

# **CAMDEN COUNCIL WILL NOT ACCEPT THE PUBLIC INQUIRY OUTCOME**

## **Background**

### **Changed roads without warning**

In November 2015 Camden Council suddenly (that is, without consultation and without informing large numbers of people) changed the Tavistock Place/Torrington Place route from two-way traffic to one way, east-bound, replacing the bi-directional cycle lane with two unidirectional lanes. The immediate impact, which lasted well over a year, was displacement of traffic (4,500 vehicles per day) on to local residential streets causing greatly increased congestion (idling traffic for up to ten hours a day) and increased pollution.

### **Local protest**

This provoked massive local protest and prompted the formation of BRAG, Bloomsbury Residents' Action Group. A year or more of intense local action followed, including BRAG's community planning day and several public meetings, after which the council initiated a consultation. The council was allowed legally to consult only retrospectively since it had created the one-way system under the label of 'Experimental Traffic Order'. The consultation response appeared to show support for the change to one-way. However, it emerged that 86% of those responding did not even live in Camden, let alone the affected area. BRAG ran a petition which demonstrated that more local people were against than for the scheme. But the leader of Camden Council (Sarah Hayward) formally and publicly, refused to give greater weight to local people's views.

### **Council error led to Inquiry**

At a cabinet meeting in February 2017, the council was due to make a decision on whether the one-way scheme should be made permanent or not. However, they decided instead to refer the matter to a Public Inquiry. It turned out, as the council admitted, that it had made a basic but serious error in its procedures which would have left it open to challenge, and so, apparently to avoid such challenge, they opted for an Inquiry.

### **The Public Inquiry outcome was: do NOT make the east-bound Order permanent and change traffic direction to west-bound**

The four-week Inquiry took place in October/November 2017. It was a formal process, presided over by an independent Inspector, with large numbers of local people involved, and lawyers on both sides. The council budgeted £100,000 for the Inquiry. The council has admitted to a cost of over £300,000 but this is incomplete and so far there has been a failure by the cabinet to divulge other costs. Not one councillor attended the Inquiry at all, perhaps indicating the lack of importance accorded to it by the council.

The outcome was published in May 2018: the Inspector recommended the one-way route be changed to west-bound. This was not BRAG's preferred solution, but BRAG recognised that it was a sensible compromise which would lead to less displaced traffic and provide a much-needed west-bound route. BRAG also felt that the independent conclusions, based on four weeks of evidence being scrutinised and challenged, should be respected.

## **Cabinet meeting 5.9.2018**

### **Council failure to respect independent conclusions**

However, it quickly emerged that the Council did not appear to share this respect for independent conclusions that were based on four weeks of legal debate and the production of evidence. It seemed that the Council was going to ignore the independent recommendations and keep to its own original plan – ie Tavistock Place should remain a one-way east-bound traffic scheme, and the Order made permanent, in direct contravention of the Inquiry. This was regardless of the fact that the scheme had been shown to be disadvantageous for local people – especially those with disabilities - and local businesses; to have caused congestion and high levels of pollution in local streets; to have failed to increase cycling numbers, and to have resulted in more cycling accidents; as well to have impeded emergency vehicles.

### **Council officers advised: do not follow the Inspector's recommendations**

The officers' advice to cabinet stated:

*The Inspector's recommendation is that the ETO is not made permanent and that the Council consider assessing a scheme that reverses the flow of the one-way traffic along the Corridor whilst retaining the two cycle lanes. This report sets out that there is not sufficient time to fully assess and consult on a westbound traffic option ahead of the expiry of the ETO and recommends that the ETO is made permanent whilst this detailed consideration is undertaken.*

### **Having delayed for many months, the council said it had insufficient time**

So, insufficient time was the Council's main excuse; the east-bound Experimental Traffic Order runs out on 31<sup>st</sup> October 2018 and legally, some action on it has to be taken by then. However, the Council has always known this was the case; they have known the possible outcomes (west-bound being an obvious likely one) for nearly a year and the actual outcome had been known for four months. But they had delayed a decision until a month before the expiry of the east-bound Order and so claim to have run out of time to do anything apart from making the east-bound route permanent – which is what they wanted all along.

