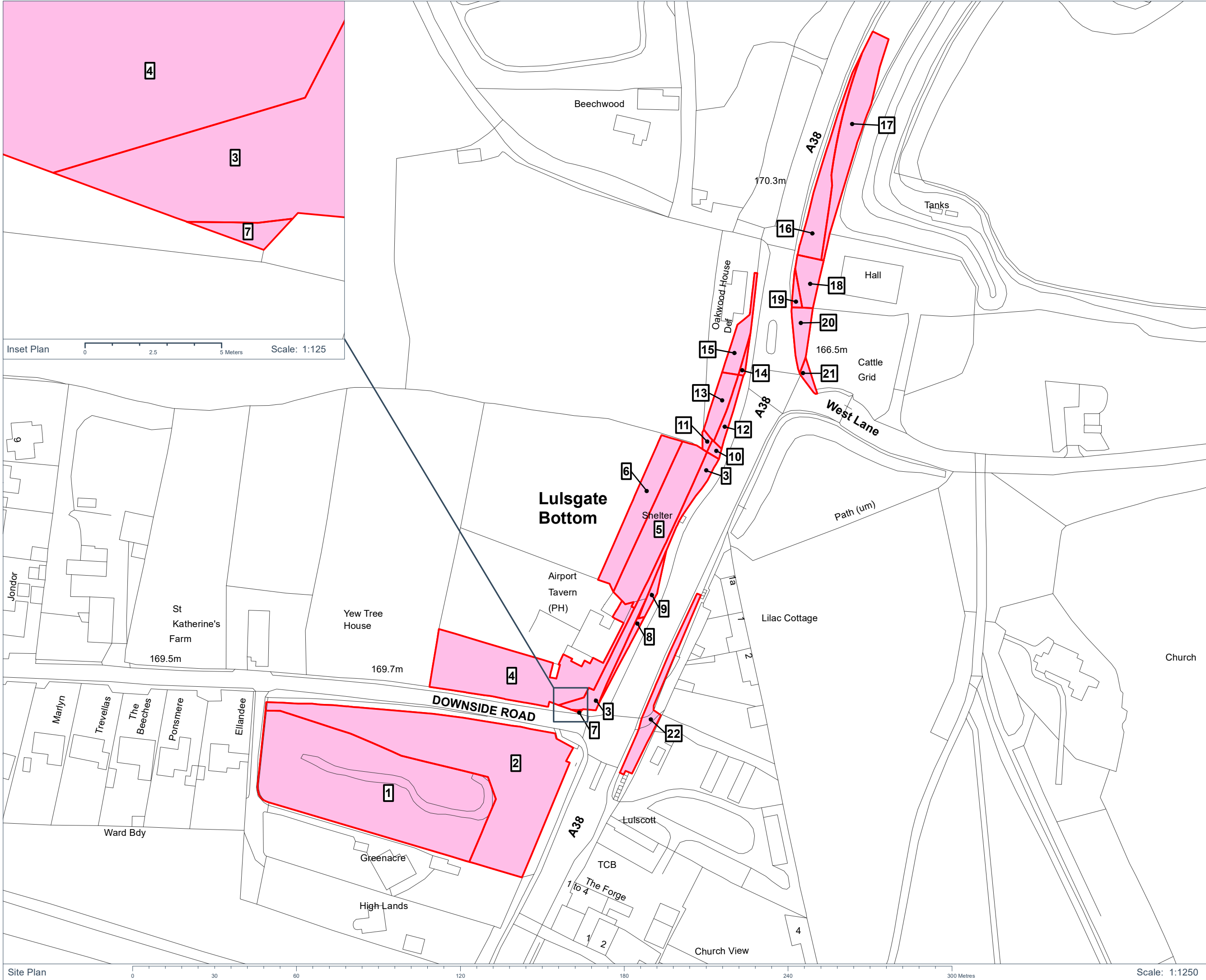
Drawn:	PR
Approved:	OK
Sheet No:	1 of 1
Sheet Size:	A3



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Drawing Location: C:\Users\luis.mendes\Dalcour Maclaren\A38 Land Referencing - Geomatics\01 DM Plans\20200807_194590_CPO_Land_Plans_v4.mxd



Key:
Permanent Acquisition

Date:

Executed by **Bristol Airport Limited** acting
by a director and a director/secretary:

Director

Director/Secretary

Notes:
Coordinate System: British National Grid
Projection: Transverse Mercator
Datum: OSGB 1936

Location:
A38, Lulsgate Bottom, North Somerset,
BS40 9XA

Coords: 351,352 165,725

Scheme Name:
A38 Land Referencing

Drawing Name:
Map referred to in the Bristol Airport Limited
(Land at A38 and Downside Road)
Compulsory Purchase Order 2020

Drawing No: 194590_PLN_CPO_306.1_D

Rev	Date	Description
-	22.07.2020	First Issue
D	24.07.2020	Amendment to Template and Plot
B	30.07.2020	Plot Amendments
C	14.08.2020	Plot Amendments & Renumbering

