

<b>Bath &amp; North East Somerset Council</b>		
MEETING/ DECISION MAKER:	<b>Cabinet</b>	
MEETING/ DECISION DATE:	<b>20 July 2021</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3278
TITLE:	<b>Bath City Centre Security</b>	
WARD:	Kingsmead	
<b>AN OPEN PUBLIC ITEM/LIKELY TO BE TAKEN IN EXEMPT SESSION</b>		
<p><b>List of attachments to this report:</b></p> <p>Appendix 1 – NaCTSO Report – EXEMPT – LGA Exemption 7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p> <p>Appendix 2 – Correspondence from Chief Constable – Avon &amp; Somerset Police – February 2019</p> <p>Appendix 3 – Proposed Bath City Centre Security Map</p> <p>Appendix 4 – Correspondence from Chief Constable – Avon &amp; Somerset Police – May 2021</p> <p>Appendix 5 - Proposed HVM for Protective Measures</p> <p>Appendix 6 – City Centre Legal Advice</p> <p>Appendix 7a to 7h– Risk and Impact Assessments</p> <p>Appendix 8 – Equality Impact Assessment</p> <p>Appendix 9 – Accessibility Study</p> <p>Appendix 10 – Consultation Report</p> <p>Appendix 11 – Additional Feedback Report from 19 May to 1 June 2021</p>		

## 1 THE ISSUE

- 1.1 The National Counter-Terrorism Security Office (NaCTSO) Counter-Terrorism Security Survey on Bath City Centre in September 2016; identified locations in Bath as a 'Crowded Place'; with particular focus on the areas around Bath Abbey and the Roman Baths. As the 2017 attacks demonstrated, crowded places present attractive targets for terrorists. Subsequently disrupted plots and intelligence assessments suggest this will continue to be the case (Contest Strategy Document 2018)

- 1.2 The report identified where the City is vulnerable and where the overall risk to the City is raised. By taking action to address these identified vulnerabilities, the likelihood and impact and therefore the risk to the area is reduced.
- 1.3 The impact of terrorism can include death and injury to the general public, staff and customers, economic harm and disruption to businesses and reputation and loss of public confidence. The likelihood of such an attack taking place is based on a combination of threat and vulnerability. There is currently no specific intelligence to suggest that Bath is under increased threat. The current general terrorist threat to the UK is 'substantial' which means that an attack is likely. Such an attack could take place anywhere in the UK.
- 1.4 Since 2016 the Council and South West Counter Terrorism Advisors (CTSA's), with Avon & Somerset Police, have worked together on preventative measures to reduce the risk of a terrorist attack in the City. These include temporary hostile vehicle mitigations (HVM) for events, such as the Christmas Market and Remembrance Services and specific training for CCTV operatives, front-line staff, managers, and senior officers across private, public and third sector organisations, including regular deployments of Avon & Somerset Police's Project Servator teams.
- 1.5 The Council with CTSA's have focussed attention on areas identified as crowded places, with the Chief Constable of Avon & Somerset Police writing to the Council on 21 February 2020 (Attached at Appendix 2) to recommend the Council introduce an Anti-Terrorism Traffic Regulation Order ("ATTRO") in respect of all roads within the area defined within the map attached as Appendix 3.
- 1.6 The Council is now required to make a decision on a proportionate response to the Chief Constable's letter, which also takes into account the Council's duties under the Equality Act 2010 and public consultation carried out from November 2020 to January 2021, with consideration to the Accessibility Study and subsequent recommendations

## **2 RECOMMENDATION**

### **The Cabinet is asked to:**

- 2.1 To approve the TRO (for anti-terrorism purposes) for advertisement such that it would operate between 1000 hours and 1800 hours on the following streets:
  - (1) Lower Borough Walls, Stall Street, including Abbeygate Street, Abbey Green, Swallow Street (South), Bath Street and Hot Bath Street
  - (2) York Street
- 2.2 To approve the TRO (for anti-terrorism purposes) for advertisement such that it would operate between 1000 hours and 1800 hours on the following streets:
  - (1) Cheap Street, Westgate Street, Saw Close and Upper Borough Walls

with access to the restricted streets also being provided to Blue Badge Holders, carers transporting Blue Badge Holders, and taxi's transporting Blue Badge Holders. Access would be provided via Controlled Authorised Access by the Council's CCTV team.

