

BATH CITY CENTRE SECURITY OBJECTIONS REPORT

8 December 2021

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Lettered Appendices (Officer Decision Reports)

Numbered Appendices

1. Introduction

- 1.1 This report sets out all the objections and officer responses made to the public advertisement of the following Traffic Regulation Order proposals:
- (i) Bath City Centre (Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls) – Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours, with access for Blue Badge holders.
Officer Decision Report included as Appendix A.
 - (ii) Bath City Centre (Lower Borough Walls, Stall Street, Abbeygate Street, Abbey Green, Swallow Street (south), Bath Street, Hot Bath Street and Beau Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report included as Appendix B.
 - (iii) Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report included as Appendix C.
 - (iv) Bath City Centre Security (Waiting Restrictions) - Modifications to Waiting Restrictions for York Street, Cheap Street, Westgate Street, Upper Borough Walls, Westgate Buildings, Terrace Walk, Orange Grove, Henry Street, Broad Street.
Officer Decision Report included as Appendix D.
 - (v) Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1800 hours and 2200 hours.
Officer Decision Report included as Appendix E.
- 1.2 Notices of Intent relating to the proposals were published in the Bath Chronicle on 23 September 2021, commencing a 21 day consultation period. The closing date for objections and representations was 14 October 2021.

2. Delegation/ Legal Authority

- 2.1 The Director of Place Management holds the delegated power to make, amend or revoke the Traffic Regulation Orders, as set out in the Officer Decision Reports attached as Appendices A to E of this report.
- 2.2 The proposals are made under the Road Traffic Regulation Act 1984, as set out in the Officer Decision Reports attached as Appendices A to E of this report.

3. Proposal

- 3.1 To implement access restrictions and parking/waiting restrictions in the streets identified within the Officer Decision Reports (attached as Appendices A to E), as part of the Bath City Centre Security proposals outlined within Cabinet Report E3278 and approved on 20 July 2021.

4. Background

Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours and Modifications to Waiting Restrictions

- 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 The following listed TRO's are 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:

- Bath City Centre (Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls) – Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours, with access for Blue Badge holders.
Officer Decision Report included as Appendix A.
- Bath City Centre (Lower Borough Walls, Stall Street, Abbeygate Street, Abbey Green, Swallow Street (south), Bath Street, Hot Bath Street and Beau Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report included as Appendix B.
- Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report included as Appendix C.
- Bath City Centre Security (Waiting Restrictions) - Modifications to Waiting Restrictions for York Street, Cheap Street, Westgate Street, Upper Borough Walls, Westgate Buildings, Terrace Walk, Orange Grove, Henry Street, Broad Street.
Officer Decision Report included as Appendix D.

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

4.8 The TRO for Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls included access for Blue Badge holders.

4.9 The TRO for Lower Borough Walls, Stall Street, Abbeygate Street, Abbey Green, Swallow Street (south), Bath Street, Hot Bath Street and Beau Street did not include access for Blue Badge holders, as 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.

4.10 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.

4.11 The TRO for York Street did not include access for Blue Badge holders 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.

4.12 The TRO for Modifications to Waiting Restrictions set out modifications as shown in the following Appendices:

(i) Appendix 3: York Street

(ii) Appendix 4: Cheap Street, Westgate Street, Upper Borough Walls

(iii) Appendix 5: Westgate Buildings

(iv) Appendix 6: Terrace Walk

(v) Appendix 7: Orange Grove

(vi) Appendix 8: Henry Street

(vii) Appendix 9: Broad Street

4.13 The parking restrictions on York Street 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.

Prevention of Vehicles from Restricted Streets between 1800 hours and 2200 hours

4.14 The TRO between 1800 hours and 2200 hours on York Street (Officer Decision Report included as Appendix E) reflects its proximity to the Roman Baths and the need 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, be open late into the evening.

4.15 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 the identified crowded places, in and around the Roman Baths and the associated security risk, it is recommended York Street remains closed until 2200 hours.

4.16 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.

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

- 6.1 Informal consultation was carried out with the Chief Constable, Ward Members and the Cabinet Members for Transport.
- 6.2 The responses to the informal consultation can be found in the Bath City Centre Security proposals outlined within Cabinet Report E3278 and approved on 20 July 2021.

7. Objections/ Comments received (following the public advertisement of the proposals)

7.1 Objections / comments received to the TRO's listed in Section 1 of this report were received as:

- (i) Online comments.
- (ii) Email and telephone comments. Where information was requested this was provided by the Council as either an email or in an appropriate format to the respondent.
- (iii) Drop-in sessions which could be booked via Eventbrite at the Commercial Hub, 15 New Bond Street, Bath on:
 - o Tuesday 28 September 2021 – 10 am to 2 pm
 - o Monday 4 October 2021 – 3 pm to 6 pm
 - o Tuesday 12 October 2021 – 1.30pm to 4.30pm
- (iv) Petition received on 25 October 2021 (refer to paragraphs 7.36 to 7.41 below).

