

# **Public Inquiry on Tavistock Place Trial**

## **Bloomsbury Residents' Action Group**

### **Summing up**

#### **1. INTRODUCTION**

In this summing up, on behalf of Bloomsbury Residents' Action Group (BRAG) and on behalf of the Bloomsbury Association, I will sum up our case, and highlight any particular points which we would like to be brought to your attention, Sir.

The fact that BRAG was set up directly as a result of the trial and that many local people have devoted hundreds of hours of their own time to fighting the trial, organising a petition (signed by more than one thousand people) and preparing the case for this Inquiry shows the strength of local feeling about the seriously negative impacts of the trial on the daily life of residents of this area.

I would also like to say by way of preamble that I hope it has been clear from our Statement of Case and evidence that we represent a wide community including cyclists; we care passionately about the need to reduce air pollution and to improve safety – for cyclists, pedestrians and all road users. But the trial's claims to have brought these about are unproven, and we are asking for a logical, objective look at what its impact has really been.

We also concur whole heartedly with the statements on the health benefits of cycling and walking; there have been many generalised statements about this from supporters of the trial. However, none of this quoting of generalisations proves that the trial actually brings about these benefits. And in fact the claim that cycling has increased by 52%, upon which much of the supporter case is based, now appears discredited.

#### **2. CASE IN BRIEF**

- a) The trial has not met its key objectives
- b) The trial has created multiple adverse impacts, which outweigh any positive impacts, and which the Council is largely not taking into account
- c) There are alternative plans for the area which could achieve the Council's objectives without such adverse impacts, and these have not been fairly and adequately considered

#### **3. THE TRIAL HAS NOT MET ITS KEY OBJECTIVES**

In its web document published at the beginning of the trial, the Council stated:

*The trial has been introduced to help reduce traffic on the route, improve air quality and provide a safer environment for the large numbers of pedestrians and cyclists in the area.*

The Council also stated that a further necessary condition for the trial to be made permanent:

*If the trial showed that the changes have been positive and that there has been support for the changes, then the Council could consider making the traffic arrangements permanent.*

It has succeeded in reducing traffic on the route by simply banning west-bound traffic.

But the Council has failed to demonstrate that air quality has improved, or that it has provided a safer environment, or that there has been valid support for the scheme. To take these in turn:

### **3.1 The Council has failed to demonstrate that air quality has improved.**

- a) As our video evidence clearly illustrates, the Torrington-Tavistock trial has caused massive displacement of traffic on to surrounding streets. Prior to the trial, 4,500 vehicles per 12 hours travelled west-bound on the trial route; **those 4,500 vehicles were suddenly displaced on to the surrounding residential streets**, creating long queues of stop-start traffic and a concomitant increase in pollution.
- b) The Council's data published with the consultation document in September 2016, on changes arising from the trial reflected people's perceptions of greatly increased traffic; the data showed for instance in Judd Street morning rush-hour traffic north-bound had increased by 58%, and in Southampton Row north of Fisher Street, morning rush-hour north-bound traffic had increased by 99%.
- c) It is interesting to note that for the purpose of the Public Inquiry, Ms Shah's evidence (Appendix 3) saw the figure of 58% increase in traffic changed to 4%. The explanation given in the Inquiry was that there was more recent data. But it appears they were both collected on 12 May 2015 and 17 May 2016. The difference appears to be that for the purpose of the Public Inquiry, the Council has opted to use a different time slot. The time slot for the originally published 58% increase was based on 8.45am to 9.45am, whereas the time slot chosen for the Inquiry document was 8am to 9am.
- d) One can only speculate on the reason for using a different slot was, but it does serve to show what BRAG has said, that the congestion, whilst virtually non-existent before November 2015, has, since the trial, fluctuated between mild and severe, and whilst sometimes it is low – ie 4% more than before the trial; sometimes it is much higher – ie 58% more than before the trial.
- e) This increase in volume on surrounding streets has led to unprecedented congestion. This congestion in turn has resulted in idling, stop-start traffic, with diesel engines polluting densely residential streets for many hours per day.
- f) Although the Council has been told by residents about this increased congestion and pollution in the streets absorbing the displaced traffic since November 2015, no monitoring of air quality was originally set up in those streets. Monitors were set up belatedly in Judd Street and Endsleigh Gardens, in February 2017, but as there was no pre-trial comparative data, this provides no information at all on the impact of the trial on pollution. Monitoring has taken place in three places including Tavistock Square, where air quality has improved, and this has been heralded as a success.