2.3 To advertise the TRO between 1800 hours and 2200 hours on York Street, to reflect its proximity to the Roman Baths and to support the increased footfall from Terrace Walk through York Street to the new Clore Learning Centre and World Heritage Centre. The Roman Baths, Clore Learning Centre and World Heritage Centre will, at times, will be open late into the evening.

2.4 To note that we will not advertise the TRO between 2200 hours and 1000 hours on York Street.

2.5 To note that we will not advertise the TRO between 1800 hours and 1000 hours for the following streets:

(1) Lower Borough Walls, Stall Street, including Abbeygate Street, Abbey Green, Swallow Street (South), Bath Street and Hot Bath Street

(2) Cheap Street, Westgate Street, Saw Close and Upper Borough Walls

when the streets are not deemed as crowded, based on footfall data and the security risk is not considered to be proportionate to the terrorist threat.

ATTRO - 1000 to 1800 hours with <b>no</b> blue badge access	ATTRO – 1000 to 1800 hours <b>with</b> blue badge access	TRO - 1800 to 2200 hours	<b>No</b> TRO 2200 to 1000 hours	<b>No</b> TRO 1800 to 1000 hours
York Street Lower Borough Walls Stall Street Abbeygate Street Abbey Green Swallow Street (south) Bath Street Hot Bath Street	Cheap Street Westgate Street Saw Close Upper Borough Walls	York Street	York Street	Lower Borough Walls Stall Street Abbeygate Street Abbey Green Swallow Street (south) Bath Street Hot Bath Street Cheap Street Westgate Street Saw Close Upper Borough Walls

2.6 Delegate to the Director of Place Management in consultation with the Cabinet Member for Transport the operational management procedures for access to the restricted streets.

2.7 To note that subject to investigations which are currently taking place on vault survey works, to determine exact locations, based on engineering design options, a series of suitable Hostile Vehicle Mitigation (HVM) measures to be installed at the entrance/exit to the following streets within the city centre. Exact locations to be delegated to Director of Place Management in consultation with Cabinet Member for Transport, with access provided via Controlled Authorised Access by the Council’s CCTV team:

(1) York Street

(2) Cheap Street

(3) Upper Borough Walls

(4) Lower Borough Walls

(5) Hot Bath Street

2.8 To note that subject to investigations, enhance existing street furniture with a series of public realm HVM measures to the following streets:

(1) Old Bond St (North)

(2) Burton St (North) (incl occasional access)

(3) New Bond St Place (North)

(4) New Bond St Place (South)

(5) Northumberland Place

(6) The Corridor

(7) Barton St/ Saw Close (incl occasional access)

(8) Seven Dials (incl occasional access)

(9) Chandos Buildings (West)

(10) Hetling Court (West)

(11) Beau St (East) (incl occasional access)

(12) New Orchard St (East) (incl occasional access)

(13) Southgate St (south)

(14) Kingston Buildings (Orange Grove)

2.9 To note the recommended series of mitigation measures, to support the City Centre Security programme, as highlighted in the Accessibility Study, namely:

(1) Additional seating to be installed on Cheap Street and Westgate Street

(2) Dropped kerbs and footway surface improvements to allow improved accessibility from existing city centre car parks and proposed additional blue badge bays.

(3) Provide additional blue badge and loading bays (as detailed in 3.20 below)

(4) Clear and accessible Communications Plan

2.10 To note that recommended additional measures, in a phased approach, from both the Consultation Report and Accessibility Study will be considered as part of wider Bath City Centre public realm and transport improvement programmes, with an holistic approach, working with Accessibility Groups, businesses and residents. This request is subject to approval of the revenue and capital budget provisions by Cabinet and Council as part of the council's budget setting process.

