

PROOF OF LYNDA JUNE DEANE

1. I am Lynda June Deane, Head of Service – City & Town Centre Management employed by Bath and North East Somerset Council (“the Council”).
2. I have been employed in local government for over thirty years. Throughout that time I have managed and developed interpersonal relationships for the Council, external partners and stakeholders. I have progressed professionally to a management role with a portfolio responsibility including emergency management and events which I have held for 4 approximately years.
3. I have the following qualifications and professional development:
 - Emergency Planning – tactical emergency management
 - Emergency planning – strategic emergency management
 - Meteorological Office emergency responders’ course
 - National Counter Terrorism – Action Counters Terrorism awareness course
 - CPNI – See Check and Notify (SCaN) awareness training
 - Level 5 Diploma in management and leadership
 - Springboard women in leadership
 - Contract management training
 - Mentoring training
 - Institute of Occupational Safety and Health awareness – managing safely
4. I believe that the facts stated in this Proof are true. Except where otherwise stated, those facts are derived from my own knowledge or from the documents to which I refer.
5. I make this Proof in support of the Council’s Traffic Regulation Order in respect of York Street, Bath (“the Road”).

6. The road, which is the subject of this Public Inquiry, is part of a larger security project in the centre of Bath following a Report written by the National Counter-Terrorism Security Office (“NaCTSO”) on Bath City Centre in September 2016. It identified locations in Bath as a ‘Crowded Place’, with particular focus on the areas around Bath Abbey and the Roman Baths.
7. I am the lead Officer for this project and have led and managed this project from when I took over management of the Emergency Planning team in late 2018 to the present date.
8. The Traffic Regulation Order (“the Order”) proposes to close the Road from 10am until 6pm for anti-terrorism purposes, and from 6pm – 10pm for the purposes of avoiding danger to persons or other traffic using the Road or any other road or for preventing the likelihood of any such danger arising and for preserving or improving the amenities of the areas through which the Road runs.
9. The proposed Order would have the effect of making the road no waiting, no loading, it will suspend the one way and it will prohibit driving between 10am and 10pm.
10. The Order is part of a package of Traffic Regulation Orders, which together would strengthen security in the city centre by closing a number of roads. The aim is to protect areas of high footfall from a potential vehicle borne threat, either as a vehicle borne improvised explosive device (“VBIED”), vehicle as a weapon (“VAW”) or as part of a layered attack – vehicle transporting attackers and/or weapons. It would sit alongside the Council’s existing and ongoing holistic approach to preventing a terrorist attack and protecting our public spaces.
11. The Council’s aim was and is to put in place measures to ensure that there is an appropriate and consistent approach to protective security and preparedness of crowded places whilst balancing its public sector duties.
12. The Council commenced discussion with the Counter-Terrorism Security Advisors (“CTSA”) from Counter-Terrorism Policing South West (“CTPSW”) and Avon and Somerset Constabulary on the 11th of April 2017.
13. At the outset of the project the CTSA from CTPSW requested that the Council consider the closure of the Road and all other roads within the scheme 24 hours a day 7 days a week to create a sterile area, with exemptions for deliveries, etc

during certain periods. CTSA further recognised there may be difficulties with Blue Badge Holder access. [Exhibit LD/1].

14. The Council has continued to work with the CTSA's and Avon and Somerset Constabulary throughout the duration of this project. During this time temporary hostile vehicle mitigation measures were brought in ahead of Bath Christmas Market in 2017, which remain. The Council also facilitated a number of anti-terrorism awareness training courses, for both internal and external stakeholders, which were delivered by the CTSA's, along with See, Check & Notify (SCaN) training for the Council's CCTV operatives.
15. The Council, together with Avon and Somerset Constabulary, presented the scheme to trusted partners on the 22nd of January 2020 [Exhibit LD/2].
16. The Council, together with Avon and Somerset Constabulary, also gave further presentations to Informal Cabinet on the 20th of January 2020 [Exhibit LD/3] and Independent Equalities Advisory group on the 28th of January 2020 [Exhibit LD/4].
17. The project was temporarily placed on hold due to Covid-19 from March 2020 until October 2020. A temporary traffic regulation order for the purposes of Covid-19 social distancing was put in place on the Road and other roads from the 16th of July 2020 for a period of 18 months from 10am – 6pm on all other roads and 10am-10pm on the Road.
18. Initial public consultation on-line and with directly affected residents and businesses via webinars, due to Covid-19, was undertaken in November 2020 with 522 responses received [Exhibit LD/5].
19. Alongside the initial consultation the Council commissioned an access study carried out by an independent consultant via Atkins who is a member of the National Register of Access Consultants (NRAC) which was finalised on the 18th of May 2021 [Exhibit LD/6].
20. After initial consultation and further discussion with CTSA's, the Council's Cabinet (which took into account the feedback from the consultation and the access study) took the view that a more proportionate closure should be considered. This was supported by footfall data as shown in the access study.
21. The Council wrote to the Chief Constable of Avon and Somerset Constabulary, on the 6th of May 2021, proposing options for closure of the Road and all other roads in the project [Exhibit LD/7]. On 25th May 2021, the Chief Constable