- g) The failure of the Council to demonstrate improved air quality in the area has been shown clearly in the Inquiry. And the scheme's effect of causing increased pollution on streets around the corridor has been belatedly admitted by the Council. Adam Webber's Proof of Evidence acknowledges (4.8) that *'Without monitoring data being available for before the scheme along Endsleigh Gardens, it is difficult to accurately quantify the impacts of the scheme along this route. However, it does appear that there have been some increases in pollution along Endsleigh Gardens, which could be as a result of traffic displacement from the scheme.'*
- h) Questioned on his statement *'However, the improved walking and cycling infrastructure along the scheme's route should ensure that the number of walkers and cyclists exposed to higher pollution levels on Endsleigh Gardens is reduced as the scheme's route is more attractive to them.'*, Mr Webber confirmed that by this statement he did intend pedestrians to avoid Endsleigh Gardens, even if that was their most direct route, to walk much further, via the less polluted Tavistock Place. No solution was suggested for the residents of Endsleigh Gardens, who cannot avoid the additional pollution caused by the trial.
- i) In view of the vacuum of evidence about pollution in surrounding streets, BRAG has supplied witness statements from local residents which included an explanation that:
- o on some days the congestion meant that it took stop-start vehicles 8 minutes 55 seconds on average to drive a distance of 209 metres, meaning they were generating about 20 times as much pollution than if they had been travelling without congestion;
  - o and with an elderly residents in sheltered housing saying: *'Since the Tavistock Place trial, the traffic in all surrounding areas have become gridlocked. The pollution and noise has become unbearable. My once so lovely Bloomsbury [flat] has now become a health hazard. I am 83 years old and I used to sit on the Brunswick stairs outside the cinema for hours after my walk with my dog, watching the world go by. I can no longer do that as the fumes from the traffic in Brunswick Square / Hunter Street are no good for my health, so I have to go up to my flat with my windows shut. I feel I am a prisoner in my own neighbourhood.'*
- j) So the Council accepts that the trial has resulted in increased pollution around the corridor, meaning decisions have been taken by the Council for the corridor to be cleaner at the expense of other streets. When asked, in the Inquiry, what was statistical, scientific and ethical basis the Council used to weigh up the relative gains and losses and the relative rights to health and wellbeing in various streets, Ms McBride responded that it was based on a professional judgment by officers, with input from elected members. She also added that it was 'not a scientific process'. Explaining how the Council decides which streets should be made more polluted is a far cry from the original objective to improve air quality.

### **3.2The Council has failed to demonstrate that it has provide a safer environment for the large numbers of pedestrians and cyclists in the area.**

There are two ways of looking at safety: and perceptions of safety and accident data.

The consultation document of autumn 2016 made much of cyclists feeling safer. However, witness statements presented by BRAG have made it clear that there are many cyclists and pedestrians who do not feel safer as a result of the trial.

Turning to the accident data, we have considered the data provided by the Council and have sought to demonstrate both that the ETO was not justified on the safety grounds cited by the Council – namely the assertion that the corridor had suffered from a high casualty record – and that the ETO has not been shown at this stage to have either improved or worsened safety.

In terms of the impact of the trial on accidents, the Council made much of pedestrian accidents having reduced by 75% (9 down to 2). But it must also be noted that cycling accidents increased from 7 to 11 (an increase of 57%). And we now know that this cannot be explained by a quantified increase in cycling on the corridor.

So a crude look at the data suggests the trial is less dangerous for pedestrians and more dangerous for cyclists.

But our witness made the case that a longer view needs to be taken to draw sound statistical conclusions. We are dealing here with very small numbers over a very short period.

We contend that the data available so far, especially in the absence of reliable journey numbers, does not demonstrate that the trial has been either more or less safe than the previous layout.

### **3.3 The Council has failed to demonstrate that there has been valid support for the scheme**

The Council has relied heavily on the outcome of the formal consultation held in autumn 2016 to demonstrate support for the scheme.

However, as has been rehearsed in this Inquiry, the validity of the outcome was put into question when it emerged that 86% of the respondents were from outside the area.