- 2.11 Advertise TRO's as necessary for all the restricted streets to prevent all waiting, except for the provision of parking for Blue Badge Holders and loading/unloading for specific time periods
- 2.12 Enable the TRO (for anti-terrorism purposes) restrictions to prevent access by Blue Badge Holders, and identified delivery vehicles, should the National or local security risk increase to severe or critical, and as advised by the Police, either for an unplanned incident or planned event, ie Bath Christmas Market/Remembrance Services, as per the Operational Management Procedures.
- 2.13 To note the resource implications set out in section 5 of the report, final scheme design and financial implications will require the approval of the Chief Financial Officer and Deputy Leader and Cabinet Member for Resources and Economic Development.

### **3 THE REPORT**

- 3.1 The Council has a responsibility to keep residents, businesses and visitors safe. Furthermore, the Council has a duty to consider the impact of all their functions and decisions on crime and disorder in their local area.
- 3.2 Why Bath? Counter Terrorism colleagues in the South West at the request of the Home Office completed a Crowded Places Assessment across the region. This is in part predicated by the following:
  - a) The international profile of the city as a tourist destination
  - b) The high volume of visitors to the city, particularly during the summer months and attendance at events such as the Christmas Market
- 3.3 The Home Office directed CTSA's to start dialogue with this local authority on measures to strengthen our city through physical and non-physical security arrangements. It should be noted that we are one of a small number of localities across the south west that have been highlighted as a higher risk.
- 3.4 Our work with Avon and Somerset Police and Regional Counter Terrorism Security Advisors (CTSA's) has been ongoing for some time. A partnership steering group was established in 2018 and comprised of CTSA's, B&NES Neighbourhood Policing Team and Council Officers from Emergency Management, Highways, Transport, Public Realm and Legal, with regular input from the Centre of the Protection of National Infrastructure. The council takes the security of the city very seriously and from the very beginning this work has been undertaken in partnership with Avon & Somerset Police and CTSA's. We have taken advice and guidance on the proportionate approach to the national threat assessment and considered the local risk profile of our city.
- 3.4 By way of background, in 2017 the Council was approached by CTSA's for a conversation about security arrangements for the Christmas Market. As a result of a joint risk assessment with police colleagues action was undertaken.
- 3.5 Following this initial work, further work was undertaken in 2018 including improvements to bollards in the city centre, and officer's undertaking training at the Centre for Protection of National Infrastructure. Work was carried out in

2019 by a specialist HVM Consultant together with liaison with other Council's, Members and other internal Service areas within B&NES. Liaison with key stakeholders including Bath Business Improvement District (BID) was carried out in 2020, and workshops were held with the Council's Heritage teams. Following the Covid-19 lockdown in March 2020, temporary access restrictions were installed in the City Centre, in accordance with advice from CPNI.

- 3.6 Consultation on the Council's permanent proposals for HVM in the City Centre was undertaken between November 2020 and January 2021. Close liaison with the Police and CTSA's was continued during 2020 and 2021
- 3.7 Risk Assessments have been carried out on security and impacts. However, the footfall figures captured in the Bath Improvement District report (Pre-Covid Figures) in Bath City Centre shows that there is considerable reduction in the footfall in the City Centre and crowded place area identified in the NaCTSO report in 2016 after 1800hrs, which lowers the potential of an incident.
- 3.8 Further to the initial ATTRO request and resulting engagement with the Council the Chief Constable of Avon and Somerset Police wrote to Bath and North East Somerset Council in March 2020 agreeing to amend the request of an Anti-Terrorism Traffic Regulation Order ("ATTRO") in respect of the roads which are identified as crowded places within the inner core of Bath City Centre (shown in Appendix 3). Further to the advice given to the Chief Constable by his CTSA's and the Centre of Protection of National Infrastructure on this matter, the Chief Constable is of the view that the restriction of traffic from the main crowded areas at peak times is proportionate, and he would welcome and support any scheme that limited vehicular access to these areas. Letter attached at Appendix 4.
- 3.9 Cabinet is also required to take into consideration the following:
- 1) Changes in threat levels nationally and our response, review of national risk assessments
  - 2) On-going review of any intelligence, including locally and especially linked to planned events, ie Remembrance Services, Bath Half Marathon and Christmas Market
  - 3) The Government is currently consulting on a national 'Protect Duty'

