

16th January 2017

Dear Mr Ayre

I am writing to bring your attention to the following.

- 1. Councillors (including Cabinet Members) and the general public have been constantly misled by council reports on park and ride**
- 2. The Council has ignored a resolution to seek 'alternatives to a park and ride on Bathampton Meadows and has therefore spent public money on this project when there was no policy approval for this.**
- 3. The Council has failed to provide sufficient information and evidence to support this £10 million project.**

1. Providing inaccurate and misleading information

1.1 Introduction

Systematically, and over a period of several years council reports have been written that have misled Councillors and the public about park and ride.

In July 2011 Council RESOLVED to scrap the east of Bath park and ride project along with other elements of the Bath Transport Package. At the same time the Council passed a resolution that required officers to:

work on alternatives to Bathampton Meadows P&R, involving rail, as part of our future Transport Strategy.

There has been no Resolution since this time that would overturn this decision. But, that resolution has been quietly buried to a point where the council's favoured, solution is once more a park and ride on Bathampton Meadows.

This has been achieved by incremental steps and through perverted reports that misrepresenting facts and then rehash and build upon these skewed facts in subsequent reports.

1.2 Cabinet Report of 8th July 2015

Evidence of this can be seen in a report to the newly elected Conservative Cabinet on the 8th July 2015. The Cabinet noted the progress being made on the Getting Around Bath Transport Strategy

and **RESOLVED** to undertake a public consultation on the options to help identify a preferred location for a new P&R east of Bath.

The Cabinet were misled three times by the report:

At 1.1 the report states;

'A key recommendation of the Strategy included the need to develop a new Park and Ride (P&R) to the east of Bath.'

At 5.2 the report states;

'Finally, the strategy supported the continued expansion of Park and Ride sites and in particular the creation of a new site to the east of Bath.'

In fact the strategy did not set out the need to develop a new park and ride; it required the need for increased park and ride capacity to be established as set out at in policy GABP8 and Action GABA18

'Policy GABP8: Establish the need for increased Park and Ride capacity as part of a wider parking strategy and to undertake a detailed assessment of sites to the East of the City, with an initial bus based facility if needed while a railway site is developed.'

Action GABA18; Identify need for increased park and ride capacity and detailed assessment of sites through the placemaking plan as part of a wider parking strategy

At 5.9 the report states;

'...The Getting Around Bath Transport Strategy recommended that the need for a P&R to the east should be established in the light of a wider review of parking within the city. This review has now been completed and is discussed below.'

This was incorrect. The need for park and ride could not have been established, as the review had not been done. Only now is the Council conducting a review of parking. Consultation was completed in December 2016. Two emails of 22.12.16 from senior Transport Planner Nick Simons to Christine Boyd confirmed;

'The Parking Review is a piece of work that is currently being undertaken by the Council. The work is being undertaken by our term contractor's CH2M and the final report for review within the Council is due at the end of March 2017.' And

'I can confirm that there has not been a previous Parking Strategy prepared for the authority before now. As such this is the first time

such a strategy will have been produced.'

The newly elected Cabinet was fooled into thinking that there was policy approval for a park and ride to the east and that need had been established in the light of the required parking review.

1.3 Council Report of 12th November 2015

The Council Report of 12th November 2015 has numerous examples of the Transport Strategy and its supporting documents being selectively quoted and misquoted so as to give the impression that a park and ride had been approved in the Transport Strategy and that there was a policy background to support this.

At 1.1 the report states;

'A new park and ride is part of a package of improvement works in and around the City, identified in the 'Getting Around Bath' transport strategy, which was approved by Council 14 November 2014.'

The Transport Strategy was approved in November 2014 but this statement implies that the Transport Strategy recommended a park and ride to the east, but as indicated at 1.1 above this was not the case.

At 5.1 the report states;

'...Two Government funded studies - the Bristol/Bath to South Coast Study (2004) and the Greater Bristol Strategic Transport Study (2006) - both recommended the continued development of Park & Ride around and to the east of Bath...'

In fact the Bristol/Bath to South Coast study (2004) when discussing park and ride at Bathampton Meadow did not say this. At page 23 it said:

'The AST indicates that a large adverse impact on the landscape can be expected. At this location, the site would be very visually prominent and would require extensive mitigation measures that are likely to affect the character of the local area. Mitigation measures could include side screening and grass roofing. The latter measure, due to it's setting in the greenbelt, would be construed as a building and would contravene green belt policy.'