A summary of the above objections and comments have been included in Appendix F. As the drop-in sessions included discussion on some issues that did not relate to the City Centre Security scheme, only those comments that relate directly to the City Centre Security proposals are included.

Officer responses to the objections and comments are set out below, with the officer responses shown in italics.

Comments

7.2 A total of 24 comments out of the 149 online comments received were in support of the advertised TRO proposals, as was 1 of the 33 email and telephone comments.

15 comments from the online responses and 1 from the email and telephone comments partially supported the proposals. The concerns raised by these respondents is addressed within the responses to the objections in the paragraphs below.

A number of requests for information were made via the email and telephone comments. Comments and objections are summarised in Appendix F.

7.3 *Officer response: Supportive comments are noted in Appendix F.*

Any concerns raised by the responses that partially supported the proposals were addressed as set out in paragraphs 7.4 to 7.57 below.

Requests for information included:

- (i) *Consultation information, such as plans, which was forwarded in an appropriate format (email or post) to the respondent.*
- (ii) *Confirmation that any restrictions on-street made subject to the City Centre Security proposals would be clearly marked.*

Objections – General

7.4 General objections including “No risk of terrorism”; “Not justified”; “No proof of terrorism”; “Not wanted”; “Not needed”, “Proposals out of date” etc.

7.5 *Officer response: At the request of the Home Office, the National Counter Terrorism Security Office (NaCTSO) carried out a security survey of Bath City Centre in September 2016. This identified the crowded places around Bath Abbey and the Roman Baths as vulnerable.*

There is currently no specific intelligence to suggest that Bath is under increased threat. However, the current general terrorist threat to the UK is severe which means that an attack is highly likely, and such an attack could take place anywhere within the UK.

Council Officer’s have worked with Avon and Somerset Police Counter Terrorism Security Adviser’s (CTSA’s) on these proposals, with the Chief Constable of Avon & Somerset Police writing to the Council on 21 February 2020 (attached at Appendix 1) 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 2. These proposals form part of a layered series of preventative measures which are in accordance with advice from the Centre for the Protection of National Infrastructure (CPNI).

Advice from the Police, CTSA’s and CPNI is that the advice is still current.

Objections – The proposals are not proportionate to risk/ do not counter lone terrorist attacks

7.6 Objections on the basis that the proposals are too severe and not proportionate to risk, and also that proposals do not counter lone terrorist attacks on foot.

7.7 *Officer response: It is a proportionate response that follows recommendations from Central Government and the strategy for mitigating terrorism. The Council has worked closely with Avon and Somerset Police, their CTSA’s and CPNI in formulating these measures that are specifically aimed at mitigating vehicle borne attacks, vehicles used as a bomb or vehicles being used to transport terrorists to within crowded places.*

Whilst not directly mitigating against marauding weapons and firearms attacks, these proposals do form part of a holistic layered approach to security within the city centre that includes physical and non-physical measures. Working with key stakeholders such as the Police CTSA’s, other measures include:

- (i) the training of staff in security and safety welfare and ensuring they are properly equipped and empowered to act effectively,*
- (ii) working in partnership with those who are needed to make security work,*
- (iii) the use of extensive CCTV within the City centre,*
- (iv) operational procedures that have been developed by CTSA’s through research and previous experience,*

- (v) *the provision of counter terrorism awareness delivered by CTSA's to businesses and organisations throughout Bath & North East Somerset Council,*
- (vi) *regular deployments of the Avon and Somerset Police Project Servator teams,*
- (vii) *the provision of temporary hostile vehicle mitigations (HVM) for events, such as the Christmas Market and Remembrance Services.*

Objections – Impact on access, especially for the disabled

7.8 Objections on the basis that the proposals restrict access, especially for the disabled, and that disabled parking and access isn't fit for purpose. Also a concern that Beau Street and Stall Street cannot be accessed.

7.9 *Officer Response: It is considered that the access restrictions via the proposed bollards are a proportionate response that follows recommendations from central Government and the strategy for mitigating terrorism. Officers weighed their equality duties together with their duty to maintain security of the city in accordance with advice from the Police's Counter Terrorism Security Advisers.*

With regard to access for the disabled, an Accessibility Study was carried out for the Council by a member of the National Register of Access Consultant's which considered the City Centre Security proposals. The Accessibility Study recommended that access be provided for Blue Badge holders to the restricted streets during the proposed operational hours of 10.00am to 6.00pm.