Drawn:	PR
Approved:	OK
Sheet No:	1 of 1
Sheet Size:	A3



HC6 – Signposting of Responses to Objections

APPENDIX HC6

SIGNPOSTING TABLE FOR RESPONSES TO OBJECTIONS RAISED TO THE ORDER

Objection category	Issues Raised	Evidence
1. Prematurity of the order as planning application refused/ planning appeal not yet determined	1.1 The objections express concern that the Acquiring Authority does not yet have an implementable planning permission to justify use of its compulsory purchase powers, and that confirming the Order ahead of the grant of planning permission could distort the appeal process or pre-determine the outcome of the appeal. In addition, the objections note that the Order covers highway works which are subject to a draft Section 106 Agreement, which will be examined as part of the appeal process and may change.	Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C, paragraphs 4.1.3-4.1.8 (prematurity)
	1.2 The assumptions on which the Application was predicated will need to be reviewed and potentially reassessed (i.e. passenger forecasts).	Proof of Evidence of James Brass, Air Traffic Forecasts (BAL/1/2), Appendix 1, paragraph 1.2.1 Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2), paragraphs 2.3, 2.6 and 4.4
	1.3 There is no information about when the Highway Works will be carried out, and there is the potential for property to be blighted until a decision is made to implement the Order (which is potentially 5 years away).	Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraph 5.1.7
2. Prematurity of the order due to Covid-19 impacts	2.1 It is improbable that passenger demand will reach the existing 10 mppa cap next year, or that it would grow by a further 20% within the following 5 years (i.e. to 12 mppa by 2025).	Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2), Appendix 1, paragraph 1.3.1 Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2) paragraphs 3.1 and 3.2. Proof of evidence of Alex Melling, Planning, subsection 3.4 and paragraphs 6.2.3-6.2.6

Objection category	Issues Raised	Evidence
	<p>2.2 If the Airport follows IATA projections, it is likely that passenger numbers would not return to pre-COVID levels until 2025, so previously forecast growth to 12 mppa would not be reached until early 2030s. Therefore, there is a failure to demonstrate a compelling case to acquire the Order Land at this stage.</p>	<p>Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2), Appendix 1, paragraph 1.4.1</p> <p>Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2), paragraphs 3.1 and 3.2</p> <p>Proof of evidence of Alex Melling, Planning, paragraphs 3.4.1-3.4.17 and 6.2.3-6.2.6</p>
	<p>2.3 Redundancies are being made at the airport due to COVID-19, so the creation of jobs benefit BAL claims the expansion will bring is disputed. There is always a lot of hype about the number of jobs that airport expansion will create, but in fact the sector has been automating as much as it can and the number of jobs is lower than it was in 2007, whilst the number of passengers has risen significantly. Expanding the Airport won't tackle unemployment or bring more money to the UK.</p>	<p>Proof of Evidence of James Brass, Socio-Economics (BAL/5/2), Appendix 3, paragraph 3.2.1-3.2.3</p> <p>Proof of Evidence of James Brass, Socio-Economics (BAL/5/2), paragraphs 4.5.6 and 5.5</p> <p>Proof of evidence of Alex Melling, Planning (BAL/7/2), paragraphs 3.5.8-3.5.12 and 3.5.16-3.5.18</p>
	<p>2.4 It would be more beneficial to the UK economy to promote home market attractions so people spend their money at home.</p>	<p>Proof of Evidence of James Brass, Socio-Economics (BAL/5/2), Appendix 3, paragraph 3.3.1</p> <p>Proof of Evidence of James Brass, Socio-Economics (BAL/5/2), paragraph 5.3</p>
	<p>2.5 There has been plenty of polling that suggests that business and employee behaviours have changed for good following the mass adoption of remote working and online conference calls. Business air travel only looks set to decrease.</p>	<p>Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2), Appendix 1, paragraph 1.5.1</p> <p>Proof of Evidence of James Brass, Air Traffic Forecast (BAL/1/2), subsection 4.9</p>

Objection category	Issues Raised	Evidence
3. Environmental impacts of the scheme	<p>3.1 There are concerns regarding noise and air quality and their impact on the health and well-being of local residents, especially children as Yatton has a large school in the centre of the village; the increase in greenhouse gas emissions exacerbating climate change, contravention of the Climate Change Act 2008 which imposes a duty to reduce carbon emissions and North Somerset Council has declared a climate emergency; eating up the green belt, including common land; impacts on habitats, hedgerows and drainage ditches; and increased urbanisation of the area through increased lighting and substituting green space for tarmac and concrete.</p>	<p>Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C, paragraphs 4.1.9-4.1.26</p> <p>Proof of Evidence of Alex Melling, Planning (BAL/7/2), Section 3, Section 4 and paragraphs 6.2.11-6.2.13</p> <p>Proof of evidence of Nicholas Williams, Noise (BAL/2/2), paragraph 4.2 and Section 5</p> <p>Proof of evidence of Martin Peirce on Air Quality (BAL/3/2), section 5</p> <p>Proof of Evidence of Ryngan Pyper, Health (BAL/8/2), section 5</p>
	<p>3.2 The proposals will further damage the peace and devalue the use of Felton village hall due to the dual carriageway being in close proximity.</p>	<p>Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraph 4.1.4</p> <p>Proof of Evidence of Nicholas Williams, Noise (BAL/2/2), paragraph 4</p>