We have suggested to the Inquiry that decisions need to take account of the true impact of Camden's new road layout on those who feel it most – especially if there are good reasons for thinking that the consultation attracted supportive responses from people with little or no knowledge of the area or the trial road layout. This was reinforced by a witness for the Council who pointed out that the trial provides an opportunity for assessing 'real world impact'.

The consultation was not supposed to be a vote; it was a survey. If it had been a vote, then there should have been a defined constituency. As it was a survey, it should have ensured that the results were based on a representative and relevant sample, in order to be valid.

The witness speaking about the FoI request for raw data from the consultation explained why the consultation's methodology and results are deeply flawed – giving two reasons:

- i) The consultation's results were not remotely representative of the stakeholder groups whose views the consultation is seeking. 71% of respondents were cyclists; whereas 4% of the general population are cyclists. The results were massively distorted.

- ii) The views of respondents from outside the area – some of whom probably have little or no knowledge of the scheme or its consequences – were given exactly equal weight to those of people who know the area well and live every day with the trial's impact.

As our witness explained, the Council's has refused to provide the raw data from the consultation. It should be noted that the Information Commissioner's ruling that the Council need not publish this data has no bearing on the argument that the consultation methodology was flawed and its results skewed.

These shortcomings in the interpretation of the consultation responses were in addition to the other multiple flaws in the consultation process, which included a failure to distribute notices to all relevant parties about the ETO, and a failure to distribute the consultation documents to all households. And the consultation document itself, was biased and flawed in its attempts to give an impression through unsubstantiated headline wording and digitally manipulated photographs that making the trial permanent would be better; the misleading statements on safety and air quality; and the confusing framing of the questions.

#### **4. The trial has created multiple adverse impacts, which outweigh any positive impacts, and which the Council is largely not taking into account**

BRAG's has highlighted a number of serious adverse effects of the trial, namely:

- a) Increased security risks with emergency vehicles being impeded. This is an area of high terrorist risk, and the trial has blocked or impeded several key emergency routes. This was illustrated by the emergency route map, the BRAG video and the statement from the London Ambulance Station, which said the trial had caused delays. We said in our statement that although Council officers appear to think the blocking of emergency routes is not important, that is a matter of great importance to the 22,000+ people who live in the area; and, as was pointed out, is no doubt of great concern to those running the many hotels and hostels in the area. And we have heard in evidence of the 6000 hotel beds in the area and the 6 million plus annual visitors to the British museum. This is not an area in which security risks should be taken lightly.
- b) Necessitated longer vehicle journeys thereby increasing the risk of accidents and pollution.
- c) Delayed patient and health care staff journeys between hospital sites, which occur daily; and caused extended and expensive journeys for people with impaired mobility. There was some discussion in the Inquiry as to the exact increase in travel time, and it is agreed by all that this will vary from day to day as congestion varies. But, as a witness pointed out, it is a matter of fact that journeys to UCH, to the west of the corridor, are now significantly longer in distance. She also noted that many journeys are time critical, meaning that people could die if journeys are delayed; surely this should be considered as part of the safety equation? And evidence from a disabled witness who had to attend hospital frequently testified, with detailed timed diary entries, to journey times being more than doubled, including a trip of less than two miles taking one and a quarter hours; a solicitor appointed by the Court of Protection, testified to journeys to hospital being four times longer; a disabled resident testifying to taxi fares costing four times higher; and another resident with disabling health conditions saying journeys were longer and she had been delayed whilst in an emergency ambulance. These were real people with real and serious problems

caused by the trial. This was not a google maps exercise but a cases of listening to the people to find out what the impact of the trial has been on the community.

- d) Threatened the sustainability of the community by making the practicalities of daily life for residents and local businesses more difficult and stressful. We heard from a hotelier and a costume designer, backing up other statements from a café owner, a pharmacist and a photographer – all of whom needed vehicular transport to run their businesses – and all of whom had been finding journeys and deliveries severely impeded. One witness stated: *'I work long hours up to 12 hours a day and now have the added stress of an extra hour, either way, in my commute. Many times the stress of the drive has brought on migraines. I am a freelance worker and if due to a migraine I'm unable to work I lose out financially. Therefore [it is] seriously affecting my work.'*

Our witness statements also pointed out the difficulties for people living on the corridor, needing to load and unload, and pick up and drop off passengers. A Council witness undertook to look at whether this could be improved. But the Council has known about this for two years and has done nothing.