In accordance with the Council's Public Sector Equality Duty (as set out in the Equality Act 2010), and as set out in the Cabinet Report E3278 and approved on 20 July 2021, a disabled person with a valid Blue Badge, either driving (including a hire car), drop-off/ picking-up by a friend, family or taxi will still be able to access Cheap Street, Westgate Street, Saw Close and Upper Borough Walls during operational hours. Blue badge holder parking will be permitted on the proposed double yellow lines (No Waiting at any time) for up to 3 hours. During the restricted hours 10.00am to 6.00pm, there should be no delivery vehicles making deliveries, giving more opportunity for Blue Badge Holders to park.

Community Transport vehicles will be permitted into Hot Bath Street to access St Michael's Day Centre.

No Blue Badge Holder access is permitted into York St because of pedestrian safety, with pedestrians requiring access to the Clore Centre and there being no safe turning facility.

Beau St is not part of the proposals to restrict vehicles and therefore parking for Blue Badge Holder's outside The Gainsborough Hotel will

remain as existing. Also, the existing parking arrangements on Beau Street between Bilbury Lane and Stall Street will not be affected.

Stall St (including Lower Borough Walls, Bath St, Abbeygate St and Abbey Green) are already subject to access restrictions between 10.00am and 6.00pm, due to the volume of pedestrians that use the streets on a daily basis.

Additional disabled parking spaces are also proposed near to the restricted streets, such as at Westgate Buildings and Orange Grove, and a series of footway improvements are proposed for the restricted streets and nearby adjoining streets to improve access for the elderly and disabled.

Parklets are also proposed within Cheap street and Westgate Street to provide places for the elderly or those with impaired mobility to rest.

Objections – Emergency Utility Access

7.10 Objections relating to the difficulties with access for Service utilities attending an emergency and the time taken to request this.

7.11 *Officer Response: Where businesses or residents living within the restricted zone require immediate property repairs, such as gas or water leaks, they should call the Council's CCTV Hub who operate the bollards to advise that they have requested an emergency repair service and therefore require access. Details of the repair company would need to be provided, together with nature of the fault, name of contractor and operative (if known) and vehicle registration number (if known).*

The relevant company responding to the emergency repair would be required to call the CCTV Hub to notify the nature of the fault, business/residential address, name of contractor and operative, vehicle registration, and whether the vehicle is liveried.

It would be helpful for the repair company to provide the CCTV Hub with at least 2-hour notice in advance of arrival at the restricted street, but the Council accepts that the notification time might be less than this due to the nature of utility emergencies.

Objections – Emergency Service Access

7.12 Objections expressing concern about the ability of the emergency services being able to attend an emergency incident without delay.

7.13 *Officer Response: Direct communications are maintained between the Council's CCTV Hub that operate the bollards and the Police, Fire and Ambulance services to ensure there is no delay gaining access to an emergency within the restricted streets.*

Objections – Impact on residents, businesses and deliveries within the restricted streets, and impact on visitors

- 7.14 Objections relating to the impact on residents, businesses and visitors within the restricted streets, particularly relating to deliveries.
- 7.15 *Officer Response: The proposals relate to the City Centre's most crowded places, and accord with advice from Central Government regarding the protection of the public within these places.*

For residents and businesses within the restricted streets, access for emergency vehicles responding to an emergency will be provided during the restricted hours, as would access for utility emergencies attending a water leak, boiler or broadband repair, for example, within a property or business premises.

Occasional access requests during the restricted hours for operations that cannot be carried out outside the restricted hours, such as a property move or the delivery of white goods, would also be accommodated by contacting the Council's CCTV Hub.

Food shopping deliveries or the delivery of small parcels/ goods will not be permitted by vehicle during the restricted hours. On-line deliveries would need to be organised outside the restricted hours, and most companies generally offer the facility of a wide range of delivery slots which would allow this. Small parcels can generally be hand delivered during the restricted hours.

Additional loading provision is also proposed at Westgate Buildings and at Terrace Walk to assist the parking of delivery vehicles adjacent to the restricted streets.

Additional residents parking places have been provided on nearby streets. This will replace the Residents parking lost in York Street.

Information regarding the City Centre Security scheme would be included on the Council website following any approval for its implementation, to fully inform visitors of the access restrictions and access protocols.

Objections – Related to proposed hours of restrictions

- 7.16 Objections relating to the hours of operation of the restrictions, questioning whether those hours accord with likely terrorist attacks, and whether during the unrestricted hours the Council could be confident that there would not be any such attacks.
- 7.17 *Officer response: The hours of operation from 10.00am to 6.00pm for the security-related elements of the City Centre restrictions are based on pedestrian flow records. These show that the proposed restricted streets*

are most crowded during these time periods, which makes them more of a target for terrorist activity.

It is noted that there is a risk of terrorist activity in these streets outside the proposed restricted hours. However, other layers of security will operate outside these hours such as CCTV and trained front-line staff in businesses that are open during these hours noting suspicious behaviour.