The Protect Duty is proposed to be a legal requirement for public places to ensure preparedness for and protection from terrorist attacks.

The Protect Duty delivers on the Government's manifesto commitment to improve the safety and security of public venues and spaces, drawing on lessons learned from previous terrorist incidents.

The proposals have been championed by victims' groups, including the Martyn's Law campaign, which was established by Figen Murray, who tragically lost her son, Martyn, in the Manchester Arena attack in 2017

- 3.10 A City Centre Security public consultation exercise was carried out between November 2020 and January 2021 regarding plans to further strengthen city

centre access restrictions and install new purpose-designed street furniture to provide permanent enhanced safety for people in areas of high footfall in Bath City centre. The details of the Consultation exercise are set out in the Consultation section below.

3.11 The City Centre Security scheme proposals include for Hostile Vehicle Mitigation (HVM) measures to be installed at the entrance to the following streets within the city centre:

- a) York Street
- b) Cheap Street
- c) Upper Borough Walls (this will be at the exit location from the one-way road system)
- d) Lower Borough Walls
- e) Hot Bath Street

3.12 To note that subject to investigations, enhance existing street furniture with a series of public realm HVM measures to the following streets:

- a) Old Bond St (North)
- b) Burton St (North) (incl occasional access)
- c) New Bond St Place (North)
- d) New Bond St Place (South)
- e) Northumberland Place
- f) The Corridor
- g) Barton St/ Saw Close (incl occasional access)
- h) Seven Dials (incl occasional access)
- i) Chandos Buildings (West)
- j) Hetling Court (West)
- k) Beau St (East) (incl occasional access)
- l) New Orchard St (East) (incl occasional access)
- m) Southgate St (south)
- n) Kingston Buildings (Orange Grove)

3.13 The proposed HVM is for protective measures at the entrance/ exit to each street, with public realm improvements providing protection on the footways, as shown in Appendix 5. These measures have been tested against PAS 68 and have been given a rating which states they will protect from 7.5 tonne

vehicles at approach speeds of up to 50mph. The vehicle access points will be controlled and operated by the Council's CCTV control room.

