

BATH AND NORTH EAST SOMERSET

CABINET

These minutes are draft until confirmed as a correct record at the next meeting.

Wednesday, 25th January, 2017

Present:

Councillor Tim Warren	Leader of the Council and Conservative Group Leader
Councillor Liz Richardson	Cabinet Member for Homes and Planning
Councillor Patrick Anketell-Jones	Cabinet Member for Economic Development, Conservative Deputy Group Leader Bath
Councillor Vic Pritchard	Cabinet Member for Adult Social Care and Health
Councillor Anthony Clarke	Cabinet Member for Transport
Councillor Martin Veal	Cabinet Member for Community Services
Councillor Michael Evans	Cabinet Member for Children's Services
Councillor Paul Myers	Cabinet Member for Policy, Localism & Partnerships

61 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

62 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer drew attention to the evacuation procedure as set out in the Agenda.

63 APOLOGIES FOR ABSENCE

Councillor Charles Gerrish had sent his apologies.

64 DECLARATIONS OF INTEREST

There were none.

65 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

The Chair informed the meeting that speakers would have the opportunity to address the Cabinet. The list of registered speakers (*available on the Minute Book at Democratic Services*) was contained in the purple sheet and available in the public gallery. Each speaker would have up to three minutes to address the Cabinet.

66 PARK AND RIDE EAST OF BATH

Emma Adams read out the statement where she said that there was no need for another Park and Ride and that the Council had not provided business case. Emma Adams also said that visitor numbers had been inflated during Christmas Market

period, and that those numbers were not true reflection on the average number of people coming to Bath. Emma Adams concluded her statement by saying that there was a lack of communication from the Council and that the whole process was undemocratic and secretive, without the relevant facts and figures.

Harry Adams (11 year old) said that he had studied proposals for the Park and Ride but that he had not seen a real need for another Park and Ride. Harry Adams also said that another 1,000 cars would not make much difference to the traffic in London Road; other Park and Rides had not been used well; concerns about the wildlife in Meadows; and that technology is moving forward so parking and pollution in Bath would not be an issue.

Annie Kilvington gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Lisa Brown gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Fiona Powell gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Peter Davenport gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Alison Smith gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Derek Redding gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Piers Taylor gave a statement (on behalf of Andrew Lea) by saying that only 57% of existing Park and Rides around Bath were used during the busiest times. Piers Taylor also said that the images presented by the officers were misleading, that Park and Ride would not be concealed by planting trees, that the proposed development was ecologically illiterate and it would be an act of environmental vandalism, and that Park and Ride East of Bath was not a solution for traffic problems.

David Dunlop gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Phil Johnston gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Christine Boyd gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Andrew Mercer gave a statement and presented a document to the Cabinet (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Stuart Feasey gave a statement by saying that Park and Ride meant to reduce the pollution though there was no evidence to back up this claim. Stuart Feasey also said that the Alliance had produced substantial evidence why there was no need for

Park and Ride East of Bath though that evidence was not fully considered by the Council and that Bath residents would not benefit from this development. Stuart Feasey asked the Cabinet to reject the report.

Caroline Kay (Bath Preservation Trust) gave a statement (*available on the Minute Book at Democratic Services*) expressing concerns on behalf of the Bath Preservation Trust against the Park and Ride proposals.

Sian James gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Steve Horner gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Judy Bailey gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Louise Hidalgo gave a statement by saying that the Cabinet has a duty of care to look after people. Louise Hidalgo also said that she had understood that there would be so many new houses and jobs created in Bath, but proposed Park and Ride would not make any improvements towards traffic and pollution in Bath. Louise Hidalgo concluded her statement by saying that the Council had already spent £1.1m before deciding the site for the proposed Park and Ride, that the report was misleading and that the Cabinet would break their own manifesto promises if the go ahead with the Park and Ride.

Selma Crespo Neild sang a song in a protest to the proposed Park and Ride East of Bath.

Tom Boden (National Trust) gave a statement (*available on the Minute Book at Democratic Services*) expressing concerns on behalf of the National Trust against the Park and Ride proposals.

Moira Brennan (Bathampton Parish Council Chairman) gave a statement by saying that she had spoken to the Chief Executive of the RUH Bath about the Park and Ride proposals, and the RUH had not been consulted formally by the Council on these proposals. Moira Brennan said that the RUH had had an informal session with the relevant Cabinet Member and an officer on the Park and Ride issue. Moira Brennan also said that hardly any members of the RUH staff who live in Wiltshire would use Park and Ride. Moira Brennan concluded her statement by asking the Cabinet to reject the Park and Ride plans.

George Riley (Chair Batheaston Parish Council) gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Susanne Hagen gave a statement by saying that the Park and Ride scheme would generate a significant cost to the Council. Susanne Hagen said that the technology would be moving forward and the transport would become greener. Susanne Hagen also said that in cities such as Copenhagen people are cycling to work rather than use buses, whilst other European cities had invested in trams or similar means of transport. Susanne Hagen asked the Cabinet to reject proposals.