Objections – Related to named specific restricted streets/ adjacent streets where mitigations proposed

7.18 Objections that have been made in relation to specific restricted streets:

7.19 Officer responses to the concerns set out below:

Cheap Street:

- Concerns over businesses and deliveries - refer to paragraphs 7.14 & 7.15.
- Concern that a Blue Badge relates to a person and not a vehicle – Secure access systems will be put in place such that Blue Badge Holders will be provided access subject to presenting a valid Blue Badge as opposed to automatic number plate recognition (ANPR) access being provided for a vehicle.
- Concern over the Equalities Act – refer to paragraphs 7.8 & 7.9.
- Concern that hours of restriction are too harsh – refer to paragraphs 7.16 & 7.17.
- Concern relating to vehicles – refer to paragraphs 7.28 & 7.29.

Westgate Street:

- Concern over the impacts on businesses, residents and deliveries - refer to paragraphs 7.14 & 7.15.
- Concern over hours of operation – refer to paragraphs 7.16 & 7.17.
- Concern that a terrorist could use a Council vehicle to gain access – Secure access systems will be put in place such that driver's names could also be required to gain access.
- Concern over the Equalities Act – refer to paragraphs 7.8 & 7.9.
- Concern that hours of restriction are too harsh – refer to paragraphs 7.16 & 7.17.
- Concern relating to vehicles – refer to paragraphs 7.28 & 7.29.

Upper Borough Walls:

- Concerns over the impacts on businesses, residents and deliveries - refer to paragraphs 7.14 & 7.15.
- Concern over hours of operation – refer to paragraphs 7.16 & 7.17.
- Concern that a terrorist could use a Council vehicle to gain access – Secure access systems will be put in place such that driver's names could also be required to gain access.
- Concern over access to shops and facilities by the disabled – refer to paragraphs 7.8 & 7.9.
- Concern over cost of scheme – refer to paragraphs 7.26 & 7.27.

- Concern that scheme does not protect against lone terrorist attack by grenades/ bombs in backpacks – refer to paragraphs 7.6 & 7.7.
- Concern over the Equalities Act – refer to paragraphs 7.8 & 7.9.
- Concern that hours of restriction are too harsh – refer to paragraphs 7.16 & 7.17.
- Concern relating to vehicles – refer to paragraphs 7.28 & 7.29.
- Concern over the removal of the disabled bays in Upper Borough Walls outside the old Mineral Hospital – The disabled bays will be replaced by double yellow lines (No waiting at any time) which will allow for Blue Badge Holder parking for up to three hours.

Saw Close:

- Concerns over the impacts on businesses, residents and deliveries - refer to paragraphs 7.14 & 7.15.
- Concern that a terrorist could use a Council vehicle to gain access – Secure access systems will be put in place such that driver's names could also be required to gain access.
- Concern over the Equalities Act – refer to paragraphs 7.8 & 7.9.
- Concern that hours of restriction are too harsh – refer to paragraphs 7.16 & 7.17.
- Concern relating to vehicles – refer to paragraphs 7.28 & 7.29.

Abbey Green:

- Concern over access to shops and facilities by the disabled – refer to paragraphs 7.8 & 7.9.
- Concern over cost of scheme – refer to paragraphs 7.26 & 7.27.
- Concern that scheme does not protect against lone terrorist attack by grenades/ bombs in backpacks – refer to paragraphs 7.6 & 7.7.

Hot Bath Street:

- Concern over access to shops and facilities by the disabled – refer to paragraphs 7.8 & 7.9.
- Concern over cost of scheme – refer to paragraphs 7.26 & 7.27.
- Concern that scheme does not protect against lone terrorist attack by grenades/ bombs in backpacks – refer to paragraphs 7.6 & 7.7.

Lower Borough Walls:

- Concern over access to shops and facilities by the disabled – refer to paragraphs 7.8 & 7.9.

York Street:

- Concern over access to shops and facilities by the disabled – refer to paragraphs 7.8 & 7.9.
- Concern over the Equalities Act – refer to paragraphs 7.8 & 7.9.
- Concerns over the impacts on businesses, residents and deliveries - refer to paragraphs 7.14 & 7.15.
- Concern over hours of operation – refer to paragraphs 7.16 & 7.17.
- Concern that hours of restriction are too harsh – refer to paragraphs 7.16 & 7.17.
- Concern relating to vehicles – refer to paragraphs 7.28 & 7.29.