- 3.14 Stall Street's current TRO does not allow access for vehicles between 1000 hours and 1800 hours and to reintroduce traffic into this street, will have an adverse impact on public safety, as the expectation of those accessing the street is that vehicles are not permitted. To allow vehicles access would also increase the security risk. Therefore, it is not proposed to allow blue badge holders access through this area.
- 3.15 York Street leads to the Roman Baths and with the opening of the new Clore Learning Centre, and coach drops offs in Terrace Walk, footfall in this area will be high. The Roman Baths opens until 2200 hours during the summer and late at Easter, with regular evening private functions throughout the year. The Clore Learning Centre is due to open until later into the evening on selected evenings, hosting special events including those for children and adults with 'hidden' disabilities, ie autism or dementia. Due to footfall remaining high to one of identified crowded places, in and around the Roman Baths and the associated security risk, it is recommended York Street remains closed until 2200 hours, with a TRO supporting the ATTRO.
- 3.16 Since York Street is not a through route for motor traffic and there is no turning area, any motor vehicle that enters either has to reverse back out into Terrace Walk or small cars can attempt to turn around, which requires several forward and reverse manoeuvres, in order to get back out. This will create a public safety issue and increase the risk of harm. Due to this and the increased footfall in the road from the Clore Learning Centre, it will not be possible to allow blue badge holders or residents to park here. There will be an exemption for goods and waste vehicles only, who are able to use banksmen and/or reversing signals to egress from the road allowing them to safely manoeuvre and meaning the above identified risk is removed or lessened significantly.
- 3.17 A preliminary Road Safety Audit has been carried out on Cheap Street, Westgate Street, Sawclose and Upper Borough Walls to determine whether, by permitting blue badge holders vehicular access, the current Pavement Licences on Cheap Street, Westgate Street and Upper Borough Walls can remain, along with additional seating areas on Cheap Street and Westgate Street, to support the recommendations of the Access Study. The preliminary audit confirms both the pavement licences can remain and seating introduced.
- 3.18 All germane legislation has been considered; security is clearly the aim of the ATTRO however; the Council's public sector equality duty must also be considered in relation to those with protected characteristics. It is considered, on balance, that allowing blue badge access to Cheap Street, Westgate Street, Saw Close and Upper Borough Walls, but not, as stated above Stall Street, Abbeygate Street, Green Street, Bath Street, Hot Bath Street and York Street, allows the public sector equality duty to be discharged, by providing those with blue badges access, whilst still maintaining security and limiting the impact on the principle of the ATTRO.
- 3.19 It is essential that the function of the Traffic Regulation Order to minimise anti-terrorism and maintain security is achieved however the Council also recognises that this may cause difficulties for some and have tried to mitigate

this. As recommended in the Accessibility Study, access will be allowed for those who are eligible for a blue badge, subject to the availability of parking. This is a reasonable adjustment whilst still managing the security risk.

- 3.20 Further, the introduction of the city centre security will not result in any loss of either residents or blue badge holder provision the above therefore allows for a reasoned and balanced approach to access whilst ensuring the most vulnerable are safeguarded. In addition, Blue Badge Holders are permitted to park on Cheap Street, Westgate Street and Upper Borough Walls on double yellow lines for a period of 3 hours, subject to space being available.

Road	Loss of BB Bays	Loss of Residents Bays
York Street	2	4
Lower Borough Walls	0	1

Road	Additional BB Bays	Additional Residents Bays	Additional Loading Bays
Westgate Buildings	4		2
Orange Grove	4		
Henry Street		2	
Broad Street		3	
Terrace Walk			2 (0800 to 1000)

- 3.21 Additional seating will be provided along Cheap Street and Westgate Street at as close to 50m intervals with existing street furniture as possible, to ensure there is adequate resting space to allow the street to be used more easily. 'Parklets' are proposed, which will be located on street and be accessible from the footway to avoid extra clutter and obstacles of furniture on the narrow footways.
- 3.22 The parklets will be fully accessible, level with the footway and can accommodate wheelchair circulation. The parklets can include a range of seating types, including perch seating and those with backrests and armrests. Visual clarity will be designed into the parklets, with bold colours used that contrast with the immediate surroundings and surfaces.

## 4 STATUTORY CONSIDERATIONS

4.1 The Council's Statutory consideration relate to:

- Anti-Terrorism Traffic Regulation Orders in accordance with the Road Traffic Regulation Act 1984 (Section 22C)
- Traffic Regulation Orders in accordance with the Road traffic Regulation Act 1984 (Section 1, 22(D) and Part III of Schedule 9 (and paragraph 20(1) in particular))
- The Public Sector Equality Duty of the Council in accordance with Section 149 of the Equality Act 2010

- Sections 6 and 17(1) of the Crime and Disorder Act 1998 in relation to strategy and crime and disorder implications
- Sections 16 and 18 of the Traffic Management Act 2004 in relation to traffic management
- The proposed Protect Duty (“Martyn’s Law“) legislation for which a consultation is shortly to be launched and would require public places and venues to improve security
- There are several statutory and legal risks that must be considered please refer to the advice note (Appendix 6)