'The AST for Bathampton Meadows also indicates adverse impacts on historic resources and on the water environment, particularly the River Avon that would have to accommodate the dust and runoff from the large hard standing area. Careful

management would be required to overcome such impacts, but the results for the traffic reductions indicate that this Park and Ride site can be rejected on grounds of impact on the local environment and only marginal incremental benefits for traffic reduction. '

The Bristol/Bath to South Coast (2004) also recommended that the Bathampton Meadows park and ride should not be progressed;

'While the Bathampton Meadows park and ride site would achieve a significant reduction in traffic, it will be very environmentally damaging to the green belt and is likely to impact on biodiversity and natural water resources through surface run off. By the very nature of the size of such a site, its visual intrusiveness into the natural valley landscape is unlikely to be accepted by the local community. It is therefore recommended that it should not be progressed.'

The Greater Bristol Strategic Transport Study 2006 included a map (referenced as figure 5.2) showing a potential park and ride site at Lambridge that was being progressed at that time by BANES Council, but which was later abandoned. The report stated;

'Carefully selected additional park and ride sites (shown in Figure 5.2) could also be added to the current capacity. In considering potential sites, it is important to identify the role of the site, its impact on the environment, its effect on the neighbouring road network and the extent to which it diverts demand from existing public transport service. '

The study went on to warn that park and ride can increase car activity and impair bus routes;

'With the introduction of park and ride, there is sometimes the danger that existing bus passengers are encouraged by the enhanced public transport journey to switch from a current direct bus journey onto park and ride. This would therefore:

- increase the level of car activity in the vicinity of the park and ride site; and*
- potentially impair the viability of the existing bus services by the switching of passengers.'*

All of this was selectively ignored.

(see appendix 1 and 2 for these studies)

The report also states at 1.1

... the Department for Environment Food and Rural Affairs

publication 'Draft Plans to Improve Air Quality in the UK September 2015. The advice emphasises the use of Park & Rides to help reduce air pollution.

In fact the DEFRA guidance did not say this, and at 6.29 said;

“Local authorities need to design park and ride schemes carefully and should see them as just one measure in developing an integrated transport policy. To be most effective, park and ride schemes should be complemented by measures such as reductions in town centre parking, bus priority measures or pedestrianisation. Park and ride is unlikely to affect town centre traffic levels, and may simply add to the amount of traffic entering the town.”

At 5.2 the report states;

‘These earlier studies supported the development of the Bath Transportation Package which aimed to provide a significant boost to Park & Ride capacity around the City of Bath including a new site to the east. This strategy was incorporated into and supported by the Joint Local Transport Plan developed with the West of England Authorities. In addition to the expansion of Bath’s three existing Park & Ride sites, this resulted in permission being granted in 2009 for a 1,400 space Park and Ride to the east of Bath (Site F on the public consultation plan). This permission was not implemented.

However the report omitted any mention of the report of July 2011 that had scrapped this scheme or the council resolution made at that time requiring officers to:

‘work on alternatives to Bathampton Meadows P&R, involving rail, as part of our future Transport Strategy.’

At 5.3 the report states;

‘The ‘Getting Around Bath’ Transport Strategy is the most recently adopted policy by the Council that supports a new Park & Ride east of the city.’

As previously stated the Transport Strategy did not approve a P&R to the east

At 5.4 the report states;

‘The Core Strategy also recognises the need for a transport system that supports this growth and identifies the need for the ‘Creation of one or more Park & Ride sites on the eastern side of the city to reduce commuter traffic’.

However the Core Strategy did not say this. At page 73 it said;

'The West of England authorities (including B&NES) have been awarded Local Sustainable Transport Fund key component funding for a number of measures and also been invited by the Department for Transport to submit a major bid to the Local Sustainable Transport Fund for £25.5 million'

It then lists a number of schemes that this bid would cover including;

'Creation of one or more Park & Ride sites on the eastern side of the city to reduce commuter traffic.'

At 8.1 the report states;

'The Council has previously considered whether or not to proceed with a Park and Ride facility to the east of Bath as key policy documents have been prepared and approved, as outlined in the background section of this report. The key policy documents recognise the importance of this infrastructure to support the projected development need as contained within the Core Strategy.'

Again it is suggested that a whole raft of earlier reports support a park and ride to the east, this is not the case. Of the 6 key policy documents cited in the Council report of November 2015 three of them caution against park and ride and one mentions it in passing. None approve park and ride.

