

Councillor Millar -Speech to CTE Panel – 23rd February

Mr Chairman, Panel members and members of the public

Thank you for coming here today to hear submissions on this very important call in. Thank you too to officers for all they have done to assist with this call in and bringing together a wide range of documentation.

We have asked for this call in because on 25th January the cabinet took a decision to proceed with a Meadows park and ride site without a complete set of information in front of them to do so.

This is not a matter of your personal views on the merits of a park and ride on the Meadows, your role today on this panel is, as you know, to ensure that due process is followed with regard to this project. It has too much press profile and risk attached to it – and the threat of court proceedings against the Council -to wave through an unsound and ill-founded decision.

In my view the report should be more closely scrutinised before a site is finally selected. As it stands, Site B is highly unlikely to be deliverable and, unless you recommend this extra level of scrutiny, site F will become the chosen site, effectively behind closed doors.

I would now like to take you briefly through each of the grounds of the call-in and explain why they have been raised.

1.

Paragraph one deals with a very broad concept which will be dealt with more ably by one of our speakers today. But I want to highlight a few areas where the evidence does not lead you to the conclusions that have been drawn. Cabinet members on that day voted for a site that would make a **loss** and **that** was on the basis of headline numbers which are highly-caveated. They also agreed to spend another £500k with no explanation as to what that money was to be spent on. In these austere times, this approach was entirely inappropriate. It would just not wash in the commercial world and neither should it in this building.

The only options in the decision report which are projected to not make a loss are the 1200 space options. However, without a connecting bus to the RUH

these spaces cannot be filled. The demand from the RUH is critical to this project as it really can't be justified without it. So it was alarming to hear from a trustee of the RUH at the cabinet meeting that the hospital's support for this scheme is predicated on the requirement of a dedicated, direct service i.e. passengers would not have to change bus at the bus station. The cost of an RUH service was not included in the initial calculations on the costs of the park and ride options and so these figures are not reliable. And also to hear that so few meaningful conversations regarding this area had taken place. Secondly, consultants Mott MacDonald state that demand to 2029 would be only 850 – 977 spaces. So why was the cost of the bus to the RUH not factored into the calculation for 1200 on site F? What is that cost? What does it do to the forecast? Councillors, we need to know.

The need for a park and ride to the east has **not** been outlined in a clear and transparent manner. Various justifications have been used and discarded in the last 18 months. Officers now resort to simply stating that it is “required to support the economic development of the city and its enterprise area”. Can anyone point me to the place in the cabinet papers where this need is objectively quantified or justified? No – because that major piece of the jigsaw has not been put in place. It's as simple as that. Lots of documents are grandly referred to – the 2007 Adopted Local Plan, the Council's Economic Development Strategy, the Bath City Riverside Enterprise Area, the Core Strategy, the Infrastructure Delivery Programme, and so on. They are all listed – in bold type moreover, and the aims of each outlined. But show me the section which pulls it all together, benchmarks sites and clearly articulates an explanation of what this council is trying to achieve by building this car park. It does not exist. Please do read section 4 again and you will see this too.

2.

The next 2 points deal with stakeholder consultation. I would argue that this whole process was poorly handled and this is what kicked off so much concern from residents. The consultation was ill-presented and offered a limited range of options for residents' consideration. Residents have told me they were unclear what it was about. This is a whole topic in itself but it is worth adding again that 51% of all respondents were against a park and ride, and the Cabinet ignored them.

3.

Many Councillors I know, including Conservative ones, have expressed great alarm that site F is the likely, and probably only, candidate. The site was only on the table for comparison purposes when Halcrow did their site review in 2013 and suddenly, incredibly, it's the front runner. Moreover it will be left to an officer to take the final decision, as Cllr Clarke is only to be consulted. It is equally alarming that there is no real certainty still as to which site is being progressed. It could be either B or F – but what is sure is that the final decision will be taken behind closed doors. Decisions of this importance and with this degree of impact should not be made in this way. It is just plain wrong. Where is the democratic accountability and transparency of a decision taken this way?

4.

The Council's own consultants do not make out a case for a car park of more than 4 – 500 spaces, by 2029. In the context of such small demand, alternatives to park and rides become more feasible, and greater attention should have been paid to them. A huge amount of work went into the scrutiny day last March and some really innovative ideas were put forward, such as the concept of link and rides. Yet it would appear that what came out of the day has not been taken into account.