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The City Centre Security proposals have an approved budget of £674k, with a spend to date of £307k. This budget is sufficient to complete ground investigations, finalise design and undertake contract tendering.
- 5.2 A Provisional Capital Budget of £2.356m is also earmarked to implement the scheme. Current estimates forecast a cost of up to £2.756m which represents a £400k funding gap against the provisional capital budget. This will be reviewed through the capital strategy group to identify and agree how this can be mitigated through the scheme design and / or alternative funding sources being identified.
- 5.3 When final estimates for the scheme are confirmed and full approval of capital budgets are sought through the normal capital approval process, the level of contingency required will be reviewed. Funding for any additional contingency will be sought from the Corporate Capital Contingency budget, which is currently £2.172m. Approval for use of the Corporate Capital Contingency is delegated to the Chief Financial Officer in consultation with the Deputy Council Leader, Economic Development and Resources.
- 5.4 The proposed scheme is likely to incur additional operating costs that are unavoidable, when implemented these costs will need to be understood and if they cannot be contained within the portfolio budget they may result in a budget pressure that will need to be considered through the 2022/23 budget setting process.

## **6 RISK MANAGEMENT**

- 6.1 Risk and impact assessments (listed in Appendix 7a to 7h) have been carried out for risks to security and impacts on the disabled, residents of the restricted streets and businesses/deliveries within the restricted streets. The risk and impact assessments undertaken have been undertaken, in compliance with the Council's decision-making risk management guidance.
- 6.2 Due to the significant differences between risks to security and associated impacts on wellbeing and livelihood in terms of impact and the number of people affected, the rating results of the risk and impact assessments cannot be compared to each other, but relate solely to:
- Risks to security (see 6.4 below)

- Impacts on the disabled (Blue Badge)
- Impacts on residents who live within the restricted streets
- Impacts on businesses (or deliveries) to restricted streets

6.3 Reputational risk – The NaCTSO report of 2016 makes recommendations to the Council to increase security within its most crowded streets. This has subsequently been followed up by correspondence from the Chief Constable of Avon and Somerset Police recommending that an ATTRO be implemented in respect of the roads which are identified as high footfall/crowd density areas within the inner core of Bath City Centre.

6.4 The Risk Assessment takes a whole system approach to the city centre security into consideration, including:

(1) Vehicle as a Weapon (VAW) Vehicle as a Weapon (VAW)

- a) Deliberately driving a vehicle: at an individual or into crowds of people to cause harm; or deliberately driving a vehicle into infrastructure to damage or disrupt its operation. This may indirectly lead to harm to people or disruption to the operation of a site/event, or more widely, critical services or supplies. Driving a vehicle into crowds is regarded by terrorists as attractive because it is likely to cause multiple casualties, is low complexity, affordable, requires little planning and skill and is perceived as less likely to be detected in the planning phase. VAW attacks are frequently the first part of a *Layered Attack*. The attacks frequently begin on public roads with little or no warning and are often followed by a marauding attack using bladed weapons, firearms or fire as a weapon.

(2) Vehicle Borne Improvised Explosive Device (VBIED)

- a) An improvised explosive device is either visible or concealed within a vehicle and transported to target. The effects from a VBIED detonation include the blast, fireball, primary & secondary fragmentation and ground shock. The blast stand-off (the distance between the device and the asset) is the most important factor in determining the extent of damage that can be caused. Maximising the blast stand-off distance will reduce the damage sustained to the asset

(3) Layered Attack – Vehicle Transporting Attackers and/or Weapons

- a) A layered attack is a combination of attack types. The vehicle may facilitate the delivery of armed attackers, either covertly or overtly; or be combined with VBIED or VAW attack

## 7 EQUALITIES

7.1 An Equality Impact Assessment Statement was published with the Consultation. An Accessibility Study has been carried out by an independent consultant who is a member of the National Register of Access Consultants (NRAC) has now been completed and has been used to inform an Equality Impact Assessment, which is included in Appendix 8 (an Easy Read version is also available).