- *Concern over the removal of the disabled bays in York Street – Replacement and additional disabled bays are being provided in Orange Grove and Westgate Buildings.*

Stall Street:

- *Concerns over the impacts on businesses, residents and deliveries - refer to paragraphs 7.14 & 7.15.*
- *Concern over hours of operation – refer to paragraphs 7.16 & 7.17*

Bath Street:

- *Concerns over the impacts on businesses, residents and deliveries - refer to paragraphs 7.14 & 7.15.*
- *Concern over hours of operation – refer to paragraphs 7.16 & 7.17*

Streets where mitigations proposed including Henry Street and Broad Street:

- *Suggestions made for changes to existing and proposed disabled bays and residents parking – Suggestions noted and further consideration will be given to them.*

Objections – Related to named specific streets not within scope of the City Centre Security project or not related to the City Centre Security scheme

7.20 Objections that have been made to streets that do not form part of the TRO's for the City Centre Security project, or objections that do not relate to the City Centre Security scheme.

7.21 *Officer responses:*

Milsom Street:

- *Milsom Street does not form part of this scheme. An Experimental Traffic Regulation Order (ETRO) went live on 25 November 2021.*
- *All these schemes (City Centre Security, Milsom Street and Kingsmead Square) will have an impact on one another that needs to be understood - The teams progressing work on schemes such as the Milsom Street bus gate and Kingsmead Square urban improvements have liaised with the team carrying out the City Centre Security proposals, to ensure that the schemes work well together within the City Centre.*

Kingsmead Square:

- *Kingsmead Square does not form part of this scheme - In June 2020, the Council introduced an access restriction 10.00am to 10.00pm in Kingsmead Square on a temporary basis as part of measures to aid social distancing during the Covid pandemic. As social distancing ends, a further experimental 11.00am-midnight ETRO is due to be operative on 27 January 2022. Feedback will be welcomed and assessed prior to the Council making a decision on*

whether this experimental access restriction should become a permanent restriction.

- *Kingsmead Square and Milsom Street parking removed due to Covid restrictions – Kingsmead Square and Milsom Street will be subject to future consultation.*

Adjacent/ surrounding roads including Barton Street, Bridge Street, Grand Parade, High Street, Avon Street North:

- *Suggestions made for changes to existing disabled parking – Suggestions noted and further consideration will be given to them.*

Unrelated schemes:

- *Objection regarding implementation of Clean Air Zone passed on to Clean Air Zone team.*
- *Views on Cleveland Bridge scheme noted.*

Objections – Taxis

7.22 *Objections relating to taxi pick-up for the disabled in Westgate Street and the concern that the taxi rank at Orange Grove looks like it's being reduced.*

7.23 *Officer response: Secure access systems will be put in place to ensure that Blue Badge Holders are able to be picked up by taxis from Westgate Street.*

As part of Bath Abbey's "Footprint" project, four spaces at the western end of the taxi rank at Orange Grove have been removed by temporary hoarding, with four temporary replacement taxi bays being provided on Grand Parade.

The City Centre Security scheme proposes four additional disabled bays at the western end of the taxi rank in place of the old taxi bays, with the temporary taxi bays at Grand Parade being made permanent. Therefore, the number of taxi spaces at Orange Grove is not being reduced.

Objections – Events

7.24 *Objections that suggest that the proposed security measures for the restricted streets should only be implemented in high tourist season, or for specific events such as the Christmas Market or food festivals*

7.25 *Officer response: The proposals relate to the City Centre's most crowded places, and accord with advice from Central Government regarding the protection of the public within these places.*

The City Centre restrictions are based on the high pedestrian flow records within the proposed restricted streets. Only providing protection at certain times of the year or for certain specific events would leave the cities most

crowded streets vulnerable during any unrestricted period, making them more of a target for terrorist activity.

However, should the National or local security risk increase, 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, the TRO's (for anti-terrorism purposes) will be enabled to provide further restrictions to prevent access by Blue Badge Holders, and identified delivery vehicles.

Objections – Finance and cost

7.26 Objections that suggest that it is ridiculous for the Council to be spending money on the City Centre scheme when resources are stretched due to the Covid pandemic, and when this money could be spent on other opportunities. Also, that the scheme has no detailed cost benefit analysis and has a major impact on retailers.

7.27 *Officer response: The council takes the security of the city and its residents, businesses, and visitors very seriously, and from the very beginning this work has been undertaken in partnership with Avon & Somerset Police and their Counter Terrorism Security Adviser's. The Council has followed national advice and guidance on a proportionate approach to the national threat assessment and has considered the local risk profile of our city in putting forward the City Centre Security proposals.*

Information from previous terrorist attacks such as the Manchester Bombing in 1996 showed that 40% of businesses affected by the Manchester bomb never recovered. More recently, the impact of the London Bridge attack was estimated to cost £1.4 million, which was mainly borne by smaller and medium sized businesses, with the local economy taking 6-9 months to return to the level it had been prior to the attack.

The Council therefore believes that the scheme is proportionate regarding the protection of its most crowded places, and the protection it affords to residents, businesses and visitors.

