

On two separate occasions, on the 10th August and on 17th August, letters were delivered to the Chief Executive of Bath & North East Somerset asking for the legal basis for overturning the vote taken on the 8th July when five councillors voted "Yes" and six councillors voted "No" to a motion and yet that outcome was not treated as binding.

Those letters were passed by the Chief Executive's office to the Council Solicitor with an assurance that a reply would be provided.

When no reply was received, despite a warning that in the absence of a reply the matter would be brought to court, a reminder that a reply was awaited was sent directly to the Council Solicitor on 7 September, and after a month of waiting, on 8th October 2009, papers were lodged at the County Court as promised. A number of interested parties, including affected Residents Associations, those in receipt of Compulsory Purchase Order letters, Bath Heritage Watchdog, Newbridge Matters, Response2Route and Save Bathampton Meadows were invited to witness the papers being lodged.

The essence of the case is that the decision taken to disregard the vote held on the 8th July 09 when a majority voting against the Newbridge Park and Ride should according to the Local Government Act 1972 Schedule 12 (Meetings and Proceedings of Local Authorities) Part 39, be final, and by doing so without providing an answer to a legitimate request for the legal basis for the subsequent actions taken, the Solicitor to the Council, the Chairperson of the meeting and the Leader of the Council have committed the Common Law offence of Misfeasance in a public office. The County Court has been asked to issue an injunction preventing the council from proceeding with any actions associated with the planning application concerned, until an acceptable answer is received to the legitimate request that was made.

If the County Court does not grant the injunction requested, the next step is to submit to the High Court a case for the Judicial Review of the council's decision process. The current state of affairs is a corrosive and undermining factor in the lives of all those people directly and indirectly affected by the council's actions, and it cannot be allowed to continue.