##### **5. There are alternative plans for the area which could achieve the Council's objectives without such adverse impacts, and these have not been fairly and adequately considered**

BRAG has made the case that there is sufficient width on this east-west route, between the junction of Tavistock Place and Judd Street through to the junction of Torrington Place and Gower Street, to accommodate both the two new single-direction cycle lanes which have been installed and also two-way motor traffic. This plan conforms to, and in parts exceeds, national standards. For 20% of the route, the minimum width requirements for pavements, cycle lanes and traffic lanes set out in national standards are met or slightly exceeded; for 20% of the route, minimum standards for pavements and traffic lanes are met, and the ideal width for cycle lanes set out in national standards is met. For 60% of the route, ideal widths for pavements and cycle lanes are met and in parts exceeded. It will also be seen, from the consultation with cyclists referred to, that this plan not only meets and largely exceeds national cycle lane standards but also, for 60% of the route, achieves a desirable width for unidirectional cycling lanes of 2.2m.

The Council criticised this plan on the basis of lane widths. But it was pointed out in the Inquiry that the Council applies its rules about lanes widths flexibly. They seem to be maintaining that these rules must be adhered to on Tavistock place, a designated Quietway, but can be ignored for the forthcoming cycle Superhighway on Judd Street, where the width of 8.55m will not allow for two cycle lanes of 2.2m and two vehicle lanes of 3m. So presumably some of these lanes will be narrower than those being stipulated by the Council for the corridor.

The ideal widths for lanes and footways as set out by the Council are recognised by BRAG as desirable. **However, in an existing historic city street, ideals for all widths cannot be achieved; there has to be some compromise. The Council's chosen compromise is to compromise on the health and quality of life of local people;** their compromise is to aim for very wide pavements and cycle lanes and to remove one lane of traffic, with consequential displaced vehicles increasing congestion and pollution in residential streets; this is all at the expense of the health and quality of life of the thousands of people living in these surrounding streets.

The pre-2005 layout, which would be a reversal of the trial, with modification, is tried and tested. It is a solution, enhanced by wider cycle lanes than pre-2005, which would accommodate all road users and avoid the widespread adverse impact of the one-way

trial. The trial has not met its objectives and has had multiple adverse effects. The BRAG plan is a reasonable and workable solution which avoids those adverse effects.

The west-bound route put forward by other parties at the Inquiry would be an improvement on the current east-bound route because it would displace less traffic on to local streets and provide a much needed west-bound route between Euston Road and the Strand (there are other east-bound routes). Also, in spite of apparently conflicting evidence given by Council witnesses, it does appear that a decision might well have been made about blocking the road in Brunswick Square, which would make the need for a west-route all the more necessary.

That having been said, BRAG has maintained that the two vehicle lanes and two unidirectional cycle lanes on the corridor would be the ideal and we urge the Inspector to consider this as a viable and serious option.

## **6. Conclusion**

The Council's written material includes many promises of changes and improvements to the trial, but, as has been pointed out in the Inquiry, the trial should be judged on the trial itself, on how it is now, not how it might be if the promises are fulfilled.

This is a residential area - although the Council sometimes chooses to refer to it erroneously as a business district. There are about 22,000 people on the electoral roll - meaning that there could be well over 30,000 people living here. All these people need to run their daily lives, their small businesses; they need to have deliveries; to be able to provide safe transport for elderly relatives and their children and disabled friends. They need to be able to breathe air which is as least polluted as possible.

The Council should have considered and taken seriously the impact of the trial on the local community and it has not.

The reason so many hundreds of local people and so many organisations have carried on with this long and arduous and expensive protest against the trial is the constantly reinforced perception, that the ordinary people who live here just do not matter, and their views do not count.

One BRAG witness statement from residents in Tavistock Square referred to the Councils' apparent view that the increase in traffic and pollution is a 'price worth paying'.

Whether it is a price worth paying is for the Inquiry to decide.

We are grateful for the opportunity to have been able to present our case, to seek an objective and evidence-based look at our contention that:

- the trial has not met its objectives
- that any positive effects are heavily outweighed by the multiple and widespread adverse effects
- and that our alternative proposed layout is viable

I would like to thank you, Sir, for your patience and for hearing our case.

Nicky Coates  
Chair, BRAG