5.

In terms of the LDF process: I was an observer of these meetings and I found the whole process odd. How could we be sitting with a remit to review and consider options for a park and ride site when the scrutiny day had not yet considered the full range of integrated transport solutions available to deal with transport problems East of Bath? That truly is putting the cart before the horse and therein lies the whole problem. There has been too much of a focus on the goal of a park and ride to the East and then working backwards from that point, cherry picking evidence to support the project. Surely, the correct way is to gather all the evidence relating to the problem (if you know what the problem is that you are trying to address!) and then work forward from there?

6.

This causes a huge amount of concern.

Why does site B cost so much more to develop than site F? They are next to each other. No reasoning is given.

The modelling and break down of the construction and operating costs were not presented. Why has one of the loss-making options been selected as the preferred option? Is this the way to be responsible with tax payers' money? This option is unlikely to go ahead, so once again the future outcome may bear no relation to the decision taken on 25 January. Again, where is the transparency and accountability?

7.

In paragraph 4 of the resolution the Cabinet agreed to delegate powers to officers to appropriate land under section 122 of the Local Government Act 1972.

During the Cabinet meeting, Councillor Clarke stated that this was not equivalent to a CPO. However no Cabinet member was able to explain the powers triggered by section 122 and the Council Solicitor's explanation was not clear to those present. An offer to circulate the explanation by email was made, but this was after the vote had already been taken. Councillors and members of the public have still not received that explanation. Have Cabinet members?

9a.

The report supplied was misleading as it was unable to quantify the scheme in terms of cars, the report makes the unacceptable and inexplicable jump to passenger numbers using the bus service along the whole route – that is one example, others will be picked up by later speakers.

9b

The report did not include the long promised business case. It did not include the Heritage Impact Assessment that Historic England have demanded for more than a year. It did not include the Patronage Study recommended by the Halcrow report in 2013. Critically it did not include a flood risk assessment, which is key to a decision to site the car park right on the edge of a flood plain.

I am also very concerned about Historic England's comments on this project. They are a statutory consultee and as such their views should carry a huge amount of weight. Cllr Clarke did refer to the Historic England letter in his speech but very much cherry picked from its contents and did not provide the whole picture. The gravest issue here is that officers appear to have taken the view that AONB trumps World Heritage Site. This is an assumption which is wrong in law and which has led officers to discount other potential sites. If that is not a red flag then I don't know what is!

Conclusion

Cllr Clarke will likely now tell you that existing park and rides are successful in Bath and that another one is needed for the future growth of the city. This sort of statement is unquantified spin. Big numbers are being quoted by the council on this currently – 73,000 trips per day rising to up to 96,000 trips in the future. But with only 3,500 parking spaces in Bath today, it's entirely clear that most of these trips don't end at a car park and so those drivers would not use park and ride. Just who are these people and why will their needs tomorrow be different from today? It seems that most of our traffic that needs to be addressed might well be daily routing trips and park and ride is not a solution for those.

Please think on what I have just said and, once Cllr Clarke has spoken, do pay close attention to the public speakers who have spent huge amounts of time and effort on this subject. They will, I believe, further show you that this decision is neither sound nor robust and is not one which could reasonably have been taken on the basis of the information presented in the report.

FINAL CONCLUSION (3 mins)

I personally am very disappointed that, after all the meetings, discussions, scrutiny day and time and effort put in by officers and residents alike, that the process has not managed to come up with any solution other than blighting that same piece of land.

[Response to points]

So having heard from all the speakers today and paying close attention to their arguments, I submit that this is not a robust decision. As I said at the budget council last week, we councillors are guardians of significant amounts of public

funds and it is for us to steward them with the utmost care. The way this decision has been put together is the exact opposite and that is of huge concern. You have seen how there are gaping holes, cherry picked arguments, tenuous links made and not even a business plan. This is no way to base decisions with huge amounts of money at stake. I therefore would urge the panel today to uphold the call in, refer the decision back to cabinet and to give cabinet the opportunity to pause and ensure that all evidence is correctly assembled and queries addressed so that we can be sure that this very important decision is the right one