7.2 The Accessibility Study (included as Appendix 9) was a wide-ranging study into the impacts not only of the City Centre scheme, but also the Council's proposals for the Milsom Street bus gate and Kingsmead Square public realm improvements.

7.3 The Accessibility Study considers the impacts of the above schemes on various types of disability including the mobility impaired together with those people with visual, neurological, auditory and metabolic disabilities.

7.4 The NRAC Consultant has also undertaken a series of interviews (accompanied by the Council's Equalities Officer) with individuals who had responded to the Council's City Centre Security public consultation. These interviews include testimony from individuals/ representatives of various types of disabled organisations regarding the proposals.

7.5 The main recommendations arising from the Accessibility Study include:

- (1) Vehicular access to be provided for Blue Badge holders at all times into the restricted streets
- (2) A requirement for the administrative burden relating to access requests into the restricted streets to be borne as far as possible by the Council.
- (3) The Accessibility Study recommended specific to ATTRO proposal mitigations including:
  - a) Provision of more on-street disabled bays in streets adjacent to and nearby to the restricted streets
  - b) Provision of more loading/unloading bays in streets adjacent to and nearby to the restricted streets

These will be considered as emerging capital items in the Council's budget setting process for 2022/23 and will include assessment of prioritisation in other programmes including highway maintenance and transport improvement programmes.

7.6 Other access improvements recommended by the include

- a) Provision of more off-street disabled bays in the Council's car parks with recommendation that these are free to blue badge holders (with time limits)
- b) Provision of a ramp at Kingsmead Square car park which is compliant with the requirements of the Disability Discrimination Act 1995
- c) Potential for the provision of electric shuttle bus which would be free to blue badge holders and the elderly
- d) Shopmobility to be re-established, but at an improved location
- e) More seating to be provided
- f) Improvements to way-finding facilities
- g) Improvements to surfaces and street lighting

- h) Dedicated pedestrian areas and segregated paths for cyclists and e scooters
- i) Improvements to the Council's public toilets, with more information on the location and accessibility of toilets in cafes and shops

These will be considered as emerging capital items in the Council's budget setting process and includes assessment of prioritisation in other programmes including Highway Maintenance and Transport Improvement Programmes.

## **8 CLIMATE CHANGE**

8.1 The City Centre Security Scheme would likely assist in achieving carbon neutrality by 2030 for the following reasons:

- (1) Reduction in general car parking within the restricted streets may encourage visitors to use more sustainable forms of accessing the City Centre, such as by public transport, walking or cycling
- (2) The changes required for deliveries may encourage businesses to consider more sustainable forms of deliveries, eg 'Last Mile Delivery', Cargo Bike Deliveries, etc

## **9 OTHER OPTIONS CONSIDERED**

9.1 Option 1 - No Modifications to ATTRO or TRO – Mitigations Only

- (1) Security risk: Security risk remains low, as most mitigations lie outside the restricted streets.
- (2) Accessibility: Impact on blue badge: Despite the significant mitigations including additional Blue Badge parking, Kingsmead Square car ramp and a pedestrian crossing at Westgate Buildings, this option still has a significant impact on Blue Badge Holders as it does not provide for any vehicular access by Blue Badge Holders into the restricted streets.
- (3) This option was considered unacceptable as it was not proportionate to risk, in accordance with the Chief Constable's recommendation that the risk was proportionate to threat when the streets are crowded.

9.2 Option 2: Modify ATTRO to "10.30am to 6.00pm". Modify TRO to permit Blue Badge access.

- (1) Option 2 – Assessment of commencing the ATTRO at 10.30am
- (2) Pre "Covid-19" footfall records provided by the Bath Business Improvement District (BID) for the restricted streets show that the commencement of the ATTRO could potentially be delayed by half an hour to commence at 10.30am instead of 10.00am.
- (3) A start time of 10.30am for the vehicle restrictions would also align with similar provisions at York and Chester city centres.

