

OUTCOME OF TRO PROCESS

PREPARED BY: Traffic Management Team, Highways and Traffic Group

<b>TITLE OF REPORT:</b>	<b>Bath City Centre Security (York Street)</b>
<b>PROPOSAL:</b>	<b>Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours</b>
<b>SCHEME REF No:</b>	<b>21-</b>
<b>REPORT AUTHOR:</b>	<b>Steve Froggatt</b>

1. **DELEGATION**

The delegation to be exercised in this report is contained within **Section 4** of the Constitution under the **Delegation of Functions to Officers**, as follows:

<b>Section A</b>	The Chief Executive, Strategic Directors, Divisional Directors and Heads of Service have delegated power to take any decision falling within their area of responsibility....”
<b>Section B</b>	Without prejudice to the generality of this, Officers are authorised to: serve any notices and make, amend or revoke any orders falling within his/her area of responsibility.
<b>Section D9</b>	An Officer to whom a power, duty or function is delegated may nominate or authorise another Officer to exercise that power, duty or function, provided that Officer reports to or is responsible to the delegator.

*For the purpose of this report, the Director of Place Management holds the delegated power to make, amend or revoke any Orders.*

2. **LEGAL AUTHORITY**

This proposal is made in accordance with the Road Traffic Regulation Act 1984, which under Section 1, Section 22C and Section 22D provides, generally, for Orders to be made for the following reasons, and in the case of this report specifically for the reason(s) shown below:

(a)	for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or	X
(b)	for preventing damage to the road or to any building on or near the road, or	
(c)	for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or	
(d)	for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,	
(e)	(without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or	

(f)	for preserving or improving the amenities of the area through which the road runs, or	
(g)	for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)	
(h)	For the prevention of terrorism	X

### 3. **PROPOSAL**

To implement access restrictions and parking/waiting restrictions in the streets identified above, as part of the Bath City Centre Security proposals outlined within Cabinet Report E3278 and approved on 20 July 2021.

### 4. **BACKGROUND**

4.1 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 in Westminster and Manchester 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).

4.2 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.

4.3 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 national terrorist threat to the UK is ‘severe’ which means that an attack is highly likely. Such an attack could take place anywhere in the UK.

4.4 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.

4.5 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 1a) to recommend the Council introduce an Anti-Terrorism Traffic Regulation Order (“ATTRO”).

4.6 Further to the initial ATTRO request and resulting agreement with the Council the Chief Constable of Avon and Somerset Police wrote to Bath & 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 2a). Further to the advice given to the Chief Constable by his CTSA’s and the Centre for 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 in Appendix 1b.

4.7 This TRO is 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. A plan showing the proposed security measures is included in Appendix 2b.

4.8 York Street lies in close proximity to the Roman Baths and will have increased footfall from Terrace Walk through York Street to the new Clore Learning Centre and World Heritage Centre.

4.9 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.

## **5 SOURCE OF FINANCE**

5.1 The delivery of the Bath City Centre Security scheme, including accessibility works (drop kerbs, additional disabled and loading bays, parklets and work to footway routes), is supported by capital finance (project reference TCY0013).

5.2 Additional resource within the Emergency Planning Team to operate the security measures, together with costs for maintaining the Hostile Vehicle Mitigation (HVM) equipment and associated communications equipment is supported by revenue funding.

5.3 Revenue funding will also support any interim security measures necessary prior to the implementation of the permanent HVM scheme. This will include the provision of temporary security gates or similar, with Marshall’s to operate.

## **6. INFORMAL CONSULTATION REQUIREMENT**

Informal consultation was carried out with the Chief Constable, Ward Members and the Cabinet Members for Transport.

The responses to the informal consultation can be found in the Bath City Centre Security proposals outlined in the Cabinet Report E3278 and approved on 20 July 2021.

**7. OBJECTIONS / COMMENTS RECEIVED (following the public advertisement of the proposal(s))**

7.1 The objections/ comments received have been summarised and technical responses provided in the "Bath City Centre Security Objections Report" dated 8 December 2021.

7.2 General objections/ comments received regarding the City Centre Security proposals, together with corresponding officer responses are set out in Section 7 of the Bath City Centre Security Objections report.

7.3 Specific comments relating to York Street (Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours) are set out in paragraphs 7.18 and 7.19 of the Bath City Centre Security Objections Report.

7.4 A withdrawn objection that related to York Street is set out in paragraph 7.45 of the Bath City Centre Security Objections report.

7.5 A respondent made an objection on the grounds that they would be precluded from loading/unloading for their business because of the York Street Traffic Regulation Order. Despite Officers working with the respondent to find a resolution, this has not been possible and therefore a Public inquiry will now be necessary for the Traffic Regulation Order for anti-terrorism purposes between 10am-6pm on York Street and the Traffic Regulation Order for safety reasons between 6pm-10pm on York Street (these forming one order); as set out in paragraphs 7.55 to 7.57 of the Bath City Centre Security Objections report.

**8. RECOMMENDATION**

That the Traffic Regulation Order is referred to a public inquiry.



Signature:

Date: 7<sup>th</sup> December 2021

Paul Garrod  
Traffic Management & Network Manager

**9. DECISION**

As the Officer holding the above delegation, I have decided that the objections / comments be:

a)	not acceded to and the Order as advertised be sealed.	
b)	acceded to in full and the proposal(s) withdrawn.	
c)	acceded to in part and the following adjustments, being of minor significance; be included in the Order to be sealed.  <i>specify minor amendment to Order here:</i>	
d)	referred to a public inquiry	X

In taking this decision, I confirm that due regard has been given to the Council's public sector equality duty, which requires it to consider and think about how its policies or decisions may affect people who are protected under the Equality Act.



Signature:

Date:08/12/21

Chris Major  
Director for Place Management