Specifically:

- The Bristol/Bath to South Coast study, argues strongly against a park and ride on Bathampton meadows
- The Greater Bristol Strategic Transport Study 2006 said that the site at Lambridge could be added but also cautioned against park and ride because of possible adverse environmental and other impacts
- The DEFRA guidance warns that *'park and ride is unlikely to affect town centre traffic levels, and may simply add to the amount of traffic entering the town.'*
- The Core Strategy only mentions park and ride in relation to a future funding bid.

It is therefore clear that key policy documents were misrepresented in the November 2015 report. It therefore provided inaccurate and misleading information to Councillors and to the general public. The report also failed to mention the 2011 resolution that sought an alternative to park and ride on Bathampton meadows

2. Ignored a council resolution and spent public money on this project when there was no policy approval for this.

The 5.2m budget being used to fund the east of Bath park and ride project was initially approved by council on the 18th February 2014 as a provisional budget for '*alternatives to Bathampton Meadows park and ride*'. However the budget had been used inappropriately to develop park and ride on Bathampton Meadows.

2.1 Comparison of Council report 18.2.2014 and Cabinet report 12.11.14

Council on 18.2.2014 approved the recommendation set out in agenda item, *Medium Term Service & Resource Planning 2014/15 – 2015/16, & Budget and Council Tax 2014/15* (Appendix 1 page 47);

'East of Bath Park and Ride for Provisional Approval of £5.2M

'This item is in accordance with the Council resolution on the Bath Transport Package which agreed officers work on alternatives to Bathampton Meadows park and ride, involving rail, as part of our future Transport Strategy.

The Bath Transport Strategy will be recommending the development of a new park and ride site and it is prudent that the authority make a financial provision for this proposal to allow it to be brought forward at an early opportunity. This outline cost estimate is based on the provision of a bus based solution.'

The resolution referred to above is the Council resolution of 14th July 2011 that scrapped the previously approved east park and ride on site F.

Nine months later, on the 12th November 2014 Cabinet were presented with a report entitled 'Getting Around Bath – A New Transport Strategy for Bath' which misrepresented this budget approval.

At 3.3 this report said;

'Council in February gave provisional approval to £5.2m for the development of a new Park & Ride to the east Bath funded by Corporate borrowing. This £500k is the first element of the £5.2m'

This was not the case, but was a gross misrepresentation of the approval.

The report contained no discussion of the requirement that any park and ride solution had be an alternative scheme to Bathampton Meadows. Neither do the minutes record any discussion of this. No cabinet or council report between February 14, (when the budget was approved on the basis of it being for alternatives to Bathampton Meadows park and ride) and the present day change the original resolution.

On the basis of this report the Cabinet endorsed the Getting Around Bath Transport Strategy for consultation and approved the continuation of the misappropriation of the budgeted authority. A capital budget of £350k in 2014/15 and £150k in 2015/16 was allocated towards the development of the park & ride to the east of Bath, but without any qualification that this should avoid Bathampton Meadows.

Money from this budget was subsequently spent on a consultation that only included sites on Bathampton Meadows (A, B and F) and consequently on working up plans for sites B and F, and even employing land agents to negotiate the sale of site B. None of this spending should have been allowed under this budget.

The budget was approved on the basis that the Transport Strategy would approve a park and ride to the east. But the Strategy only required the need for increased park and ride capacity to be established.

It is therefore questionable whether provision should have been made at that stage for expenditure arising from a Transport Strategy that had not been subject to consultation less alone approval.

Money should only have been spent on establishing the need for increased park and ride capacity as part of a wider parking strategy, and on a detailed assessment of sites. But even now the need for more park and ride capacity has not been established and the parking strategy is not due for completion until March 2017.

2.2 Single Member Decision - E2900

SDM E2900 approved money in October 2016 from this budget to be spent on 'land agents to negotiate options for site acquisition, planning agents to develop pre-application submissions and landscape architects to contribute to this strategy.

In the absence of this work being completed and approved by members, and in the absence of a further resolution to overturn the resolution of July 2011 it is highly questionable whether this budget should have been spent on planning or land agents to negotiate options for acquisition of land.