Objection category	Issues Raised	Evidence
4. Scheme contrary to planning policy	<p>4.1 The Scheme is contrary to the Council's Core Strategy 2017 Policies CS1, CS3, CS4, CS6, CS10, CS23 and CS26.</p>	<p>Proof of Evidence of Alex Melling, Planning, (BAL/7/2), Appendix C, paragraphs 4.1.27-4.1.28</p> <p>Proof of Evidence of Alex Melling, Planning, (BAL/7/2), paragraph 2.2</p> <p>Proof of Evidence of Alex Melling, Planning, (BAL/7/2), Appendix A, Table 4.1</p> <p>Proof of evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraphs 6.2.4- 6.2.7</p> <p>Proof of evidence of Scott Witchalls, Surface Access (BAL/4/2) paragraph 3.3.1-3.3.3 and 3.3.7 (CS1, CS10, CS23) and paragraph 9.3</p> <p>Proof of evidence of Matt Osund-Ireland, Climate Change (BAL/6/2), Appendix A</p> <p>Proof of evidence of Matt Osund-Ireland, Climate Change (BAL/6/2), section 4 and paragraphs 3.5.5-3.5.10, 6.2.17-6.2.19, and 7.1.2(f)</p>

Objection category	Issues Raised	Evidence
	4.2 The Scheme is contrary to Policy DM12 of the North Somerset Development Management Policies Site and Policies Plan 2016 and the NPPF relating to green belts.	<p>Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C, paragraph 4.1.29</p> <p>Proof of Evidence of Alex Melling, Planning (BAL/7/2), section 5</p> <p>Proof of evidence of Scott Witchalls, Surface Access (BAL/4/2), paragraphs 3.1.1-3.1.8 (NPPF) and paragraph 9.3</p> <p>Proof of evidence of Matt Osund-Ireland, Climate Change (BAL/6/2), section 4</p>
	4.3 It is expected that matters relating to access to the airport will be addressed in the new North Somerset Local Plan and associated infrastructure transport plan presently being prepared. Pre-empting action by North Somerset is unlikely to be helpful in developing a co-ordinated transport plan for the Airport.	Proof of Evidence of Scott Witchalls, Compulsory Purchase Order– Highways (BAL/4/3), paragraph 6.2.18-6.2.20
5. Impacts on common land	5.1 Plot 21 may still be common land, and until determined should be assumed to be common land. The provision of replacement land is necessary.	Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C, paragraphs 4.1.30-4.1.34
6. Traffic impacts of the scheme	6.1 Public highway improvements are already required along the A38 corridor and surrounding routes to accommodate existing vehicle movements, especially at peak times.	<p>Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraphs 6.2.13-6.2.19</p> <p>Proof of evidence of Scott Witchalls, Surface Access (BAL/4/2), paragraphs 9.5.17-9.5.21</p>

Objection category	Issues Raised	Evidence
	6.2 The proposed improvements do not adequately address accommodating a further 4 mppa.	Proof of evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraphs 6.2.13-6.2.19 Proof of Evidence of Scott Witchalls, Surface Access(BAL/4/2), section 5
	6.3 There is a lack of public transport links and there will be increased traffic flows through narrow rural roads.	Proof of evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraphs 6.2.13-6.2.19 Proof of evidence of Scott Witchalls, Surface Access (BAL/4/2), paragraph 4.2 and 4.3
	6.4 The new exit of the Airport Tavern onto Downside Road will bring added danger to what is a high volume narrow road as large volumes of cars parking at the Tavern will use the new exit 24/7 entering the road at the same point as the traffic build up for the junction.	Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways, (BAL/4/3), paragraphs 6.2.24-6.2.25
	6.5 The high volume of cars which hover and park temporarily around the airport entrance will move into lanes and laybys locally, including Downside Road and around the village hall and church; local people already suffer problems of illegal and roadside parking near the airport.	Proof of evidence of Scott Witchalls, , Compulsory Purchase Order- Highways (BAL/4/3), paragraphs 6.2.13-6.2.19 Proof of evidence of Scott Witchalls, Surface Access (BAL/4/2), paragraph 7.3.1 Proof of evidence of Alex Melling, Planning (BAL/7/2), paragraphs 6.5.1-6.5.4
7. Impacts on local residents regarding access	7.1 Who will own the highway land on completion of the works? If the land is owned by BAL, it may be difficult for residents to sell their homes as access may be over land that can become a ransom strip.	Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways, (BAL/4/3), paragraph 6.2.21