Ron Temperton (on behalf of Ian Perkins - Chair of The Abbey Residents Association Bath) gave a statement by saying that three major residents associations

in Bath strongly support the proposals to build Park and Ride East of Bath. The new Park and Ride should be East of Bath and would contribute to reduction of pollution which would not only benefit to the residents living in Bath but also to the architecture of Bath.

Patrick Rotherham (Federation of Bath Residents Association) gave a statement (*available on the Minute Book at Democratic Services*) by giving support to the Park and Ride proposals.

David Redgewell gave a statement (*available on the Minute Book at Democratic Services*) by giving support to the Park and Ride proposals.

Ian Bell – (Executive Director, Bath Chamber of Commerce and the Initiative in B&NES) gave a statement (*available on the Minute Book at Democratic Services*) by giving support to the Park and Ride proposals.

Van DuBose gave a statement (*available on the Minute Book at Democratic Services*) by giving support to the Park and Ride proposals.

Councillor John Bull gave a statement as the Chair of the CTE PDS Panel. Councillor John Bull said that one of the Panel's recommendations, made at the Park and Ride Scrutiny Inquiry Day, was on boosting awareness on underuse of the Park and Ride in Lansdown. Councillor John Bull also said that Panels' other recommendations were that building Park and Ride on Bathampton Meadows would be an environmental vandalism and that the Panel had envisaged utilising one or two small sites along A4, as identified by the Local Development Framework group.

Councillor Robin Moss gave a statement by saying that the Cabinet had provided wrong answer to a wrong question. The traffic in Bath would not be resolved by building Park and Ride East of Bath, nor would the Park and Ride reduce the pollution.

Councillor Alison Millar gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Councillor Dine Romero gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Councillor Geoff Ward gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Councillor Lisa O'Brien gave a statement by welcoming the report and gave her support to the Park and Ride proposals. Councillor Lisa O'Brien also said that Park and Ride East of Bath would be accessible from different routes coming from Wiltshire and South Gloucestershire.

Councillor Neil Butters gave a statement (*available on the Minute Book at Democratic Services*) speaking against the Park and Ride proposals.

Councillor Colin Barrett gave a statement by taking the Cabinet through the history of traffic solutions in Bath. Councillor Colin Barrett supported the Park and Ride proposals by saying that new Park and Ride facility would receive objections from any site, yet the traffic would become worse.

Councillor Cherry Beath gave a statement by saying that the Cabinet should listen to those speakers with evidence against the Park and Ride East of Bath.

Councillor Tim Warren postponed the meeting at 7pm for a 5 minute break.

Meeting reconvened at 7.10pm

Councillor Anthony Clarke introduced the report by thanking the large number of people who had contributed to this matter, in particular the Council's officers, external advisors, the Bath Transport Commission, the Local Development Framework Steering Group, the Communities, Transport and Environment Policy Development and Scrutiny Panel, everyone else who had been involved in the extensive consultation process (Highways England, Historic England, the Federation of Bath Residents' Associations, the Parish Councils and Bathampton Meadows Alliance) and all the individual submissions from residents and other interested people.

Councillor Anthony Clarke informed the Cabinet that he responded to issues which had been raised by solicitors acting for Bathampton Meadows Alliance. Councillor Anthony Clarke also said that a letter had been received from Historic England dated 24th January making representations regarding the World Heritage Site. Councillor Anthony Clarke responded that the Cabinet would not be dealing with an application for planning permission and all the proper statutory procedures for any such determination would be gone through.

Councillor Antony Clarke reminded the Cabinet that the need for an eastern Park & Ride had featured in numerous Council policies over many years – from the Bath Transport Package to the Placemaking Plan – and that Full Council had approved the need for an Eastern Park & Ride in its November meeting in 2015. At present, 73,000 people travel to Bath daily by car and this number is set to rise to 96,000 a day by 2029. Much of this rise would relate to the new Enterprise Zone, which would boost the local economy by £1.2bn by 2030. There were firm plans to build 7,000 new homes within the City and create 11,000 new jobs by 2035.

The Park and Ride had been supported by the Local Plan in 2007, the Bath City Riverside Enterprise Area (City Deal) in 2012, the Getting Around Bath Transport Strategy, and most recently Council's Placemaking Plan. The Cabinet would continue to support the Bath Transport Strategy, which had been introduced with all-party support in 2014. Existing Park and Rides carry 2 million passengers a year – that's 1 million people into the city and 1 million people out. Prior to their recent expansion they were frequently full to capacity – particularly at Newbridge and Lansdown.

Councillor Anthony Clarke took the Cabinet through response to the recommendations from the CTE PDS Panel and also through the findings from the Local Development Framework group.

Councillor Anthony Clarke concluded his statement by saying that the Cabinet had had the following options in the report:

- The first, is to move forward with Site F at 800 or 1200 spaces

- The second option is Site B at 800 spaces, subject to purchase of the land and Highways England approval to access to the site.
- If these two criteria are not met, then Site F could be held as the reserve site.

Councillor Anthony Clarke said that the second option should be the one the Council should pursue, with the third point included as part of the resolution.

Therefore, Site B should be promoted as the preferred site, subject to the conditions set out, with Site F held in reserve if these conditions cannot be met within a reasonable timeframe – something to be a matter of weeks, not months.