In a report to the Resources Policy Development and Scrutiny Panel on 23rd November 2016 it is suggested that this was as a result of recommendations of the LDFSG and the outcome of the CTE PDS Panel's review. But neither of these are decision making bodies and, Cabinet in May 16 simply noted their reports, they did not resolve to accept any of their recommendations or to request further work be done to progress an east park and ride.

Furthermore annex 1 of the – Getting Around Bath Transport Strategy report to the Resources Policy Development and Scrutiny Panel on 23rd November, 2016 indicates that this money was committed, before it was released by decision E2900. The decision to release a further 300k was approved on the 31.10.16. There is a five-day window for call in on such decisions, and yet by the 23rd of November, £248,363 of the 300k budget was reported as being spent.

It is therefore probable that spending occurred, before funding was approved, something that would be very easily checked by reference to purchase orders.

3. The Council has failed to provide sufficient information and evidence to support this £10 million project.

In January 2016 The Local Development Framework Steering group were presented with evidence to support an east park and ride. In March 2016 the same evidence was presented to the Communities, Environment and Transport Scrutiny Panel's Inquiry day. But the evidence presented in a Power Point to members was outdated, selective and inaccurate. It was certainly insufficient to justify this £10 million project.

The evidence included the following incorrect statements.

- 43% of park and ride users are commuters,
- Over a 12-month period Newbridge had been full 72 times, Odd Down had been full 8 times and Lansdown had been full 22 times.
- City centre car parks were 90% full

By the time these figures were presented to Scrutiny, the council had up to date evidence, based on the council's own entry and exit counts at park and rides that showed the following;

- By 9am Bath's park and rides are only 24% full
- One or more park and rides were full only 22 times in 2015
- City centre car parks are around 75% full at the busiest time of day; only Southgate rail regularly reaches occupancy of 90%.
- Additionally, at the busiest time of day, park and ride is only 57% full.

Andrew Lea of the Bathampton Meadows Alliance presented this evidence to the council on the 1st February 2016. It is based on 12 month's entry and exit data from Baths three park and ride sites and shows a usage trend by month, by day of the week and by hour of the day. The council has never challenged this evidence, but neither has it ever used it.

The presentation received by LDF and Scrutiny claimed that 5700 parking spaces are required to meet future demand, a figure taken from the Transport Strategy. But there are already 6287 parking spaces in the city², an excess of 577 rather than a shortfall of 1600 spaces³.

The 2011 Census data was used to show the number of commuters traveling into Bath from the east. But this included employers, such as the MoD at Bathampton, who are no longer there and to whom drivers would likely never have travelled through the City itself to reach their place of work.

Maps showing where people using park and ride travel from were sourced as 'Banes 2015 P&R surveys'. These were actually undertaken in December when many people are on a destination trip to Bath for shopping. Cllr Clarke has confirmed that park and ride use increases by 42% during the Christmas market period and so this survey is entirely unrepresentative of the year's usage.

A bar graph was presented indicating that park and ride use had increased since 2009 (when planning consent was granted for park and ride expansion under the Bath Package). This Graph is not sourced and the vertical axis is not labeled so it is unclear what is being measured. However it is not true that park and ride attracts more cars now than in 2009.

The table below sets out the peak occupancy of Bath's existing park and rides in 2009 as presented to Banes Development Control Committee. It compares this to the most recently available peak occupancy figures for each site.

| | Expansion completed | Pre/post expansion capacity | Pre expansion maximum | Post expansion maximum | Net change |
|------------------|---------------------|-----------------------------|-----------------------|------------------------|------------|
| <u>Newbridge</u> | Aug 15 | 450 to 698 | 450(100%)* | 454 (65%)** | 4 |
| <u>Lansdown</u> | Feb 13 | 437 to 837 | 437(100%)* | 494 (59%)** | 57 |
| Odd Down | Nov 12 | 1022 to 1252 | 850 (83%) | 664 (53%) | (186) |
| Combined | | 1909 to 2787 | 1737 | 1612 | (125) |

² 2787 P&R and 3500 city centre. <http://visitbath.co.uk/travel-and-maps/parking-in-bath>

³ 6287 figure excludes on street parking and the 300 additional spaces provided at the RUH in 2016.

*2009 planning application for park and ride expansion under the Bath Transport Package
** Transport Evidence Explanatory Note CD/PMP/B27; Bath: Park and Ride Expansion, ch2mhill April 2016

The comparison shows that overall the use of park and ride has fallen by 125 since planning permission was granted for an additional 878 spaces under the Bath Package. Lansdown shows a modest increase, Newbridge remains broadly unchanged and Odd Down shows a dramatic decline. The massive surplus of unused parking spaces at Odd Down resulted in the parking bays themselves becoming overgrown with weeds 6ft tall during 2016.

