

## **Notice requesting a call in of Cabinet Member Decision E2861**

### **“Park & Ride East of Bath”**

The undersigned Councillors wish to Call In decision [E2861](#) “Park & Ride East of Bath”, taken by the Cabinet on 25 January 2017, for the following reasons:

1. The resolutions approved by Cabinet, laid out in paragraphs 2.1 to 2.5 of the accompanying report, are not adequately, transparently or coherently justified by the rationales, evaluation criteria, evidence, risk assessment, policies and stakeholder concerns presented in the body of the report.
2. The stakeholder consultation process was inadequate and not robust. Meaningful engagement with residents was impossible given the short timescale and poor quality of information and evidence provided. The results of the consultation are misrepresented in the report.
3. The consultation materials covered only 3 sites (A, B and F); residents have not been given the opportunity to comment on other sites which have been considered by the Local Development Framework steering group and by Cabinet as part of the pre-planning advice.
4. The conclusions of the PDS Scrutiny Inquiry, requested by full Council, were given insufficient weight in the Cabinet’s decision-making.
5. Too much reliance has been placed on recommendations by the Local Development Framework [LDF] steering group. This body did not produce a formal report or written minutes; no votes were taken and individual Councillors’ opinions were reported back on an informal and ad hoc basis. The LDF steering group has no formal role within the Council’s decision-making structure and was not created for this purpose.
6. Evidence of the costs, risks, ~~and~~ environmental impact, need, and supposed benefits was incomplete, inaccurate in parts and inadequate for a decision of this importance and financial implication.
7. Unclear advice was given by the Council's solicitor on the meaning and implications of s122 of the Local Government Act 1972. A commitment to supply that information at a later stage in writing means that Cabinet members approved the resolutions without understanding the relevance and meaning of the delegated authority they agreed in paragraph 4.
8. Paragraph 3 (B) of the resolution refers to a “reasonable timescale”. No substantive definition was given for what would constitute “reasonable”, despite the request of a Cabinet member. Therefore this important aspect of the resolution was not adequately discussed or explained before the resolution was passed.
9. The report was:
  - a. Misleading: for example, paragraph 8.1 states that the government planning Inspector has accepted the need for an East of Bath P&R at the recent Placemaking Plan Examination. The Inspector has now stated that "this is the Council's interpretation" only.

- b. Incomplete: for example, the B&NES World Heritage Site Setting SPD is not mentioned in the list of adopted Council policies and there no reference is made to the adopted UNESCO 2009 Mission Report, which stated that: “[w]ith regard to the protection of the property, the mission recommends that the State Party act on the reinforced protection of the surrounding landscape to prevent any future developments which could have adverse and cumulative impact on the Outstanding Universal Value of the property.”
- c. Inaccurate: for example, the map in Appendix 1 of the report shows sites B and F outside the red line described as the "boundary of the World Heritage Site Setting" when in fact the red line is the boundary of the World Heritage Site. [Map 2 of the World Heritage Site Setting SPD](#) shows the indicative extent of the setting; site B and site F are both well within it.

Signatories:

1. Councillor Alison Millar (Lead) (by email)
2. Councillor Joe Rayment
3. Councillor Dine Romero
4. Councillor Neil Butters (by email)
5. Councillor Tim Ball (by email)
6. Councillor Shaun Stephenson-McGall (by email)
7. Councillor Lin Patterson (by email)
8. Councillor John Bull (by email)
9. Councillor Ian Gilchrist (by email)
10. Councillor Cherry Beath (by email)
11. Councillor Andrew Furse (by email)
12. Councillor Steve Hedges (by email)
13. Councillor Robin Moss (by email)