Objection category	Issues Raised	Evidence
	7.2 Concern for local residents who may have restrictions placed on them relating to access to their own properties due to the layout and vastness of the proposed works.	Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraph 6.2.21 Proof of evidence of Scott Witchalls, Surface Access (BAL/4/2), paragraphs 9.5.17-9.5.21
Responses to Specific Objections Raised		
8. Hawthorn Leisure (Mantle) Limited- OBJ1	8.1 Queries whether the Order has been made under the correct statutory powers and failure to consider alternatives to compulsory purchase/ the making of the Order.	Proof of Evidence of Henry Church, Compulsory Acquisition Process (BAL/9/2), Appendix HC5 Statement of Simon Preece paragraphs 2.1.1-2.1.10.
	8.2 Lack of funding for highway works.	Proof of Evidence of Henry Church, Compulsory Acquisition Process (BAL/9/2), Appendix HC5 by Andrew Griffiths, Compulsory Acquisition Funding paragraphs 2.1.1-2.1.3.
	8.3 Failure to negotiate.	Proof of Evidence of Henry Church, Compulsory Acquisition Process, (BAL/9/2), paragraph 5.10
	8.4 Residual land post CPO commercially unviable.	Proof of Evidence of Henry Church, Compulsory Acquisition Process, (BAL/9/2), paragraph 5.13
9. The Trustees Of The Sir J V Wills Will Trust- OBJ2	9.1 Plot 1 is not justified for acquisition.	Proof of Evidence of Scott Witchalls Compulsory Purchase Order- Highways (BAL/4/3, paragraph 6.2.18, 3.4.10 and 5.1.3
	9.2 Inconsistent approaches made by BAL to acquire land which have frustrated ability to reach agreement.	Proof of Evidence of Henry Church, Compulsory Acquisition Process (BAL/9/2), paragraph 5.20

Objection category	Issues Raised	Evidence
10. Tracey Harding- OBJ3	10.1 No motorway/ rail links to serve the proposed expansion.	<p>Proof of Evidence of Scott Witchalls, Compulsory Purchase Order- Highways (BAL/4/3), paragraph 6.2.22</p> <p>Proof of evidence of Scott Witchalls, Surface Access, section 4, paragraphs 9.4.23-9.4.26 and 6.5.12-6.5.16</p>
11. North Somerset Council- OBJ4	11.1 In relation to land owned by Highways England, the Council is not aware that this has been transferred to the Council.	Proof of Evidence of Henry Church, Compulsory Acquisition Process (BAL/9/2), paragraphs 5.29-5.31
	11.2 Land needed for the A38 Major Road Network (MRN) scheme is included within the CPO. Works to the A38 in the vicinity of the Airport are being progressed as part of the wider A38 MRN scheme. The CPO would compromise those works.	Proof of Evidence of Henry Church, Compulsory Acquisition Process (BAL/9/2), paragraphs 5.27 and 5.32-5.33
12. Yvonne Kempster- OBJ17	12.1 Disputes creation of local jobs	Proof of Evidence of James Brass, Socio-Economics (BAL/5/2), Appendix 3, paragraph 3.4.1
	12.2 Call for overnight accommodation in the area will be hit due to more airport accommodation	Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C paragraphs 4.1.35-4.1.37
	12.3 Concern regarding fuel dumping	Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C paragraph 4.1.38

Objection category	Issues Raised	Evidence
13. Heather Fuller- OBJ25	13.1 One house - nearly 100 years old- is under threat of compulsory purchase to make way for staff parking. Within the garden there are four oak trees of 129 years old, plus a badger's sett and lesser horseshoe bats in the cellar. This will all go if the Airport gets its way.	Proof of Evidence of Alex Melling, Planning (BAL/7/2), Appendix C paragraph 4.1.39

HC7 – Detrunking Order

A/8/19/5

Spares

THE EXETER — LEEDS TRUNK ROAD**SIDCOT LANE (A. 371), WINSCOMBE to
BRISTOL CITY BOUNDARY, BEDMINSTER DOWN)****(DETRUNKING) ORDER 1977 .****THIS PLAN DOES NOT SHOW WIDTHS OR CONSTRUCTION DETAILS** **EXISTING HIGHWAY CEASING TO BE TRUNK ROAD**

Scale. 6" = 1 mile

PLAN REGISTRYNo HA 7/2 -SW216
Date 9 AUG. 1976.**SIGNED BY THE AUTHORITY**
of the
SECRETARY OF STATE FOR TRANSPORTthe **25** FEBRUARY 1977.
P. R. SHEAF**AN UNDER SECRETARY** in the
Departments of Environment and Transport

DEPARTMENT OF TRANSPORT

HIGHWAYS ACTS 1959 TO 1971

THE EXETER - LEEDS TRUNK ROAD
(SIDCOT LANE (A371), WINSCOMBE TO BRISTOL CITY BOUNDARY, BEDMINSTER DOWN)
(DETRUNKING) ORDER 1977

THE SECRETARY OF STATE FOR TRANSPORT hereby gives notice that he has made an Order under section 7 of the Highways Act 1959 providing that the length of the Exeter - Leeds Trunk Road (A38) between its junction with Sidcot Lane (A371), Winscombe and the Bristol City Boundary, Bedminster Down shall cease to be a trunk road and shall become a principal road as from the date when the Order comes into operation and the responsibility for that length shall be transferred from the Secretary of State to the County Council of Avon and the County Council of Somerset.