Objections – Pedestrianisation/ Anti-car

7.28 Objections that suggest that the City Centre Security Scheme is not to do with the prevention of terrorist attacks, but is essentially about implementing pedestrianisation within the city centre.

7.29 *Officer response: The City Centre Security proposals are designed to reduce the threat of a vehicle-based terrorist attack. It is a proportionate response that follows recommendations from Central Government and the strategy for mitigating terrorism. The Council has worked closely with Avon and Somerset Police, their CTSA's and CPNI in formulating these measures that are specifically aimed at mitigating vehicle borne attacks, vehicles used as a bomb or vehicles being used to transport terrorists to within crowded places.*

The very nature of the scheme is therefore based on the need to remove cars from the restricted streets that lie within the most crowded places within the City Centre. Cyclists will retain access.

Objections – Access control

7.30 Objections that suggest the scheme is overly bureaucratic and is unworkable, with concerns expressed over the impact on accessibility, especially for those people with physical and mental disabilities. Also a question as to whether Automatic Number Plate Recognition (ANPR) will be used to give access to vehicles that are exempt from the restrictions.

7.31 *Officer response: It is essential for security purposes that the Council maintains strict vehicular access control measures into the restricted streets during operational hours. However, the Council recognises the need for access controls and systems for exempt vehicles (such as those transporting Blue Badge Holders) to be as clear and straight-forward as possible.*

Clear information regarding access will be provided by the Council on its website and by other means both prior to and following any implementation of the City Centre Security scheme. Signing on-street will also be clear.

ANPR will not be used for access purposes because of the possibility of forged number plates.

Objections – Heritage

7.32 Objections that raise concern over the unique character of Bath and its status as a World Heritage City, and that the visual effects of any implementations should be properly scrutinised and consulted with historical expertise.

7.33 *Officer response: The Council's Heritage officers have been and will continue to be included within discussions relating to the location, form and aesthetic impact of the City Centre Security scheme and its physical components, such as the bollards.*

Objections – Miscellaneous

7.34 Miscellaneous objections as follows:

- (i) That access should not be provided to Blue Badge Holders over the concern that the proposals should limit as many accesses as possible for security reasons, and that Blue Badges can be faked.
- (ii) That there should not be access for post/ parcel deliveries due to indiscriminate parking by these vehicles.
- (iii) Outside cafes not wanted.

- (iv) “Equally busy” areas such as High Street, Grand Parade, Orange Grove, Manvers/ Pierrepont Street and Dorchester Street remain unprotected.
- (v) Concern over whether blue badge holders can continue to park in New Bond Street.
- (vi) Concern over whether access to churches within the city centre has been considered including for weddings and funerals, communication provision on access to churches and resident’s parking outside St Michael’s Church.

7.35 Officer responses as follows:

- (i) *An Accessibility Study carried out into the City Centre Security proposals recommended that access be provided for Blue Badge holders to the restricted streets during the proposed operational hours of 10.00am to 6.00pm. This is in accordance with the Council’s Public Sector Equality Duty. Access controls and systems would look to reduce the possibility of fake Blue Badges being used.*
- (ii) *Post and parcel deliveries undertaken by Royal Mail and ParcelForce respectively are done so under their obligation as universal service provider and therefore access cannot be restricted.*
- (iii) *Pavement licenses for cafes, pubs and restaurants were introduced into the restricted streets during the period the streets were temporarily closed (to enable social distancing) in order to promote business. The outside seating provided by the pavement licenses will also provide locations where the elderly or disabled can rest with something to eat or drink.*
- (iv) *The National Counter Terrorism Security Office (NaCTSO) security survey of Bath City Centre that was carried out in September 2016 identified the most crowded places in Bath as being around Bath Abbey and the Roman Baths. High Street, Grand Parade, Orange Grove, Manvers/ Pierrepont Street and Dorchester Street were not identified as crowded places as part of the NaCTSO security survey. However, other layered security measures such as working with the Police, the presence of CCTV and staff trained in security will still operate at these locations.*
- (v) *Yes. No restrictions have been changed in New Bond Street.*
- (vi) *The Abbey lies within the security zone, and arrangements have been made for funerals and weddings at the Abbey. The Council will work with the Abbey and affected churches regarding communication requirements, both in terms of Blue Badge holder parking within Cheap Street, Westgate Street and Upper Walls; additional Blue Badge holder bays in Orange Grove, and additional residents parking on Broad Street.*