confirmed he was in agreement with option 4 (closure of the Road and all other roads in the project from 10am-6pm for the purposes of anti-terrorism with access for Blue Badge holders to Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls) [Exhibit LD/8].

22. The closure of the Road and all the other roads between 10am – 6pm was considered reasonable by those undertaking the access study: see paragraph 7.
23. In addition to this, the Council sought specific feedback on the consultation feedback report and access study from 19 May to 1 June 2021. This was for Cabinet to review ahead of its final decision.
24. Officers recommended to Cabinet on the 20th of July 2021 that the Road and all the other roads should be closed from 10am – 6pm for anti-terrorism purposes with access for Blue Badge holders on Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls together with an additional traffic regulation order to close the Road between 6pm and 10pm for the purposes set out above. Cabinet took the decision to approve this proposal [Exhibit LD/9].
25. The Council undertook an extended consultation period, and the statutory consultation via the requirements of the Road Traffic Regulation Act 1984 and the 1996 Regulations were adhered to. A notice was placed on site and in the relevant newspaper, allowing 21 days for objection, but in addition the Council undertook three face to face consultation meetings with the public on the 27th September, 4th October and 12th October 2021.
26. Responses could also be provided to the consultation on-line between the 23rd of September 2021 and the 14th of October 2021. There were 149 on-line responses of which 25 supported the scheme (16.8%), 13 partly supported the scheme (8.7%) and 111 objected to the scheme (74.5%).
27. A summary of the consultation responses is attached [Exhibit LD/10].
28. The Council met with disabled people who are members of the Independent Equality Advisory group and other stakeholders via focus groups. The focus on the 15th of November 2021 was in respect of the managed access and the transitional arrangements from the 1st of January 2022 should the traffic regulation orders be sealed, and on the 17th of November 2021 in respect of the physical measures to improve accessibility.

29. During the consultation, objections were raised by businesses and interested parties. However, the Council resolved these objections through joint working to the satisfaction of the objectors save that one objection to the closure of the road (relating to loading and unloading) could not be resolved.
30. The Council met with the sole remaining objector on the 11th of November 2021 and wrote to the objector outlining the points discussed and offered a meeting with the Director of Place Management and Cabinet Member for Transport [Exhibit LD/11].
31. The Director of Place Management and myself met with the objector on the 26th of November 2021 to further discuss the objection. The Director of Place Management wrote to the objector by email on the 26th of November 2021, the objector requested further information by email on the 2nd of December 2021, the Council Officer responded on the 2nd of December 2021, the Director of Place Management then contacted the objector by email on the 3rd of December 2021 to clarify if the objection remained outstanding [Exhibit LD/12].
32. On 3rd December 2021, the objector confirmed by email that the objection would not be withdrawn [Exhibit LD/13].
33. The feedback from the consultation and the remaining objections was considered by Cabinet together with the TRO report 2 and related exhibits [Exhibit LD/14].
34. The Council and Cabinet members considered and discharged the public sector equality duty, commercial implications and impact on residents together with the need to make the city centre secure and protect public safety and prevent danger to the public.
35. The Council and Cabinet members also considered the equalities impact and mitigation statement when reaching their decision [Exhibit LD/15].
36. Cabinet took the decision to implement the scheme, with the exception of the Road, and to instigate a public inquiry in respect of the Road (given the sole outstanding objection) [Exhibit LD/16].
37. In taking this decision, Cabinet considered and discharged the duty under section 122 of the Road Traffic Regulation Act 1984, in that, by allowing managed access during the prohibited hours access to premises and services to those premises could be maintained. Heavy commercial vehicles do not use the roads in question, nor do public service vehicles. The Council is

implementing a wider 'green' scheme to reduce vehicle movements in the centre of Bath, consistent with the Environment Act 1995 aim of improving air quality. The Cabinet further considered all other relevant matters including, but not limited to, Blue Badge access and universal service providers.