COPIES of the Order and of the relevant plan have been deposited at the Department of the Environment, 2 Marsham Street, London SW1, and at the offices of the Avon County Council, Avon House, The Haymarket, Bristol BS99 7DE; The Somerset County Council Offices, County Hall, Taunton, Somerset TA1 4AQ; the offices of the Director of Planning, Woodspring District Council, 39-45 Woodborough Road, Winscombe, Somerset BS25 1AG, and of the Regional Controller (Roads and Transportation) South West Region, Froomsgate House, Rupert Street, Bristol, Avon where they are open to inspection free of charge at all reasonable hours.

COPIES of the Order, the title of which is "The Exeter - Leeds Trunk Road (Sidcot Lane (A371), Winscombe to Bristol City Boundary, Bedminster Down) (Detrunking) Order 1977", (S I 1977 No 371) can be purchased price 10p through any bookseller or direct from government bookshops (HMSO).

ANY PERSON aggrieved by the Order and desiring to question the validity thereof, or of any provision contained therein, on the ground that it is not within the powers of the Highways Act 1959 or the Highways Act 1971 or on the ground that any requirement of either of those Acts, or of regulations made thereunder, has not been complied with in relation to the Order, may, within six weeks from 24 March 1977, apply to the High Court for the suspension or quashing of the Order or of any provision contained therein.

25 February

1977

G V SMITH
Chief Administration Officer to the
Regional Controller
(Roads and Transportation)
South West Region
Department of Transport



TO GIVE A GRID REFERENCE
EXAMPLE











HC8 – Correspondence with Highways England

From: Lucas, Laura <Laura.Lucas@highwaysengland.co.uk>

Sent: Friday, March 19, 2021 8:31:29 AM

To: Liz Higgins <Liz.Higgins@bristolairport.com>

Subject: RE: The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Liz,

Unfortunately a letter of that nature is not something we can do. This is because de-trunking is always by virtue of the order.

Without a plan, I cannot confirm definitively that it is the Exeter Leeds Trunk Road (Sidcot Lane (A371) Winscombe to Bristol City Boundary Bedminster Down) (Detrunking) Order which de-trunks this stretch of road, although through my research I consider it likely. However, I can confirm that this road and the land purchased to support its operation are not part of the trunk road network, subject to a de-trunking order.

Due to the de-trunking, it is therefore not for Highways England to provide approval for acquisition, as we do not hold interest in the land anymore. The council will need to provide that approval.

I am happy for this correspondence to be used, which I hope will assist .

Kind Regards,

Laura Lucas Estates Case Manager

Finance and Business Services

Highways England | Ash House | Falcon Road, Sowton Ind. Estate | Exeter | EX2 7LB

Tel: +44 (300) 470 0721 **Mob:** +44 (0) 7523931693

Web: <http://www.highways.gov.uk>

My normal working hours are currently 7.30am- 3.30pm Mon-Fri

From: Liz Higgins [<mailto:Liz.Higgins@bristolairport.com>]

Sent: 25 February 2021 16:00

To: Lucas, Laura <Laura.Lucas@highwaysengland.co.uk>

Subject: RE: The Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020

Dear Laura

We previously exchanged emails on the Bristol Airport Limited (Land at A38 and Downside Road) Compulsory Purchase Order 2020 (the Order) and particularly the status of plots 9, 16, 17, 18, 19, 20 and 21 of the Order in January of this year.

We are following up with North Somerset Council to see if they hold a copy of the Exeter Leeds Trunk Road (Sidcot Lane (A371) Winscombe to Bristol City Boundary Bedminster Down) (Detrunking) Order and plan as you suggested, but in the meantime, we would like to provide as much clarity as we can on the status of these plots for the Inspector considering the Order. On that basis, we wanted to ask if you would be happy to submit a letter to BAL that we can share with the Inspector as part of Bristol Airport's evidence, confirming the historical position regarding these plots as you have explained it to us, and also that Highways England is content with the inclusion of these plots in the Order for acquisition.