Petition

- 7.36 On 25 October 2021 the Council received a petition with signatories from 113 people/ businesses. However, the format of the petition did not make clear the basis on which the signatories were making their objections, which then presented difficulties for the Council to respond adequately to the objections and assess the weight and impact of any objection.
- 7.37 The Council therefore determined that the petition, as it stood, could not be taken into account for the following reasons:
- (i) It was not clear whether the objections related to the City Centre Security scheme or other city centre proposal being progressed by the Council (but not as yet advertised), such as the Milsom Street Bus Gate or the Kingsmead Square urban improvements, or to all proposals.
 - (ii) Whether those signatories who signed the petition on behalf of a business were appropriately authorised to do so, or whether their objections were made in a personal capacity.
 - (iii) The exact nature of the objections was not clear.
 - (iv) It was not clear whether any of the signatories had been provided access to or had seen the Council's formal consultation information relating to the City Centre Security scheme.
- 7.38 In order to give the signatories the ability to clarify their objections, the Council attempted to contact all signatories utilising the information provided on the petition, and provided them with the City Centre Security Traffic Regulation Order consultation documentation. The Council requested that:
- (i) The objector clarify whether they wished to withdraw their objection, or
 - (ii) If the objector wished to object that the objector:
 - clarified the basis on which they wished to object
 - clarified whether their objection was being made on behalf of an organisation for which they had authority to act, or whether the objection was being made in a personal capacity.
- 7.39 In order for the Council to be able to respond to any objection, the Council requested that a response be made to the Council no later than 5.00pm on Wednesday 10 November 2021. If no reply was received by this time, the Council stated that it would presume that the person did not wish their name and objection to be taken into account as part of the petition.
- 7.40 Using the details on the petition approximately 70 people were uncontactable after several attempts (the Council leaving messages or the wrong name or telephone number was supplied), 5 signatories were raising complaints relating to streets outside the City Centre Security scheme, and 15 confirmed they no longer wished to object.
- 7.41 One objector clarified their objection, and stated that they did not wish to withdraw it. This objection is included within Appendix F, and an officer response provided. Subsequent to all the work to contact the signatories, the originator of the petition was contacted with an update. In response to

this the originator of the petition stated that the petition "... was not official, just showing the concern Traders have for their future, and making them aware of the forthcoming consultation".

Objections withdrawn

- 7.42 Following engagement with a respondent and further clarifying and presenting the business case for the bollard proposals in Cheap Street an objection to the proposals for Cheap Street and Upper Borough Walls was withdrawn.
- 7.43 Following engagement with a trader over concerns relating to access, it would be permitted for street traders with pitches south of Westgate Street to take their stalls down and exit the restricted streets from 5.00pm during the winter months from 1 October to 31 March when the days are shorter and trade may not be as constant (access via Lower Borough Walls). The restriction until 6.00pm would remain for the more busy summer months, 1 April to 30 September. Access would also be made available for medical or family emergencies, subject to vehicle data being provided, and also for instances of dangerous weather. The objection was withdrawn.
- 7.44 Following engagement with an organisation and further clarifying points relating to future development Traffic Regulation Order concerns, and about disabled access into Cheap Street, Westgate Street and Upper Borough Walls, an objection to the proposals was withdrawn.
- 7.45 Following engagement with a respondent and further clarifying access and delivery concerns, the objection was withdrawn on the basis that the proposals would be reviewed once implemented.
- 7.46 Following engagement with a trader over concerns relating to access, it would be permitted for street traders with pitches north of Westgate Street to take their stalls down and exit the restricted streets from 5.00pm during the winter months from 1 October to 31 March when the days are shorter and trade may not be as constant (access via Cheap Street). The restriction until 6.00pm would remain for the more busy summer months, 1 April to 30 September. Access would also be made available for medical or family emergencies, subject to vehicle data being provided, and also for instances of dangerous weather. The Council is considering further the use of the loading bay at the south end of Milsom Street (outside Russell and Bromley). The objection was withdrawn.
- 7.47 Following engagement with a respondent and further clarifying access concerns, the respondent noted that his working arrangements could be restricted to working after 6.00pm delay, although not happy with such a restriction. However, the correspondent confirmed that the objection was withdrawn.
- 7.48 Following engagement with a charity regarding access arrangements and deliveries into Hot Bath Street, secure access mechanisms were agreed

with regard to access during restricted hours. The Council also committed to working with the charity over deliveries, and making best efforts with delivery companies to provide an acceptable solution to small deliveries. The charity confirmed that the objection was withdrawn.