The Transport Department has latterly taken to quoting park and ride bus passenger numbers rather than park and ride occupancy to suggest that use is increasing. But the aim of park and ride is to reduce the number of vehicles entering the city not increase the number of visitors.

Because parking occupancy has not increased, it means that any increase in park and ride bus patronage could have been achieved without a 4.5 million expansion of park and ride.

The presentation to LDF and to Scrutiny contained no discussion of what alternatives to park and ride might be available. Which is remarkable given that the remit of the Scrutiny inquiry was to examine *'a wide range of integrated transport solutions for the East of Bath.'*

In particular there is no mention of the impact of the school run. This is a very serious and material omission that is especially relevant to the ignored July 2011 council resolution, which also instructed officers to *'evaluate options to address the problems caused by a lack of affordable home to school transport'*.

The community in Bath, and organisations such as the Bath preservation Trust and the Bathampton Meadows Alliance have a firmly held view that drivers taking children to school are a major source of congestion and emissions.

Indeed when in opposition, Cllr Anthony Clarke said of the Getting Around Bath Transport Strategy: 'particular mention should have been made of north-south travel to school... that (the) report did not address the transport issues across the area and should be seen as the first building block of a wider transport policy' (Source: Cabinet meeting minutes from May 2014).

A study commissioned by the Bathampton Meadows Alliance has shown a 33% reduction in morning rush hour traffic during the school holidays. Transition Larkhall Action group supported by The University of Bath has done research that suggests a similar impact through Larkhall. But the Council continues to dismiss such evidence and refuses to investigate this.

In May 2016 CH2M Hill produced a series of reports to support the placemaking plan inspection.

Transport Evidence Explanatory Note CD/PMP/B27; Park and Ride expansion; stated that there were already more than 1000 spare park and ride spaces in Bath and forecast a maximum need of 400/500 spaces by 2029. The report also confirmed the Park and ride occupancy figures that had been presented to the council by Andrew Lea in February 2016.

Transport Evidence Explanatory Note CD/PMP/B28 Bath: SRN Impact; confirmed that a park and ride to the east would only reduce traffic on the London Road by 100 vehicles (or 5%) which was lower than estimated by CH2MHill's 2014 study. The report also noted that '*any propensity for network relief to London Road will tend to encourage other drivers to use the route*'

These facts have been known by the council for at least 8 months. They destroy any notion that the city needs a 1400 space park and ride or that this would improve congestion or emissions on the London Road by any meaningful amount. £1.1 million has now been spent perusing this project with last 300K being released after these facts were known.

The council has not only failed to provide robust and convincing evidence to support the £10 million park and ride project. But has also buried any evidence that questions the benefits of this scheme or suggests a better alternative. Aside from measures to address the school run, other alternatives include the proposal to the council from Professor Graham Parkhurst of UWE that 'link and ride' sites along service bus routes would be more sustainable and would support rather than damage those services. All of this has been selectively ignored.

Taking into account all of the examples provided above, it can be reasonably concluded that the Council has consistently overstated the use and benefits of park and ride, and has;

- provided inaccurate and misleading information to Councillors and to the general public.
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- ignored a council resolution and spent public money on a project when there was no policy or budget approval for this.
- previously spent 4.5 million on expanding park and ride when there was no demand for such expansion or when there has been no benefit.

Finally and most importantly, the Council has failed to provide sufficient information and evidence to support the £10 million project for an east of Bath park and ride; instead it continues to promote this environmentally damaging and costly project when there is insufficient evidence of benefit to justify this.

As a former Councillor in London, I have been utterly shocked by the way B&NES has progressed this project. Bathampton Meadows Alliance has provided you with all the information you need to correct the mistakes that have been made and to move forward in a more transparent and professional

way. This letter is written in the hope that the reports due to be taken to Cabinet next week will not perpetuate the misinformation that has been presented to date, or add yet more contrived 'evidence' to support this project.

Please give me your personal assurance that you will do everything in your power to prevent this.

Yours sincerely

Christine Boyd

List of Appendices

Appendix 1 Bristol/Bath to South Coast Study (2004)

Appendix 2 Greater Bristol Strategic Transport Study (2006)