### **BRAG deputation**

Like other applicants, BRAG was allowed two minutes to make objections in a formal deputation to cabinet. Its deputation stated:

- 1. The Public Inquiry recommended a west-bound route, having proved that the ETO had adverse impacts on cycling safety, and no positive impact on cycling numbers, pollution, health or modal shift to active travel.*
- 2. West-bound would have the same benefits as east-bound, particularly for cyclists, many of whom we represent; it would also have the added benefits of less displaced traffic and pollution on to residential streets and the restoration of a vital west-bound route, the only one between The Strand and Euston Road*
- 3. But contrary to the recommendations, the officers propose making the east-bound Order permanent. Why?*
- 4. The paper says it would be very challenging to change to west-bound before 31<sup>st</sup> October. Why 'challenging', when, contrary to paragraph 2.28 of Appendix D, an officer specifically told the Inquiry that west-bound could be trialled without any major geometric design changes?*
- 5. The council has known since November last year what the possible outcomes were – and could have undertaken contingency planning for implementing those*

*options. It has known the outcome for certain since May this year, and could have met in June to make a decision. But no, it has left it until September.*

- 6. These delays have created a very convenient situation for the council which is now saying that the only option left is keeping the east-bound route – which is what it wanted in the first place.*
- 7. Much is being made of the phrase 'finely balanced'. This is being deployed as a decoy from the extensive findings of the Inquiry. If councillors had attended the Inquiry they would have heard the council evidence being systematically discredited and the Inspector declaring there was 'a paucity of evidence' to support the trial. The unequivocal conclusion was that the better option is west-bound.*
- 8. It would a disgraceful abuse of public money and public trust if the council were simply to manufacture ways of side-stepping the recommendations and effectively act as if the Inquiry had never happened.*

*We urge Camden Council to:*

- Implement a west-bound route, permanent or ETO; making it clear that any continuation of the east-bound route is genuinely temporary while preparations for the change to west-bound are made.*
- Delay the toxically controversial plans for road blocks on Judd Street and Hunter Street until the Tavistock corridor is resolved; and start to see traffic planning holistically.*
- And finally, to avoid further blunders and loss of faith in the council, adopt a more effective way of engaging with and consulting local people.*

### **Imperial Hotels deputation**

Speaking on behalf of a business affected by the trial, Alex Walduck said Imperial Hotels was not opposed to two cycle tracks and a one-way system for motor traffic. But they had, at the Inquiry, given extensive evidence about how a west-bound route would be better and the Inspector agreed. In particular, the east-bound route creates problems for wheelchair users who arrive at the hotel in a taxi. \* The Inquiry demonstrated substantial evidence against the Experimental Traffic Order 'including lack of evidence' for the east-bound route. Alex Walduck stated that the council does not have the authority to make this Order (to make the east-bound Experimental Traffic Order permanent).

(\*The council's preferred solution for wheelchair users is for them to be dropped off round the corner and then to have to wheel themselves 50 yards to the hotel)

### **London Taxi Drivers' Association deputation**

LTDA called for the council to adopt the west-bound route as a fair compromise.

### **Rail, Maritime and Transport Workers' Union deputation**

The RMT called for a new ETO going west so to give everyone evidence on which to base a decision

### **Camden Cycling Campaign deputation**

CCC had supported the council at the Inquiry and, even though a change to west-bound route would keep the two cycle lanes precisely as they are now, they stated that they fully support the council position of making the east-bound route permanent pending

review. Returning to pre-trial layout (two traffic lanes and one bidirectional cycle lane) would be 'disastrous', given the increase in cycling - according to the council's latest data.\*\*

(\*\* The council's data on cycling numbers presented at the Inquiry was totally discredited, but there was no opportunity to scrutinise or challenge their claims of new data on cycling at this meeting).

### **Living Streets deputation**

Living Streets said we should interpret air quality data with 'common sense'. They recognised that taxi access is a problem at Tavistock Hotel but their evidence to the Inquiry showed that wheelchair users could cope with drop offs a little further away.

### **Gordon Mansions Residents' Association and Ridgemount Gardens Residents' Association**

Their main point was that the east-bound scheme took traffic away from one street - their own street, Torrington Place. They said the West End Project# is going to add to it and traffic would be worse still if the corridor became west bound.

(#The West End Project is a scheme currently underway to make Gower Street two-way traffic, which will entail narrowing the pavements for pedestrians, who are supposed to be the council's top priority in road planning; and to allow, mostly, only buses and cycles on Tottenham Court Road. This scheme was implemented without consulting thousands of people east of Gower Street who are being affected, and regardless of local opposition.)

### **Outcome**

Councillor Adam Harrison, who responded for the Council, said they would stick to their original decision, to make the eastbound Order permanent, pending review. He did not respond to many of the objections - (for instance, the objection that the council evidence on cycling numbers and pollution was totally discredited in the Inquiry) - and denied that waiting for four months to make the decision amounted to a delay.