38. The Cabinet considered its public sector equality duty, including the equality impact assessment and the Human Rights Act 1998 and related Convention rights, in particular Article 14 protection from discrimination, when making their decision. In discharging this duty, the original proposed scheme was modified to a shorter time period and permitted Blue Badge access to Cheap Street, Westgate Street, Saw Close, Parsonage Lane and Upper Borough Walls.
39. The Cabinet further considered that additional Blue Badge holder parking had been made available as well as additional public seating. This allows those who do not qualify for a Blue Badge but who may wish to stop during their journey to do so as shown on the attached map [Exhibit LD/17].
40. The remaining Traffic Regulations Orders in the scheme came into effect on the 1st of January 2022 and no legal challenge has been raised to these orders. They are operating without issue.
41. The Council is aware that there is one further person, who has registered with the Planning Inspectorate, raising an objection to the closure of the Road.
42. The objection is on the grounds of disabled access to the Roads and the other roads in question. The Council, as stated above, considered and discharged its public sector equality duty, Human Rights Act 1998 obligations and the Convention rights. It weighed these against the security risks as identified by CTSA and CTPSW.
43. The Council considers the modifications made to the original proposals provide a balanced outcome and offer reasonable access whilst maintaining the principal purpose of the orders which is security and protection of vulnerable persons.
44. The Council has further considered the equalities impact of York Street in relation to the scheme in its entirety and has updated its Equalities Impact Assessment, as of March 2022 [Exhibit LD18]
45. The closure of the road between 10am and 10pm allows the city centre to be secured and provides additional safety for those accessing the Clore Learning Centre. The scheme in its entirety meets the minimum-security requirements

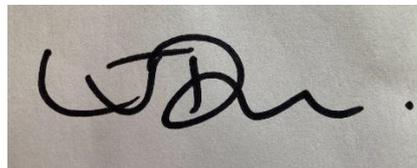
as requested by CTSA and Avon and Somerset Constabulary and is a proportionate measure to mitigate against the risks of potential threats from terrorism.

46. School groups visiting the Roman Baths walk to the Roman Baths from the coach drop-off point at Terrace Walk, along York Street. When the Clore Learning Centre is open, school groups having a facilitated teaching session will not turn right onto Kingston Parade but will continue along York Street for a further fifty metres where they will turn left into Swallow Street. The entrance to the Clore Learning Centre will be twenty metres along Swallow Street on the left. This is confirmed in the Archway Project Design and Access statement at paragraph 9.1 [Exhibit LD/19].
47. The Roman Baths are open until 10pm from June to August with significant visitor numbers in the evening. The Clore Learning centre will operate similar hours with education groups during the day and community groups in the evening. The accessibility of both sites will actively be promoted to visitors, and it is anticipated that a significant proportion of users will require reasonable adjustment under the Equality Act 2010 to gain safe access.
48. The Roman Baths further runs evening events specifically to cater for visitors with autism who require a quieter environment and other events for the those with additional needs. It is expected that the facilities created through the Clore Learning centre will offer the opportunity to develop these events and offer increased sessions.
49. The Road runs along the southern perimeter of the site thus the closure of the Road precludes vehicles from parking within metres of the attraction and protects the site from a vehicle borne explosive attack which cannot be mitigated by on site measures.
50. The Road has no viable exit unless vehicles reverse and, given this, to allow traffic of any nature in the Road after 6pm potentially exposes vulnerable young people to additional unnecessary risk.
51. Therefore, the Council considered it necessary to close the Road for the extended period between 6pm and 10pm to protect vulnerable young persons who would be accessing the Clore Learning Centre.

52. If the Road is allowed to remain open to vehicles it will result in a breach of the security of the city centre and allow an access route to all other closed roads for traffic and undermine the purpose of the scheme.

53. On balance of risk and safety weighed against loss of freedom it is considered that the orders are reasonable and justified to reduce the risk of terrorist attack and prevent danger whilst preserving amenities.

54. The Council has taken a risk-based approach to introducing these new measures, that does not allow terrorism to disrupt normal life and inhibit our freedoms to enjoy the places and spaces that are a critical and much-loved part of our city. I endorse the decision to progress the Order and consider that it ought to be made (subject to minor drafting modifications).

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read 'LJ Deane'.

Signed:

Name: Lynda June Deane

Position: Head of Service – City & Town Centre Management

Dated: 4 April 2022