

BLOOMSBURY RESIDENTS' ACTION GROUP

PROOF OF EVIDENCE 2

The flawed nature of the consultation and formal information processes

SUMMARY

by NICKY COATES

In brief, the flaws in the consultation and information processes concerning the ETO have been as follows:

1. The use of an Experimental Traffic Order (ETO) to make this change appears to have been deployed with the intention of circumventing consultation with residents. It was unusual to use an ETO for such a large scheme; the normal use of ETOs was for much smaller interventions.
2. Before the trial, Camden Council consulted, according to the document they published in November 2015: Transport for London, Camden Cycling Campaign, London Cycling Campaign, Living Streets, University College London and the University of London. In short, they consulted organisations they thought would support the trial. There is a conspicuous absence of residents in that list – and yet they are the people who have to live with the consequences – and who have to pay for it.
3. The impression of the Council acting in bad faith with regard to consultation is increased when one looks at the planning application from the London School of Hygiene and Tropical Medicine (Application number 2015/3406/P), considered by the Development Control Committee on 21st January 2016, which included the statement:

13.22 One such scheme is the Tavistock & Torrington Place Scheme, which is currently being trialled and is due to finish towards the end of next year. Once this trial period is finished the Council will be looking to fit permanent infrastructure to facilitate the scheme going forward. [Underlining added]

4. The Council publicly committed to making an assessment of the trial, weighing up the evidence in many documents. In the web document published by the Council at the beginning of the trial, the Council stated:

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

5. This clearly implies that the evidence would be weighed up and a decision made on that evidence, not that the decision had already been made long before the evidence had been gathered.

6. However there is significant evidence of the Council's lack of neutrality in this process, and their very strong intention to continue the one-way system regardless of the evidence. This appearance of intent by the Council to make the trial layout permanent, long before the consultation results were to be known or trial evidence available, is reinforced by press and Twitter statements from Councillors, which do not lend any confidence that the decision making process will be evidence-based or objective.
7. When an ETO is being imposed, councils have a duty to inform affected people but this was done inadequately. The ETO guidelines issued by the Department of Transport, in Section 1.4 of Draft Guidance for New Procedures for Traffic Orders 2012, requires local authorities*'to inform those individuals and organisations likely to be affected as determined by the authority in a way or ways which is most appropriate in the circumstances'*. Notifications were sent out, but only to some households, a few days before the work began on Tavistock Place. But for many – maybe most – people the road closure and its consequential immediate congestion and pollution were a complete shock.
8. The consultation document which was issued in September 2016 was supposed to go to every council tax payer, and BRAG was given this commitment by Council officers at a meeting on 9th September 2016. But this did not happen.
9. The way in which the consultation document is written was clearly biased. It appears not to have been professionally validated and flouts recognised standards for constructing questionnaires in numerous ways, but to focus on three aspects: the attempt to give an impression through unsubstantiated headline wording and pictures that making the trial permanent would be better; the misleading statements on safety and air quality; and the framing of the questions.
10. The Council had to admit that they had failed to post a vital public notice about the ETO in the Town Hall; an omission that apparently triggered the Public Inquiry as considerable public cost.