Site B would have greater scope for future benefits as this whole project was about planning for the future. Councillor Anthony Clarke believed that Site B could be well-screened, be less intrusive to nearby residents, and would allow greater future opportunities for river and rail linkages. Nonetheless, due to the importance of this project, it would be important that Site F be held in reserve for the eventuality that the conditions on B can't be achieved.

Councillor Anthony Clarke moved the following recommendations from the report:

The Cabinet agree to:

1. Note that both sites F and B could deliver the required outcomes for a P&R site to the east of Bath.
2. Refuse that site F with 800 or 1,200 spaces should be promoted as the preferred site for a new Park and Ride east of Bath.
3. Authorise:-
 - A) that site B with 800 spaces should be promoted as the preferred site for a new Park and Ride east of Bath based on the advice in the report, but subject to satisfactory arrangements for the purchase of the site and agreement from Highways England on access.
 - B) If site B is not deliverable for the above reasons, within a reasonable timescale, then site F should be progressed.
4. Delegate authority to the Strategic Director (Place), in consultation with the Cabinet Member for Transport, to make all necessary arrangements to implement the above, including, as necessary, the appropriation of land under Section 122 of the Local Government Act 1972.
5. Approve all necessary expenditure to enable the site to be secured and requests the development of a full business plan for appropriate executive approval.
6. Fully approve an additional £500,000 to support delivery of the next steps.

Councillor Tim Warren seconded the motion.

Councillor Tim Warren repeated that there were plans to build 7,000 new homes within the City and create 11,000 new jobs by 2035. Also, there was expected the 3% annual growth in tourists and the desire to see an enhancement of our retail, cultural and entertainment sectors. Unless positive measures were taken now, with what was already very difficult congestion to the east of the city, Bath would, in the not too distant future, become totally gridlocked.

The existence of Park and Rides in the other three quadrants of the City and lack of Park and Ride in the Eastern quadrant had represented a serious gap in provision –

particularly as the city and economy expands. It is for that reason that the Administration had remained committed to this project.

The Council had done extensive research, including traffic modelling and demand forecasting, and all these studies had reached the same conclusion – that an East of Bath Park and Ride would be well-used; it would be necessary to support the growth of the economy; and that traffic congestion and access to the city would be worse without East of Bath Park and Ride.

For those reasons this matter had had the support of local business organisations, transport lobby groups, and residents associations.

Councillors Paul Myers, Liz Richardson, Michael Evans and Patrick Anketell-Jones spoke in favour of the Park and Ride East of Bath.

Councillor Martin Veal spoke against the proposals by thanking everyone who spoke at the meeting. Councillor Martin Veal said that the Cabinet should listen to the residents who were concerned that the valley would be mutilated for ever. The Park and Ride East of Bath would contribute little to reducing the traffic and the pollution in the city. The Cabinet should consider all the evidence from people who spoke against the proposals before making their decision. Councillor Martin Veal concluded his statement by saying that he would vote against the recommendations.

A question arose as to the meaning of section 122* of the Local Government Act 1972, which was referred to in the recommendation in the officer report. There was concern that the word ‘appropriation’ referred to the Council acquiring land by way of a Compulsory Purchase Order (“CPO”). The Monitoring Officer explained that ‘appropriation’ in Section 122 referred to the purpose for which land is held by the Council. The Leader clarified that Cabinet was not considering CPO in relation to the proposed Park and Ride.

RESOLVED that the Cabinet agreed to:

1. Note that both sites F and B could deliver the required outcomes for a P&R site to the east of Bath.
2. Refuse that site F with 800 or 1,200 spaces should be promoted as the preferred site for a new Park and Ride east of Bath.
3. Authorise:-
 - a. that site B with 800 spaces should be promoted as the preferred site for a new Park and Ride east of Bath based on the advice in the report, but subject to satisfactory arrangements for the purchase of the site and agreement from Highways England on access.
 - b. If site B is not deliverable for the above reasons, within a reasonable timescale, then site F should be progressed.
4. Delegate authority to the Strategic Director (Place), in consultation with the Cabinet Member for Transport, to make all necessary arrangements to implement the above, including, as necessary, the appropriation of land under Section 122 of the Local Government Act 1972.
5. Approve all necessary expenditure to enable the site to be secured and requests the development of a full business plan for appropriate executive approval.
6. Fully approve an additional £500,000 to support delivery of the next steps.

**Appropriation in the context of Section 122 of the Local Government Act 1972 simply means transferring the allocation of the land from one purpose to another. Local authorities usually allocate land for specific purposes under different statutory powers. If the local authority decides that it needs to transfer land from one purpose or function to another, then it may appropriate the land under s.122 LGA 1972. This was explained in paragraph 8.2 of the officer report which stated:
“It should be noted that Site F was acquired to provide compensatory flood capacity for the Lambridge P&R proposal. Therefore, if Cabinet decides that Site F should be the location for the Park and Ride, the Council would need to appropriate the land for that purpose under Section 122 of the Local Government Act 1972.”*

The meeting ended at 8.45 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services