

BATH AND NORTH EAST SOMERSET

MINUTES OF CLIMATE EMERGENCY AND SUSTAINABILITY POLICY DEVELOPMENT AND SCRUTINY PANEL MEETING

Thursday, 13th March, 2025

Present:- **Councillors** Andy Wait, Alex Beaumont, Anna Box, Jess David, June Player, Joanna Wright (in place of Saskia Heijltjes), Fiona Gourley (in place of Deborah Collins), Hal MacFie (in place of John Leach) and Robin Moss (in place of Grant Johnson)

120 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

121 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure.

122 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Heijltjes gave apologies and was substituted by Councillor Joanna Wright.

Councillor Johnson gave apologies and was substituted by Councillor Robin Moss.

Councillor Collins gave apologies and was substituted by Councillor Fiona Gourley.

Councillor John Leach gave apologies and was substituted by Councillor Hal MacFie.

123 DECLARATIONS OF INTEREST

There were none.

124 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

125 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

- Councillor Shaun Hughes made a statement stating that there is a perception that the scheme benefits an affluent minority whereas many residents feel unheard. He referenced the Corporate Strategy 'giving people a bigger say' and stated that this LN contradicts other schemes.
- Sarah Toy made a statement stating much support for the scheme and that the call in is political and not evidence based.

Councillor Wright asked why representative polling was not used. Ms Toy explained that the Council issued consultation, not representative polling, which is usual practice.

- Christine Harrington made a statement stating that the scheme is a community initiative based on 25 years of need with consultation over 4 years.
- Timothy Lloyd made a statement stating that there have been accidents in the past, this is unsuitable as a through road and the modal filter is justifiable.

Councillor Box asked about speeding and near misses. Mr Lloyd agreed that near misses are often not reported.

Councillor Wright asked how many accidents there had been regarding North Road cyclists and pedestrians. Mr Lloyd stated that he did not have knowledge and this and did not think the report mentioned this.

- Alastair Gavin Douglas made a statement supporting the decision. He stated that there are many examples of roads in Bath which have been pedestrianised and we all allow a bit more travel time for this. This scheme is similar.
- Ceris Humphries made a statement stating the aim of putting traffic back on the main road infrastructure.

Councillor Wright stated that the local school is not supportive and asked why. Ms Humphries stated that she had seen many young people using the area.

- Robin Allan made a statement stating that LNs work, there are already measurable benefits. He stated that change is unsettling.

Councillor Wright asked about the data being collected when the A36 was closed. Councillor Elliott stated that this was only the case for part of the data collection.

- Neil McCabe made a statement stating that there are no reported accidents on Sydney Road but there are on other roads. He stated that the local school believe there will be a negative safety impact. He believes the decision should be delayed until the A36 is fully open and that the decision is Wednesday unreasonable.
- Councillor Tim Warren made a statement stating that the majority of people do not think this process has been democratic. He is not against LNs but this one has pitched people against each other.
- Dr Ian Orpen made a statement stating that there are equalities issues involved. Residents of North Road were excluded from the engagement. He asked that the scheme be put on hold for further assessment (statement attached to the minutes).

Councillor Player asked what the consequence would be if the Wednesbury test had been breached. Dr Orpen stated that he was not a lawyer.

Councillor Box asked about the mention of women in particular. Dr Orpen stated that the EQIA (Equalities Impact Assessment) would need to consider all of those affected, including issues related to safety with less traffic.

Councillor Moss asked about the status of EQIA. The legal advisor stated that an EQIA will have been considered at the time of the decision.

Councillor Gourley asked how it was thought that North Road residents had not be consulted. Dr Orpen stated that they were not engaged in the pre consultation co-design.

- Jon Avent made a statement stating that this LN sets out to solve a problem that does not exist. It failed to engage. He mentioned the Nolan principles. He urged that the trial be removed or extended.

Councillor Wright asked what the socio-economic status of New Sydney Road is in the census data. Mr Avent stated that it is a small, affluent street.

- Alasdair Barron made a statement stating that the Council has failed to show due process in 3 areas (statement attached to the minutes).

Councillor Player asked if he had stated his concerns to local Councillors. Mr Barron stated that he had and that he respected local Councillors.

The Chair thanked all the speakers.

126 LIVEABLE NEIGHBOURHOODS: NEW SYDNEY PLACE AND SYDNEY ROAD TRAFFIC REGULATION ORDER (TRO) (WL)

Councillor Colin Blackburn, Lead Call in Councillor, made a statement setting out the reasons for the call in of the decision.

Panel members asked the following questions:

In response to a question from Councillor Wright, Councillor Blackburn explained that ETROs (Experimental Traffic Regulation Orders) can be in place for 18 months.

In response to a question from Councillor Box, Councillor Blackburn stated that he believed the scheme had been WECA funded. Councillor Elliott confirmed that any money spent on the scheme will not be refunded by WECA.

Councillor Wright asked how cyclists coming off the tow path are affected. Councillor Blackburn stated that turning left, down the new LN (Liveable Neighbourhood) is not working and it is now hazardous to go down Beckford Road to the traffic lights.

Councillor Wright asked when a circulation plan would be brought forward. Councillor Blackburn stated that he did not know.

Councillor Box stated that she was uncomfortable with some of what had been said which she felt bordered on reputational damage. She asked if there was any evidence. Councillor Blackburn stated that he was quoting people, he stated that he could withdraw the word 'murky'.