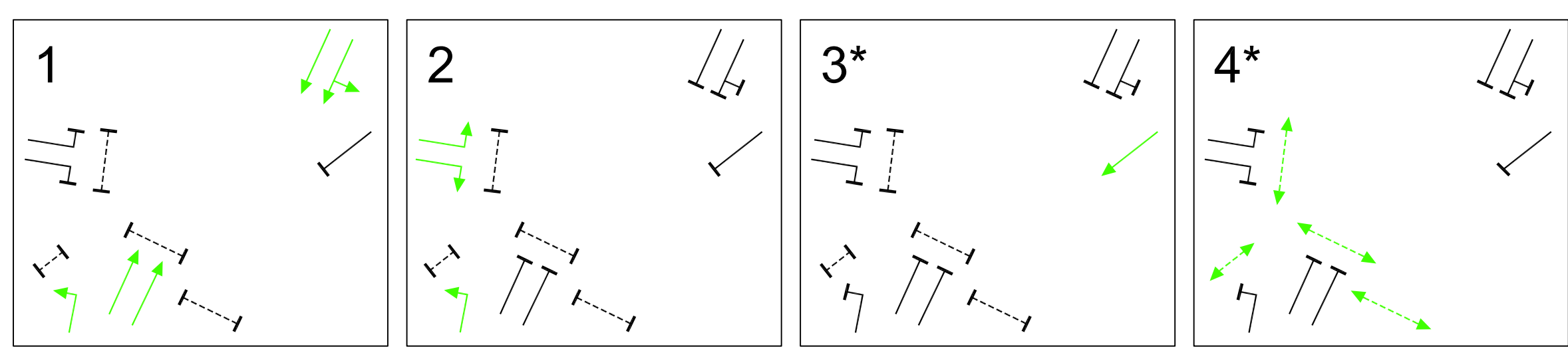
I look forward to hearing from you.