- (4) The option of commencing the ATTRO at 10.30am instead of 10.00am would potentially provide greater opportunity for Blue Badge holders to access services and amenities within the restricted streets prior to the commencement of the ATTRO. However, this would be dependent on a modification being made to the TRO to enable Blue Badge Holders to access the restricted streets during non-ATTRO hours.
- (5) The security risk is considered to be low, although it should be noted that this is based on there being no parked vehicles in the restricted streets after 10.30am.
- (6) However, a significant benefit of the 10.30am ATTRO start would be the opportunity to provide access to Blue Badge holders, and therefore this would depend on exemptions being provided to the TRO to give night-time access to Blue Badge holders, or no TRO being put in place.
- (7) This option was considered unacceptable as it was not proportionate to risk, in accordance with the Chief Constable's recommendation that the risk was proportionate to threat when the streets are crowded.

### 9.3 Option 3: Modify ATTRO to "10.30am to 6.00pm". No TRO – streets open 6.00pm to 10.30am.

- (1) This option proposes to commence the ATTRO at 10.30am. This will provide additional time for Blue Badge holders to access shops and services from when the shops open to 10.30am.
- (2) As the ATTRO is proposed to be maintained in place between 10.30am and 6.00pm, this option includes for a substantial series of mitigations to reduce its impact, particularly Blue Badge holders.
  - a) This option was considered unacceptable as restricting blue badge holder to before 10.30 am and after 6 pm would prevent some disabled people from accessing shops and services for most of the day. In addition, many shops/services would still be inaccessible to blue badge holders even if additional disabled access bays are created on adjacent streets.

## 10 CONSULTATION

- 10.1 The Consultation feedback report in Appendix 10 provides further details of how public consultation was undertaken and a verbatim record of all comments received during the consultation. This includes responses submitted through an online questionnaire and those submitted by email or letter. The headline information is provided here.
- 10.2 The public consultation ran from 16 November 2020 – 31 January 2021 with 522 responses received. Much of this feedback received focused on the concerns the proposals would have on people's lives, especially accessibility, particularly in relation to people with mobility impairments; the ability to receive deliveries within the proposed restricted zone; the impact on city centre businesses and residents and the justification for the proposed security measures.
- 10.3 The Council appointed a Nationally Registered Accessibility Consultant to review the consultation responses, and also conducted online and

telephone interviews with 12 people. Some of those who were interviewed were disabled people who had taken part in the consultation, and others were from local disability organisations (including Access B&NES and RNIB). Interviewees were selected to ensure people with a wide range of lived experience of disability were included, including people with mobility impairment, sensory impairment and learning disability. A carer was also interviewed. Interviewees included people who lived inside the proposed security zone, as well as disabled people who travel into the city for different reasons (e.g. to access services or for employment).

- 10.4 In addition to this the Council sought specific feedback on the consultation feedback report and accessibility study from 19 May to 1 June 2021, for Cabinet to review ahead of their final decision. The feedback can be found in Appendix 11.
- 10.5 Consultation has also been carried out with the Council's senior responsible officers, including the Chief Executive, S151 and Monitoring Officers, the Chief Operating Officer, Director of Place Management, as well as the Leader, Deputy Leader and Cabinet Member for Economic Development & Resources, the Cabinet Member for Transport and the Ward Councillors for Kingsmead
- 10.6 There is a further statutory requirement to consult on any TRO. The Council must publish a notice in a local newspaper and will display notices in the relevant area. The relevant documents will be available for inspection from the date that the notice of proposal is first published until six weeks after the proposed Order has been made. Anyone may object in writing to an order within 21 days of the notice being published. Any objection must be considered and a response in writing provided the reasons for decision taken. If the TRO is made a further notice must be published in a local newspaper.

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<b>Background papers</b>	<i>Contest Strategy 2018</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	