Councillor Wait asked if his concerns on the procedure had been reported anywhere. Councillor Blackburn explained that he will try to explain this in his summing up. He stated that people are not feeling represented, and he was contacted.

Councillor David asked what he thinks should have been done differently in terms of public engagement and consultation. Councillor Blackburn stated that all of those effected should have been reached out to. There has been no contact with tow path users.

In response to a question from Councillor MacFie, Councillor Blackburn stated that the DFT guidance was lengthy and complex.

Councillor Wait asked which roads had had the 50% increase in traffic. Councillor Blackburn stated Beckford Road (Councillor Elliott stated that this is not correct), St Annes Way and Sham Castle Lane – he stated that he did not have the exact figures in front of him. Councillor Blackburn added that the A36 had been closed for some of the consultation so the true displacement effect will come further down the line.

Councillor Mark Elliott, Cabinet Member for Resources, made a statement in support of the decision (statement attached to these minutes)

Panel members asked the following questions:

Councillor Box asked about the consultation process and if pop ups were used. Councillor Elliott stated that he was completely confident in the process and that this had been the most consulted on programme we have ever done which has been going on since 2021. Three thousand houses have been mailed and pop ups inside the route have been done.

Councillor David asked about congestion and parking close to Bathwick School. Councillor Elliott acknowledged that the scheme does not make pick up and drop off work better but does not make it worse.

Councillor Player asked why more effort has gone into consulting on this LN than normal. Councillor Elliott stated that it is because of how controversial it was going to be. LNs are controversial and we acknowledge that.

Councillor Player asked if the trial could run for the full 18 months. Councillor Elliott explained that that is the maximum time and the infrastructure must go in before that and the time for that is now. We cannot have this meeting in the pre-election period for the WECA mayor.

Councillor Moss stated that this Panel also considered a call in on the Southlands LN in February 2024. He stated that a circulation plan for BANES (particularly Bath) is needed. He stated that LNs can work but you need to look at where they adversely affect other areas. Councillor Elliott stated that he does want a circulation plan done but it does not mean that, without one, this scheme is not policy compliant, things are done incrementally.

Councillor David asked about concerns from cyclists, particularly at the North Road junction and tow path. The Executive Director confirmed that there is a current proposal for a crossing. Councillor Elliott stated that the permanent scheme will have a through cycle lane.

In response to a question from Councillor Wright regarding cost, Councillor Elliott stated that £306k is the allocation to the scheme.

Councillor Wright stated that the decision is being challenged today, whatever happens in this room, will the decision be the same. Councillor Elliott stated that the Panel have three options.

Councillor MacFie stated that queuing times are crucial in the decision, he objected to the word 'suffering' being used. He stated that the most was a 30/40 second increase. Councillor Elliott agreed that this was not a definition of suffering in his book.

Councillor Gourley asked about the DFT guidance and what is considered a 'local' or 'broader' area. Councillor Elliott explained that the guidance talks about making judgements, it does not define 'local' area.

Councillor Wright asked where the report talks about cyclists. Councillor Elliott stated that he does not believe this is referenced.

Councillor Wait referenced the point about the A36 and stated that there are a massive number of factors. He asked if there is any information that it would be made worse. Councillor Elliott stated that there is information that it will not be made a through route which is better for all of us as traffic is likely to reduce.

Closing statement – Councillor Elliott

Councillor Elliott stated that the LN Programme was a clear vision and it was frustrating that the Green Party are challenging it. The fact that improvements can be made does not make this a bad scheme. Accusations of corruption are offensive. We need to not be swayed by post truths and 'what I reckon'. The decision is based on sound reasoning and evidence which was legitimate to make. He urged the Panel to dismiss the call in.

Closing statement – Councillor Blackburn

Councillor Blackburn stated that the call in is backed by Councillors across the board. We do need buy in. The trial data – is it a true reflection? Re read the Corporate Strategy. A number of concerns have been raised such as – Wednesbury principle of reasonableness/EQIA and legality. He stated that the Panel have the chance to put a break on this to regain trust.

Panel debate

Councillor Moss stated that this is the second call in on an LN scheme in 13 months and he believed that a circulation plan is an essential part of an LN scheme as we need to do them right. Behaviour change (re traffic) is difficult. We do not want another call in.

Councillor Wright stated that she was disappointed that the Green Party have been selected for opposing. She explained that she had brought the LN policy forward in 2020 and she supports it, but in the right place. She stated that the data on the A36 seems cherry picked. She hopes for a better walking and cycling plan and requested that the decision be paused.

Councillor Player stated that she felt the decision should be reconsidered/revisited.

Councillor MacFie stated that if drivers are affected by 30/40 seconds delay – this does not seem significant, and we should focus on the numbers.

Councillor Wait stated that he has been impressed with the passion of all the speakers. He stated that he has seen Bath denuded of traffic in its most precious areas and the centre of Bath is far better because of more pedestrianised roads. This one is along the route to city wide improvement. I accept the congestion issues.

Councillor David stated that she regretted that this was divisive and hoped a circulation plan would give a framework. She thanked Councillor Wright as the architect of the scheme. She stated that this was not a perfect scheme but creates a pedestrian space in line with the LN policy.

Panel Decision

Following a motion from Councillor David, seconded by Councillor Box, the Panel dismissed the call in (6 for/2 against/1 abstention). The decision shall then take effect immediately.

The Chair thanked everyone for attending and closed the meeting.

The meeting ended at 12.24 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services