Many thanks

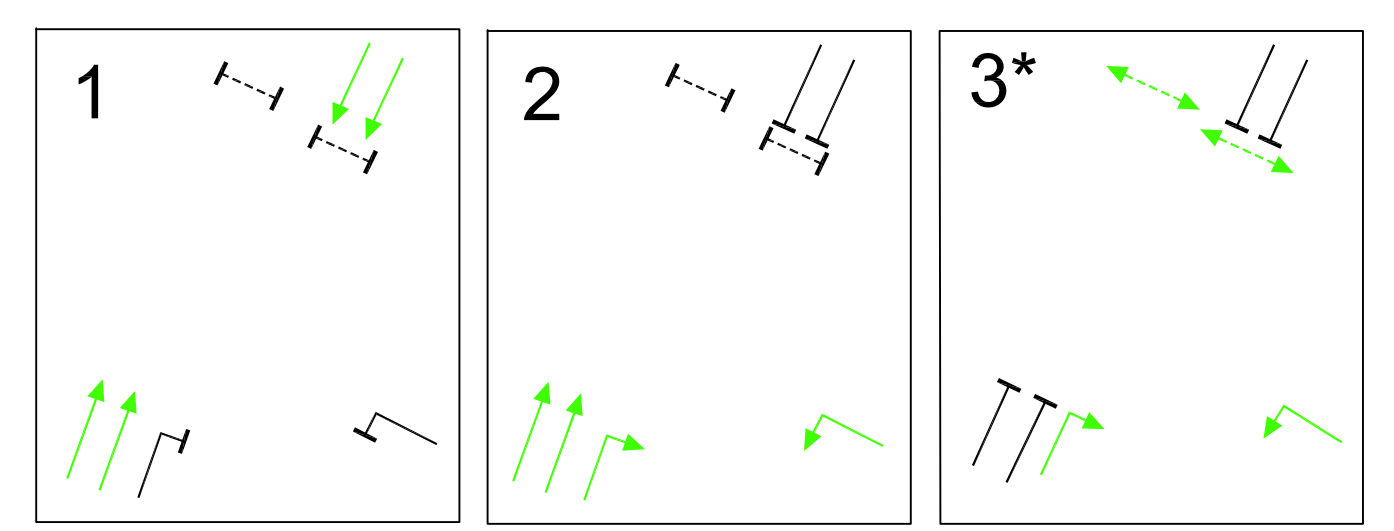
Liz

HC9 – Road arrangement

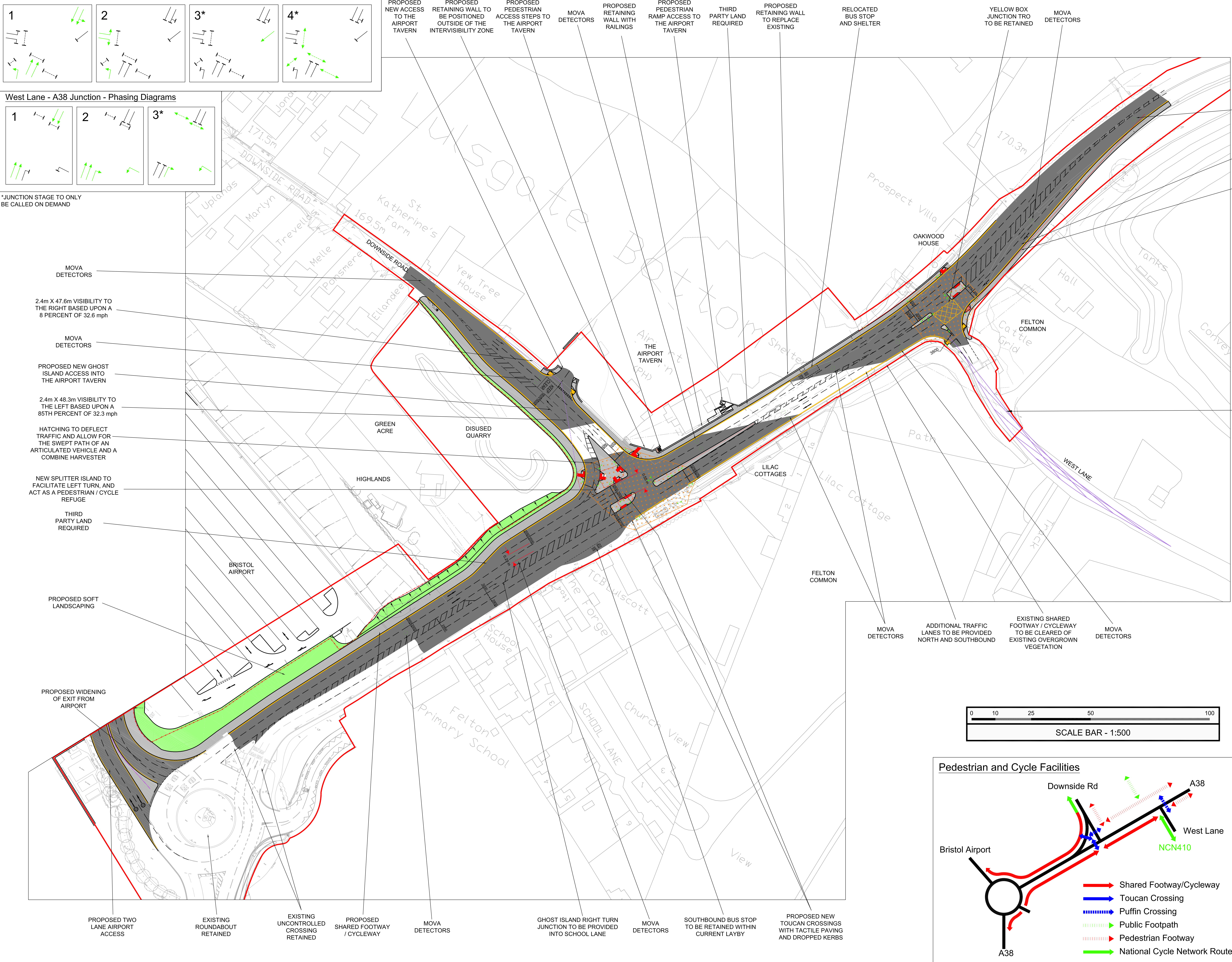
Downside Road - A38 Junction - Phasing Diagrams



West Lane - A38 Junction - Phasing Diagrams



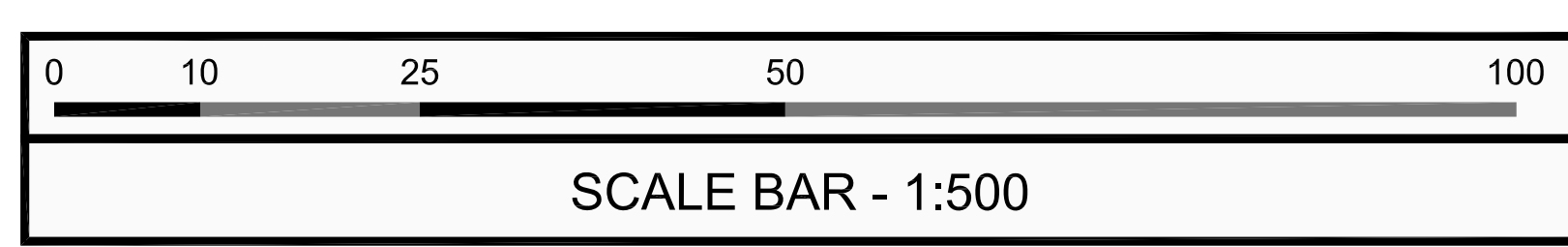
*JUNCTION STAGE TO ONLY BE CALLED ON DEMAND