Focus Groups/ ongoing engagement with representatives of disabled groups

- 7.49 As part of ongoing engagement relating to the City Centre Security scheme, and in accordance with the Accessibility Study, two focus groups were held on 15th and 17th November 2021. Attendees included disabled people – some of whom are Blue Badge Holders, local residents and representatives of local organisations.
- 7.50 Focus Group 1 looked at transitional arrangements for managed access into the restricted streets as from 1 January 2022, subject to the TRO's being made. Participants were invited to give their feedback on plans that would be put in place to create an access system that would be as easy to use as possible for Blue Badge Holders (and those transporting Blue Badge Holders) into the restricted streets from January 2022. Discussion also included how the Council will communicate the new access arrangements to residents and visitors.
- 7.51 The Council committed to further progress work on the transitional access control system, and to keep the Focus Group updated.
- 7.52 Focus Group 2 looked at physical measures to improve access within the restricted streets and on adjoining streets. Participants were invited to give their feedback on mitigation measures proposed to improve accessibility within the City Centre that were highlighted as part of the 2015 Access Audit (for example, additional dropped kerbs or seating, additional parking). Information on access control for deliveries was also discussed.
- 7.53 The following was noted at Focus Group 2:
- (i) That Blue Badge Holders would not be in competition for parking places on double yellow lines (No Waiting At Any time) in Cheap Street, Westgate Street and Upper Borough Walls during the restricted hours, as deliveries were not permitted.
 - (ii) That consideration would be given to replacing the existing loading bays on Saw Close with disabled bays between 10.00am and 6.00pm, with "Loading Only" between 6.00pm and 10.00am.
 - (iii) That consideration would be given to increasing the permitted parking hours above the standard 3 hours at Saw Close to give sufficient time for a disabled person to attend the Theatre (matinee) and also go for a meal.
 - (iv) If the Saw Close disabled parking was provided, this would increase the potential Blue Badge Holder parking on Cheap

Street, Westgate Street and Upper Borough Walls above that available pre-Covid.

- 7.54 It was agreed that three people from Focus Group 2 would carry out a visit with the City Centre Security team and councillors to see the mitigation proposals on Friday 3 December 2021.

Public Inquiry, York Street

- 7.55 A respondent made an objection on the grounds that they would be precluded from loading/unloading for their business due to the effect of the York Street Traffic Regulation Orders.
- 7.56 The Local Authorities Traffic Orders (Procedures) (England and Wales) Regulations 1996 state in relation to public inquiries at Paragraph 9 that a Public Inquiry should be called if the effect of the Order is to prohibit the loading or unloading of vehicles or vehicles of any class in a road on any day of the week:
- (i) at all times;
 - (ii) before 07.00 hours;
 - (iii) between 10.00 and 16.00 hours; or
 - (iv) after 19.00 hours
- 7.57 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 1000 and 1800 hours on York Street and the Traffic Regulation Order for safety reasons between 1800 and 2200 hours on York Street (these forming one order).

8. Recommendations

8.1 It is recommended that the objections/ comments to the following Traffic Regulation Orders are not acceded to and the Order's as advertised be sealed:

- (i) Bath City Centre (Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls) – Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours, with access for Blue Badge holders.
Officer Decision Report included as Appendix A.
- (ii) Bath City Centre (Lower Borough Walls, Stall Street, Abbeygate Street, Abbey Green, Swallow Street (south), Bath Street, Hot Bath Street and Beau Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report included as Appendix B.
- (iii) Bath City Centre Security (Waiting Restrictions) - Modifications to Waiting Restrictions for York Street, Cheap Street, Westgate Street, Upper Borough Walls, Westgate Buildings, Terrace Walk, Orange Grove, Henry Street, Broad Street.
Officer Decision Report included as Appendix D.

8.2 Further to the outstanding objection relating to loading and unloading on York Street (and the adjacent Terrace Walk), it is recommended that the objection be acceded to in full and the following Traffic Regulation Orders be referred to a public inquiry:

- (i) Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report included as Appendix C.
- (ii) Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1800 hours and 2200 hours.
Officer Decision Report included as Appendix E.

Lettered Appendices

- A Bath City Centre (Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls) – Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours, with access for Blue Badge holders.
Officer Decision Report.
- B Bath City Centre (Lower Borough Walls, Stall Street, Abbeygate Street, Abbey Green, Swallow Street (south), Bath Street, Hot Bath Street and Beau Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report.
- C Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1000 hours and 1800 hours.
Officer Decision Report
- D Bath City Centre Security (Waiting Restrictions) - Modifications to Waiting Restrictions for York Street, Cheap Street, Westgate Street, Upper Borough Walls, Westgate Buildings, Terrace Walk, Orange Grove, Henry Street, Broad Street.
Officer Decision Report
- E Bath City Centre Security (York Street) - Prevention of Vehicles from Restricted Streets between 1800 hours and 2200 hours.
Officer Decision Report
- F Summary of Objections and Officer Responses

Numbered Appendices (apply to both Objections Report and TRO Officer Decision Reports)

- 1a. Letter from Chief Constable of Avon and Somerset Police to the Council dated 21 February 2021
- 1b. Letter from Chief Constable of Avon and Somerset Police to the Council dated 25 May 2021
- 2a. City Centre Core Extent
- 2b. Plan of proposed security measures
3. York Street
4. Cheap Street, Westgate Street, Upper Borough Walls
5. Westgate Buildings
6. Terrace Walk
7. Orange Grove
8. Henry Street
9. Broad Street