



Chief Constable Andy Marsh QPM

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PRIVATE AND CONFIDENTIAL

Mr Will Godfrey & Councillor Dine Romero
Chief Executive & Leader
Bath and North East Somerset Council
Lewis House
Manvers Street
Bath
BA1 1JG

Our ref: AM/JJT

Your Ref:

Date: 21st February 2020

Dear Will and Dine

I write to recommend that Bath and North East Somerset Council introduce an Anti-Terrorism Traffic Order ("ATTRO") in respect of all roads within the area defined within the map attached as 'Appendix A'.

You will be aware that since 2016 Counter Terrorism Security Advisors have been engaged with Bath and North East Somerset Council over discussions around the protection of the city centre from terrorist incidents and the following meetings whereby we advised of our recommendations.

Considerable thought and detail has been considered in relation to the recommendations and has been widely circulated with the local authority during the meetings. The consensus between Bath and North East Somerset Council and ourselves was that recommendations should be submitted to you.

The ATTRO is recommended in order to enable the Chief Constable of Avon and Somerset Constabulary to restrict or regulate the movement of pedestrians and vehicles for the purpose of avoiding or reducing, or reducing the likelihood of, danger connected with terrorism to persons or property on or near a road; and or preventing or reducing damage connected with terrorism (as defined by section 1 Terrorism Act 2000). This would be one of a package of measures designed to improve overall public safety, specifically the security of people in crowded places and protect/prevent damage to buildings from a terrorist attack.

There is an acknowledged threat to the United Kingdom from international terrorism and past experience has demonstrated that this particular threat is acute in intensely crowded places. The City of Bath is a UNESCO World Heritage site and major tourist destination, it has also been identified as a significant crowded place. It is home to Bath Abbey, the Roman Baths, Southgate Centre and the Rec (home of Bath Rugby) amongst many other culturally and natural significant sites. It is also known for events such as the Christmas Market, Bath Half Marathon and Remembrance Sunday parades as well as being home to two Universities.

Bath plays a significant role in the regional economy and the value of the visitor economy in BANES cannot be ignored. The RAND Corporation published a report stating that the five terror attacks that took place in the United Kingdom in 2017 – at Westminster, Manchester, London Bridge, Finsbury Park and Parson Green – potentially led to a loss in economic output of £3.5 billion. The closure of Borough Market and 'denial of access caused by extensive cordons' following the London Bridge attack was estimated to cost £1.4 million. This was mainly borne by smaller and medium sized businesses. The local economy took 6-9 months to return to the level it had been prior to the attack.

I consider that the above circumstances meet both the criteria under section 22C (1) and (2) of the Road Traffic Regulation ACT 1984.

The latest amendment to the Road Traffic Regulation ACT 1984 (enacted by the Counter-Terrorism and Border Security ACT 2019) waives the requirement to publicise an ATTRO in advance, where

in the opinion of the Chief Police Officer, such publicity would undermine the purpose of the order. It is agreed by Avon and Somerset Constabulary and Bath and North East Somerset Council that, in the interests of transparency and accountability there will be no intention to waive the requirement to publicise the ATTRO.

An ATTRO enables traffic which includes vehicle and/or pedestrians to be regulated (the extreme of which would be to restrict access of a road) for preventative purposes in connection with Counter Terrorism. An order will supplement physical security measures in order to preclude vehicles and/or pedestrians from entering or proceeding along a road within the designated area. The ATTRO can only be progressed by way of a recommendation from ourselves the police.

The ATTRO which I am recommending would be permanent but of a contingency nature, which would enable an officer of Avon and Somerset Constabulary to direct that a provision of the ATTRO restricting or regulating pedestrian or vehicular traffic on a particular road should be commenced, suspended or revived. Avon and Somerset Constabulary would make this direction to the extent they considered necessary, informed by security assessment or intelligence of a terrorist threat. If an emergency resulted in the use of the ATTRO this would be authorised by an officer of at least the rank of Inspector and for pre-planned events it would be the Superintendent of Operations.

I will further recommend that wherever possible, at least 7 days' notice of restrictions associated with emergency operation of the ATTRO will be provided to the local authority in order that such notice may also be provided to those persons likely to be affected by the restrictions. Finally, it is also recommended that any emergency restriction put in place in accordance with the ATTRO will not exceed a period of 48 hours without prior approval from the Chief Officer of Police.

A jointly agreed schedule (from the police and local authority) will also be attached to the ATTRO detailing the specific working/operational arrangements for the implementation of the ATTRO between the police and the local authorities when it arises in both pre-planned and emergency arrangements.

These recommendations ensure that the ATTRO is a proportionate measure used to the minimum extent necessary in an emergency in order to deal with the likelihood of danger connected with terrorism, and which also safeguards the areas identified as being vulnerable. The ATTRO provision will be reviewed annually by Avon and Somerset Constabulary to assess the proportionate use of the power and if it is still necessary.

As mentioned, the ATTRO would be one of a package of measures designed to improve overall public safety and as such we ask Bath and North East Somerset Council to look at ways to further strengthen their protection in areas of high footfall/crowd density.

May I take this opportunity to thank Bath and North East Somerset Council for its consideration of this ATTRO recommendation, which it is believed will provide us with a further protective measure to keep the city safe from a terrorist threat.

I wait to hear further from you in due course.

Yours sincerely,



Andy Marsh QPM
Chief Constable
Avon and Somerset Constabulary