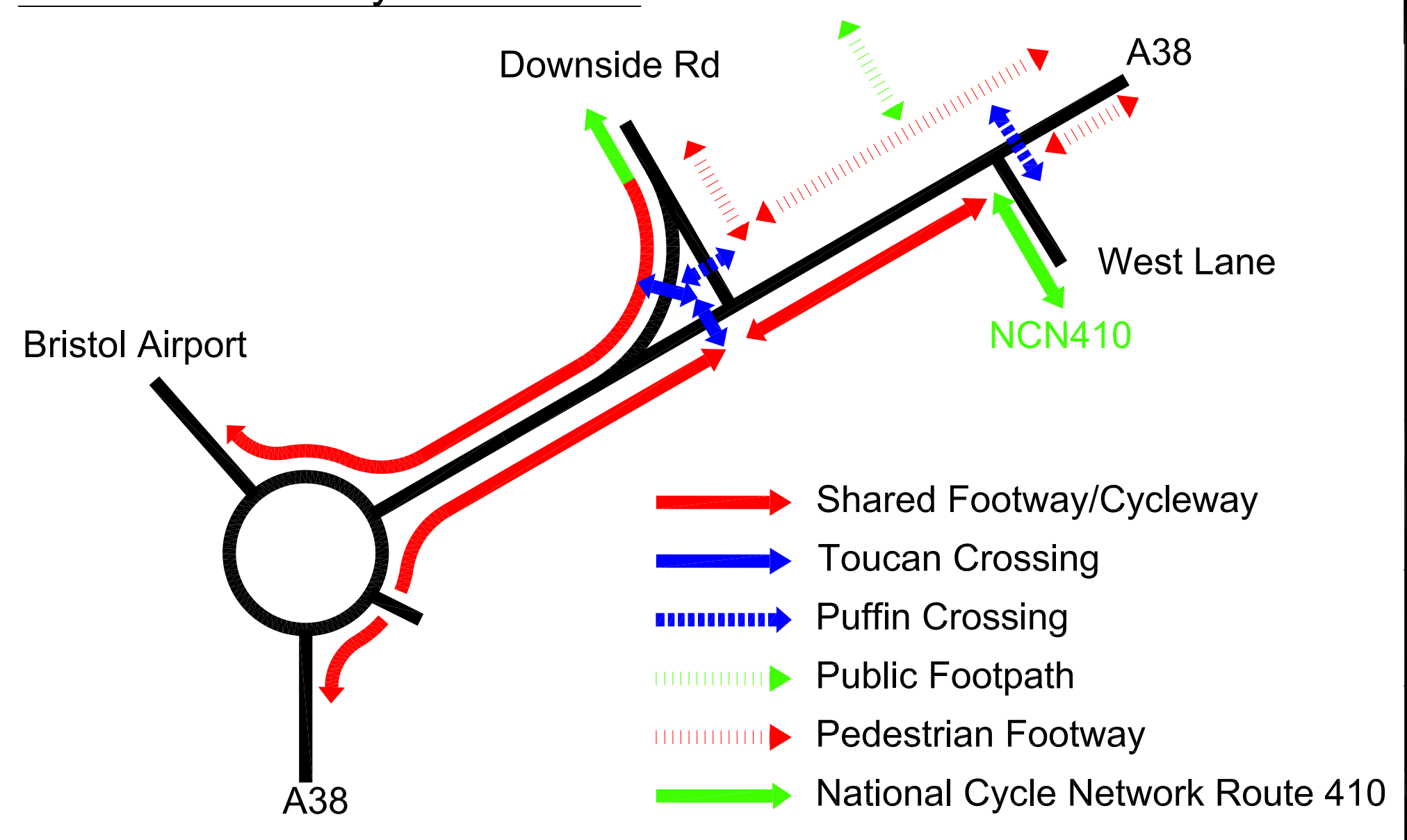
LEGEND

- RED LINE BOUNDARY
- HIGHWAY BOUNDARY
- INTERVISIBILITY ZONE
- VISIBILITY SPLAYS BASED ON SSD SET OUT WITH MFS
- VISIBILITY SPLAYS BASED ON SSD SET OUT WITH DMRB

11.0	AIRPORT EXIT ONTO ROUNDABOUT AND WEST LANE STOP LINE AND SIGNALS AMENDED. TACTILE PAVING AND WORKS AROUND THE AIRPORT TAVERN UPDATED. A38 SOUTHBOUND LANE WIDTHS ALTERED	DR	18/04/19	CC
10.0	AMENDMENTS FOLLOWING ANALYSIS	JP	20/11/18	CC
9.0	AMENDMENTS FOLLOWING RSA	JP	25/10/18	CC
8.0	AMENDMENTS TO PROPOSED LAYOUT	GS	16/10/18	CC
7.0	ADDED RED LINE BOUNDARY	GS	15/10/18	CC
6.0	AMENDMENTS TO PROPOSED LAYOUT	GS	12/10/18	CC
5.0	OAKWOOD HOUSE CARAVAN ADDED	DR	18/09/18	CC
4.0	LAND OWNERSHIP ADDED	AW	03/09/18	CC
3.0	REMOVED HIGHWAY BOUNDARIES	MW	23/08/18	CC
2.0	FUTURE HOTEL ACCESS AMENDED	MW	13/04/18	CC
1.0	FIRST ISSUE	MW	13/04/18	CC
Rev	Description	Drawn	DATE	Auth



Pedestrian and Cycle Facilities



c-bas

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Basingstoke
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T: 01256 362963
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Client
Bristol Airport

Project
Bristol Airport 12MPPA Masterplan

Title
A38 Junction Improvements
Option 10

Original Scale	Drawn By	Date	Checked By	Auth
1:500@A0	TO	24/10/18	DR	CC

Drawing Number
C1124-SK-A38-010

Rev
11.0